

1 ENGROSSED HOUSE  
2 BILL NO. 2654

By: Sullivan, Johnson, Ritze  
and Wright (John) of the  
House

3  
4 and

Crain of the Senate

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8 An Act relating to counties and county officers;  
9 amending 19 O.S. 2001, Section 547, as amended by  
10 Section 1, Chapter 366, O.S.L. 2008 (19 O.S. Supp.  
11 2009, Section 547), which relates to deputizing  
12 certain persons; clarifying scope of mutual aid  
13 agreements; and providing an effective date.

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

15 SECTION 1. AMENDATORY 19 O.S. 2001, Section 547, as  
16 amended by Section 1, Chapter 366, O.S.L. 2008 (19 O.S. Supp. 2009,  
17 Section 547), is amended to read as follows:

18 Section 547. A. The sheriff shall be responsible for the  
19 official acts of the undersheriff and deputy sheriffs, and may  
20 revoke such appointments at the pleasure of the sheriff; provided,  
21 however, for counties with a population of five hundred thousand  
22 (500,000) or more persons, according to the latest Federal Decennial  
23 Census, with the exception of chief deputies and undersheriffs, all  
24 deputy sheriffs and detention officers shall serve a five-year  
probationary period during which the deputy sheriff or detention

1 officer shall be considered an at-will employee. After the five-  
2 year probationary period, such deputy sheriff or detention officer  
3 shall not be discharged except for just cause. The sheriff or the  
4 undersheriff may in writing depute certain persons to do particular  
5 acts.

6 B. Each sheriff may appoint as many reserve force deputy  
7 sheriffs as are necessary to preserve the peace and dignity of the  
8 county. A current list of each person holding such appointment  
9 shall be maintained by the county sheriff and shall be available to  
10 the public. Reserve force deputy sheriffs may perform duties which  
11 encompass a particular act or a series of acts. A sheriff or  
12 salaried deputy sheriff shall accompany a reserve force deputy  
13 sheriff in the performance of all duties assigned to such reserve  
14 force deputy sheriff unless such reserve deputy has completed the  
15 required one-hundred-sixty-hour basic police course. Reserve force  
16 deputies may receive compensation for their services. The sheriff  
17 may pay reserve force deputies for travel expenses pursuant to the  
18 State Travel Reimbursement Act. Such reserve deputy sheriffs shall  
19 complete a one-hundred-sixty-hour basic police course within twelve  
20 (12) months after they have been commissioned to be paid by the  
21 county as an individual reserve deputy. The sheriff may pay for  
22 additional training courses attended by reserve force deputies.

23 C. 1. For counties with a population of two hundred thousand  
24 (200,000) or more persons, according to the latest Federal Decennial

1 Census, reserve force deputy sheriffs with at least one hundred  
2 sixty (160) hours of training pursuant to Section 3311 of Title 70  
3 of the Oklahoma Statutes shall not serve more than one hundred forty  
4 (140) hours per calendar month.

5 2. For counties with a population of less than two hundred  
6 thousand (200,000) persons, according to the latest Federal  
7 Decennial Census, reserve force deputy sheriffs with at least one  
8 hundred sixty (160) hours of training shall not serve more than one  
9 hundred ten (110) hours per calendar month.

10 D. The sheriff or a designee may deputize municipal police  
11 officers subject to an interlocal governmental agreement to combine  
12 city and county law enforcement efforts and to encourage cooperation  
13 between city and county law enforcement officials. Liability for  
14 the conduct of any municipal police officers deputized under the  
15 terms and conditions of an interlocal governmental agreement shall  
16 remain the responsibility of their municipal employer.

17 E. The sheriff may enter into mutual aid agreements pursuant to  
18 the Interlocal Cooperation Act, ~~Section 1002 et seq. of Title 74 of~~  
19 ~~the Oklahoma Statutes,~~ to allow the sheriff, deputy sheriffs and  
20 reserve deputy sheriffs to enforce ordinances within a municipality  
21 or to assist or provide law enforcement services to any town, city,  
22 and county within this state and the. The sheriff and deputies  
23 deputy sheriffs shall have law enforcement authority within the  
24 jurisdiction making the request. The employing governmental unit

1 shall remain responsible for their officers or deputies pursuant to  
2 any mutual aid agreement.

3 F. A sheriff of the county may respond to any request from any  
4 other jurisdiction within the state for law enforcement assistance  
5 in cases of emergency. The sheriff, deputy sheriffs and reserve  
6 deputy sheriffs serving in response to the emergency request shall  
7 have the same powers and duties as though employed by the requesting  
8 law enforcement agency, and when so acting they shall be deemed to  
9 be acting within the scope of employment of the requesting law  
10 enforcement agency. Salaries, insurance and other benefits shall be  
11 provided in the regular manner by the county in which the sheriff,  
12 deputy sheriffs and reserve deputy sheriffs are regularly employed.  
13 As used in this subsection, "emergency" means a sudden and  
14 unforeseeable occurrence or condition, either as to its onset or its  
15 extent, of such severity or magnitude that immediate response or  
16 action is necessary to assist law enforcement agencies having  
17 jurisdiction at the scene of the emergency to carry out their  
18 functions.

19 G. A reserve force deputy sheriff shall be authorized to serve  
20 civil process pursuant to Section 2004 of Title 12 of the Oklahoma  
21 Statutes.

22 SECTION 2. This act shall become effective November 1, 2010.  
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Passed the House of Representatives the 15th day of February,  
2010.

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Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2010.

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Presiding Officer of the Senate