

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 2118

By: Hamilton

AS INTRODUCED

An Act relating to counties; amending 19 O.S. 2021, Section 180.43, as amended by Section 4, Chapter 394, O.S.L. 2024 (19 O.S. Supp. 2025, Section 180.43), which relates to county sheriff expenses; authorizing surplus funds from county sheriff commissary account to be used for certain purposes; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 19 O.S. 2021, Section 180.43, as amended by Section 4, Chapter 394, O.S.L. 2024 (19 O.S. Supp. 2025, Section 180.43), is amended to read as follows:

Section 180.43. A. Each county sheriff may contract with any public or private entity engaged in the business of transportation of prisoners, the Department of Justice of the United States of America, the Department of Corrections, or any municipality of this state for the feeding, care, housing, and upkeep of federal, state, or municipal prisoners, or alien detainees incarcerated in the county jail. Any funds received pursuant to said contract shall be the funds of the county where the federal, state, or municipal

1 prisoners, or alien detainees are incarcerated and shall be  
2 deposited in the Sheriff's Service Fee Account. All purchases made  
3 pursuant to the provisions of this subsection shall be made pursuant  
4 to the purchasing procedures specified in Sections 1500 through 1507  
5 of this title, including the use of blanket purchase orders as  
6 provided for in Section 310.8 of Title 62 of the Oklahoma Statutes.  
7 The sheriff shall be permitted to expend the funds for capital  
8 expenditures. The sheriff shall be permitted to expend any funds in  
9 the Sheriff's Service Fee Account for administering expenses for  
10 salaries, training, equipment or travel.

11 The claim for said expenses shall be filed with and allowed by  
12 the board of county commissioners as other claims. The sheriff  
13 shall receive no compensation for said services. The sheriff shall  
14 file an annual report with the board of county commissioners not  
15 later than January 15 of each year. The State Auditor and Inspector  
16 shall conduct an audit of the report as on other public records of  
17 the county.

18 B. In lieu of the travel reimbursement or monthly travel  
19 allowance provided for by law, the board of county commissioners may  
20 purchase and provide for the operation, maintenance, insurance,  
21 equipping, and repair of an automobile for each county commissioner  
22 to be used in performing the duties of his office. In lieu of the  
23 travel reimbursement or monthly travel allowance provided for by  
24 law, the board of county commissioners, with the concurrence of the

1 county sheriff, may purchase and provide for the operation,  
2 maintenance, insurance, equipping, and repair of automobiles for the  
3 use of the sheriff in performing the duties of his office. Any  
4 automobile purchased pursuant to the authority granted in this  
5 section shall be purchased by competitive bids. The use of any said  
6 automobile for private or personal purposes is hereby prohibited.  
7 In any county having a population of at least three hundred fifty  
8 thousand (350,000), where it is determined by the sheriff to be more  
9 economical and advantageous to the county, the sheriff may establish  
10 a monthly automobile allowance of not more than Four Hundred Dollars  
11 (\$400.00) per month in lieu of the mileage per mile for in-county  
12 driving as authorized in this section. Any travel reimbursement  
13 other than in-county driving as provided for in this section shall  
14 be for actual and necessary expenses as provided for in the State  
15 Travel Reimbursement Act. Any person violating the provisions of  
16 this subsection, upon conviction, shall be guilty of a misdemeanor  
17 and shall be punished by a fine of not more than One Hundred Dollars  
18 (\$100.00) or by imprisonment in the county jail for not more than  
19 thirty (30) days, or by both said fine and imprisonment, and in  
20 addition thereto shall be discharged from county employment.

21 C. The State of Oklahoma hereby declares and states that the  
22 increased number of persons impersonating law enforcement officers  
23 by making routine traffic stops while using unmarked cars is a  
24 threat to the public health and safety of all of the citizens of the

1 State of Oklahoma; therefore it shall be unlawful for any county  
2 sheriff, deputy sheriff or reserve deputy sheriff to use any vehicle  
3 which is not clearly marked as a law enforcement vehicle for routine  
4 traffic enforcement except as provided in Section 12-218 of Title 47  
5 of the Oklahoma Statutes. In addition to Section 12-218 of Title 47  
6 of the Oklahoma Statutes, the peace officer operating the law  
7 enforcement vehicle for routine traffic stops shall be dressed in  
8 the official uniform including shoulder patches, badge, and any  
9 other identifying insignias normally used by the employing law  
10 enforcement agency.

11 D. Each county sheriff may operate, or contract the operation  
12 of, a commissary for the benefit of persons lawfully confined in the  
13 county jail under the custody of the county sheriff. Any funds  
14 received pursuant to said operations shall be the funds of the  
15 county where the persons are incarcerated and shall be deposited in  
16 the Sheriff's Commissary Account. The sheriff shall be permitted to  
17 expend the funds to improve or provide jail services. The sheriff  
18 shall be permitted to expend any surplus in the Sheriff's Commissary  
19 Account for administering expenses for training equipment, travel ~~or~~  
20 for, capital expenditures, jail operations, inmate care, or other  
21 jail related expenditures. The claims for expenses shall be filed  
22 with and allowed by the board of county commissioners in the same  
23 manner as other claims. The sheriff shall receive no compensation  
24 for the operation of said commissary. The sheriff shall file an

1 annual report on any said commissary under his or her operation no  
2 later than January 15 of each year. The State Auditor and Inspector  
3 shall conduct an audit of the report in the same manner as other  
4 public records of the county.

5 E. Each county sheriff may operate, or contract the operation  
6 of, a telephone system for the benefit of persons lawfully confined  
7 in the county jail under the custody of the county sheriff. Any  
8 funds received pursuant to said operations shall be the funds of the  
9 county where the persons are incarcerated and shall be deposited in  
10 the Sheriff's Service Fee Account. Such funds may be expended  
11 according to the guidelines previously established for expenditures  
12 from the general fund. The claims for expenses shall be filed with  
13 and allowed by the board of county commissioners in the same manner  
14 as other claims.

15 SECTION 2. This act shall become effective November 1, 2026.  
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