An Act

ENROLLED SENATE
BILL NO. 408

By: Paddack and Shortey of the Senate

and

Thomsen, Ritze, Roberts (Sean), McCullough and Bennett of the House

An Act relating to the Council on Law Enforcement and Education and Training (CLEET); amending 70 O.S. 2011, Section 3311.4, as amended by Section 1, Chapter 85, O.S.L. 2012 (70 O.S. Supp. 2012, Section 3311.4), which relates to certain law enforcement training; modifying training requirements for certain inactive officers; authorizing the Director of CLEET to waive certain requirements under certain circumstances; authorizing certain persons to carry a firearm under certain circumstances; providing for codification; and providing an effective date.

SUBJECT: Council on Law Enforcement Education and Training

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 3311.4, as amended by Section 1, Chapter 85, O.S.L. 2012 (70 O.S. Supp. 2012, Section 3311.4), is amended to read as follows:

Section 3311.4. A. Beginning January 1, 2008, and annually thereafter, every active full-time peace officer, certified by the Council on Law Enforcement Education and Training (CLEET) pursuant to Section 3311 of this title, shall attend and complete a minimum

of twenty-five (25) hours of continuing law enforcement training accredited or provided by CLEET which shall include a mandatory two (2) hours on mental health issues. CLEET shall promulgate rules to enforce the provisions of this section and shall enter into contracts and agreements for the payment of classroom space, training, food, and lodging expenses as may be necessary for law enforcement officers attending such training in accordance with subsection B of Section 3311 of this title. Such training and seminars shall be conducted in all areas of this state at technology center schools, institutions of higher education, or other approved sites.

B. Every inactive full-time peace officer, certified by CLEET, shall be exempt from these requirements during the inactive status. Upon ~~re-entry~~ reentry to full-time active status, the peace officer shall be required to comply with subsection A of this section. If a full-time certified peace officer has been inactive for five (5) or more years, the officer must complete ~~one hundred (100) hours of~~ refresher training as prescribed by CLEET and which shall include a minimum of four (4) hours of mental health education and training, within one (1) year of employment. If a certified reserve officer has been inactive for five (5) or more years, the certified reserve officer shall complete a legal update as prescribed by CLEET. The Director of CLEET may waive these requirements based on review of all records of employment and training.

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

D. Any active full-time certified peace officer, or CLEET-certified cross-deputized tribal officer who fails to meet the annual training requirements specified in this section, shall be subject to having the certification of the peace officer suspended, after the peace officer and the employer have been given written notice of noncompliance and a reasonable time, as defined by the Council, to comply with the provisions of this section. A peace officer shall not be employed in the capacity of a peace officer during any period of suspension. The suspension period shall be for

a period of time until the officer files a statement attesting to full compliance with the provisions of this section. Suspension of peace officer certification shall be reported to the District Attorney for the jurisdiction in which the officer is employed, the liability insurance company of the law enforcement agency that employed the peace officer, the chief elected official of the governing body of the law enforcement agency and the chief law enforcement officer of the law enforcement agency. Any officer whose certification is suspended pursuant to this section may request a hearing with CLEET. Such hearings shall be governed by the Administrative Procedures Act except that the affected officer has the burden to show CLEET why CLEET should not have the certification of the officer suspended.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3311.14 of Title 70, unless there is created a duplication in numbering, reads as follows:

Upon completion of an approved course of firearm training conducted by a certified firearms instructor which is equal to the minimum requirements for firearms training as set forth by the Council on Law Enforcement Education and Training, the Attorney General and any assistant attorney general may carry a firearm on his or her person anywhere in this state for personal protection only.

SECTION 3. This act shall become effective November 1, 2013.

Passed the Senate the 14th day of May, 2013.

Presiding Officer of the Senate

Passed the House of Representatives the 15th day of May, 2013.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 16th
day of May, 20 13, at 12:10 o'clock P M.
By: Candi C. Batts

Approved by the Governor of the State of Oklahoma this 20th
day of May, 20 13, at 2:49 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 20th
day of May, 20 13, at 4:15 o'clock P. M.
By: Chris Mannes