

1 THE STATE SENATE
2 Monday, March 29, 2010

3 ENGROSSED

4 House Bill No. 2631

5 As Amended

6 ENGROSSED HOUSE BILL NO. 2631 - By: Johnson, Collins, Roan, Ritze
7 and McAffrey of the House and Sykes of the Senate.

8 [schools - continuing law enforcement training - modifying
9 requirements - effective date]

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

11 SECTION 1. AMENDATORY 70 O.S. 2001, Section 3311.4, as
12 last amended by Section 2, Chapter 143, O.S.L. 2008 (70 O.S. Supp.
13 2009, Section 3311.4), is amended to read as follows:

14 Section 3311.4 A. Beginning January 1, 2008, and annually
15 thereafter, every active full-time peace officer, certified by the
16 Council on Law Enforcement Education and Training (CLEET) pursuant
17 to Section 3311 of this title, shall attend and complete a minimum
18 of twenty-five (25) hours of continuing law enforcement training
19 accredited or provided by CLEET which shall include a mandatory two
20 (2) hours on mental health issues and a mandatory four (4) hours on
21 legal issues, concepts and state laws. CLEET shall promulgate rules
22 to enforce the provisions of this section and shall enter into
23 contracts and agreements for the payment of classroom space,
24 training, food, and lodging expenses as may be necessary for law

1 enforcement officers attending such training in accordance with
2 subsection B of Section 3311 of this title. Such training and
3 seminars shall be conducted in all areas of this state at technology
4 center schools, institutions of higher education, or other approved
5 sites.

6 B. Every inactive full-time peace officer, certified by CLEET,
7 shall be exempt from these requirements during the inactive status.
8 Upon re-entry to full-time active status, the peace officer shall be
9 required to comply with subsection A of this section. If a
10 certified peace officer has been inactive for five (5) or more
11 years, the officer must complete one hundred (100) hours of
12 refresher training as prescribed by CLEET and which shall include a
13 minimum of four (4) hours of mental health education and training,
14 within one (1) year of employment.

15 C. Every tribal officer who is commissioned by an Oklahoma law
16 enforcement agency pursuant to a cross-deputization agreement with
17 the State of Oklahoma or any political subdivision of the State of
18 Oklahoma pursuant to the provisions of Section 1221 of Title 74 of
19 the Oklahoma Statutes shall comply with the provisions of this
20 section.

21 D. Beginning January 1, 2011, and annually thereafter, every
22 active part-time reserve peace officer, certified by CLEET pursuant
23 to Section 3311 of this title, shall attend and complete a minimum

1 of eight (8) hours of continuing law enforcement training accredited
2 or provided by CLEET which shall include a mandatory two (2) hours
3 on mental health issues and a mandatory four (4) hours on legal
4 issues, concepts and state laws.

5 E. Any active full-time certified peace officer, ~~or~~ CLEET-
6 certified cross-deputized tribal officer, or any active part-time
7 certified reserve peace officer who fails to meet the annual
8 training requirements specified in this section, shall be subject to
9 having the certification of the peace officer suspended, after the
10 peace officer and the employer have been given written notice of
11 noncompliance and a reasonable time, as defined by the Council, to
12 comply with the provisions of this section. A peace officer shall
13 not be employed in the capacity of a peace officer during any period
14 of suspension. The suspension period shall be for a period of time
15 until the officer files a statement attesting to full compliance
16 with the provisions of this section. Suspension of peace officer
17 certification shall be reported to the District Attorney for the
18 jurisdiction in which the officer is employed, the liability
19 insurance company of the law enforcement agency that employed the
20 peace officer, the chief elected official of the governing body of
21 the law enforcement agency and the chief law enforcement officer of
22 the law enforcement agency. Any officer whose certification is
23 suspended pursuant to this section may request a hearing with CLEET.

1 Such hearings shall be governed by the Administrative Procedures Act
2 except that the affected officer has the burden to show CLEET why
3 CLEET should not have the certification of the officer suspended.

4 SECTION 2. This act shall become effective November 1, 2010.

5 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-24-10 - DO
6 PASS, As Amended.