

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 526 By: Shortey of the Senate
3 and
4 Montgomery of the House
5
6
7

8 [law enforcement training - carry-over of hours -
9 effective date]
10

11 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
12 entire bill and insert
13

14 "An Act relating to law enforcement training;
15 amending 70 O.S. 2011, Section 3311.4, as last
16 amended by Section 1, Chapter 315, O.S.L. 2013 (70
17 O.S. Supp. 2014, Section 3311.4), which relates to
continuing education for law enforcement; providing
for carry-over hours; and providing an effective
date.
18
19

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

21 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3311.4, as
22 last amended by Section 1, Chapter 315, O.S.L. 2013 (70 O.S. Supp.
23 2014, Section 3311.4), is amended to read as follows:
24

1 Section 3311.4 A. Beginning January 1, 2008, and annually
2 thereafter, every active full-time peace officer, certified by the
3 Council on Law Enforcement Education and Training (CLEET) pursuant
4 to Section 3311 of this title, shall attend and complete a minimum
5 of twenty-five (25) hours of continuing law enforcement training
6 accredited or provided by CLEET which shall include a mandatory two
7 (2) hours on mental health issues. Officers who complete continuing
8 education training in excess of the required twenty-five (25) hours
9 in a calendar year may carry the additional training hours forward
10 for one (1) calendar year to count toward the training required in
11 that year. CLEET shall promulgate rules to enforce the provisions
12 of this section and shall enter into contracts and agreements for
13 the payment of classroom space, training, food, and lodging expenses
14 as may be necessary for law enforcement officers attending such
15 training in accordance with subsection B of Section 3311 of this
16 title. Such training and seminars shall be conducted in all areas
17 of this state at technology center schools, institutions of higher
18 education, or other approved sites.

19 B. Every inactive full-time peace officer, certified by CLEET,
20 shall be exempt from these requirements during the inactive status.
21 Upon reentry to full-time active status, the peace officer shall be
22 required to comply with subsection A of this section. If a full-
23 time certified peace officer has been inactive for five (5) or more
24 years, the officer must complete refresher training as prescribed by

1 CLEET and which shall include a minimum of four (4) hours of mental
2 health education and training, within one (1) year of employment.
3 If a certified reserve officer has been inactive for five (5) or
4 more years, the certified reserve officer shall complete a legal
5 update as prescribed by CLEET. The Director of CLEET may waive
6 these requirements based on review of all records of employment and
7 training.

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

14 D. Any active full-time certified peace officer, or CLEET-
15 certified cross-deputized tribal officer who fails to meet the
16 annual training requirements specified in this section, shall be
17 subject to having the certification of the peace officer suspended,
18 after the peace officer and the employer have been given written
19 notice of noncompliance and a reasonable time, as defined by the
20 Council, to comply with the provisions of this section. A peace
21 officer shall not be employed in the capacity of a peace officer
22 during any period of suspension. The suspension period shall be for
23 a period of time until the officer files a statement attesting to
24 full compliance with the provisions of this section. Suspension of

1 peace officer certification shall be reported to the District
2 Attorney for the jurisdiction in which the officer is employed, the
3 liability insurance company of the law enforcement agency that
4 employed the peace officer, the chief elected official of the
5 governing body of the law enforcement agency and the chief law
6 enforcement officer of the law enforcement agency. Any officer
7 whose certification is suspended pursuant to this section may
8 request a hearing with CLEET. Such hearings shall be governed by
9 the Administrative Procedures Act except that the affected officer
10 has the burden to show CLEET why CLEET should not have the
11 certification of the officer suspended.

12 SECTION 2. This act shall become effective November 1, 2015."

13 Passed the House of Representatives the 13th day of April, 2015.

14

15

16 _____
Presiding Officer of the House of
Representatives

17

18 Passed the Senate the ____ day of _____, 2015.

19

20

21 _____
Presiding Officer of the Senate

22

23

24

1 ENGROSSED SENATE
2 BILL NO. 526

By: Shortey of the Senate

3 and

4 Montgomery of the House

5
6 [law enforcement training - carry-over of hours -
7 effective date]
8

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

10 SECTION 3. AMENDATORY 70 O.S. 2011, Section 3311.4, as
11 last amended by Section 1, Chapter 315, O.S.L. 2013 (70 O.S. Supp.
12 2014, Section 3311.4), is amended to read as follows:

13 Section 3311.4. A. Beginning January 1, 2008, and annually
14 thereafter, every active full-time peace officer, certified by the
15 Council on Law Enforcement Education and Training (CLEET) pursuant
16 to Section 3311 of this title, shall attend and complete a minimum
17 of twenty-five (25) hours of continuing law enforcement training
18 accredited or provided by CLEET which shall include a mandatory two
19 (2) hours on mental health issues. Officers who complete continuing
20 education training in excess of the required twenty-five (25) hours
21 in a calendar year may carry the additional training hours forward
22 for one (1) calendar year to count toward the training required in
23 that year. CLEET shall promulgate rules to enforce the provisions
24 of this section and shall enter into contracts and agreements for

1 the payment of classroom space, training, food, and lodging expenses
2 as may be necessary for law enforcement officers attending such
3 training in accordance with subsection B of Section 3311 of this
4 title. Such training and seminars shall be conducted in all areas
5 of this state at technology center schools, institutions of higher
6 education, or other approved sites.

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

20 C. Every tribal officer who is commissioned by an Oklahoma law
21 enforcement agency pursuant to a cross-deputization agreement with
22 the State of Oklahoma or any political subdivision of the State of
23 Oklahoma pursuant to the provisions of Section 1221 of Title 74 of
24

1 the Oklahoma Statutes shall comply with the provisions of this
2 section.

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

1 SECTION 4. This act shall become effective November 1, 2015.

2 Passed the Senate the 11th day of March, 2015.

3
4 _____
5 Presiding Officer of the Senate

6 Passed the House of Representatives the ____ day of _____,
7 2015.

8
9 _____
10 Presiding Officer of the House
11 of Representatives