

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB1537 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Ross Ford

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

PROPOSED
COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 1537

By: Weaver and Matthews of the
Senate

and

Ford of the House

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to law enforcement training; amending 70 O.S. 2021, Section 3311, which relates to the Council on Law Enforcement Education and Training; modifying certain authority of the Council; requiring training courses in human trafficking crimes; prohibiting certain certification; establishing attestation to certification periods; authorizing renewal of certification prior to renewal deadline; authorizing rule promulgation; allowing certain renewals; modifying certain disciplinary action; modifying required reporting to the Council; allowing for the consideration of certain mitigating circumstances; allowing certain withdrawal of certification; defining terms; updating statutory language; amending 70 O.S. 2021, Section 3311.4, which relates to continuing law enforcement training; providing for certain recertification; modifying training requirements; requiring certain training for lapsed certification; and providing an effective date.

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

2 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3311, is
3 amended to read as follows:

4 Section 3311. A. There is hereby created a Council on Law
5 Enforcement Education and Training which shall be, and is hereby
6 declared to be, a governmental law enforcement agency of ~~the State~~
7 ~~of Oklahoma~~ this state, body politic and corporate, with powers of
8 government and with the authority to exercise the rights, privileges
9 and functions necessary to ensure the professional training and
10 continuing education of law enforcement officers in ~~the State of~~
11 ~~Oklahoma~~ this state. These rights, privileges and functions
12 include, but are not limited to, those specified in Sections 3311
13 through 3311.15 of this title and in the Oklahoma Security Guard and
14 Private Investigator Act and the ~~Oklahoma~~ Bail Enforcement and
15 Licensing Act. The Council shall be authorized to require agency
16 employees and the employees of agency contractors in positions to
17 have access to Oklahoma ~~Peace Officer~~ peace officer records,
18 Oklahoma ~~Security Guard~~ security guard and ~~Private Investigator~~
19 private investigator records, ~~Oklahoma~~ Bail Enforcement and
20 Licensing Act records, to be subject to a criminal history search by
21 the Oklahoma State Bureau of Investigation, as well as be
22 fingerprinted for submission of the fingerprints through the
23 Oklahoma State Bureau of Investigation to the Federal Bureau of
24 Investigation for a national criminal history check. The Council

1 shall be the recipient of the results of the record check. In
2 accordance with Section 150.9 of Title 74 of the Oklahoma Statutes,
3 this includes a national criminal record with a ~~finger print~~
4 fingerprint analysis. The Council shall be composed of thirteen
5 (13) members as follows:

6 1. The Commissioner of the Department of Public Safety, or
7 designee;

8 2. The Director of the Oklahoma State Bureau of Narcotics and
9 Dangerous Drugs Control, or designee;

10 3. The Director of the Oklahoma State Bureau of Investigation,
11 or designee;

12 4. One member appointed by the Governor who shall be a law
13 enforcement administrator representing a tribal law enforcement
14 agency;

15 5. One member appointed by the Governor who shall be a chief of
16 police of a municipality with a population over one hundred thousand
17 (100,000), as determined by the latest Federal Decennial Census;

18 6. One member appointed by the Board of Directors of the
19 Oklahoma Sheriffs' Association who shall be a sheriff of a county
20 with a population under twenty-five thousand (25,000), as determined
21 by the latest Federal Decennial Census;

22 7. One member appointed by the Oklahoma Association of Police
23 Chiefs who shall be a chief of police representing a municipality
24

1 with a population over ten thousand (10,000), as determined by the
2 latest Federal Decennial Census;

3 8. One member shall be appointed by the Board of Directors of
4 the Oklahoma Sheriffs' Association who shall be a sheriff of a
5 county with a population of twenty-five thousand (25,000) or more,
6 as determined by the latest Federal Decennial Census;

7 9. One member appointed by the Board of Directors of the
8 Fraternal Order of Police who shall have experience as a training
9 officer;

10 10. One member appointed by the Chancellor of Higher Education
11 who shall be a representative of East Central University;

12 11. One member appointed by the Board of Directors of the
13 Oklahoma Sheriffs and Peace Officers Association who shall be a
14 full-time law enforcement officer in good standing with CLEET within
15 a county with a population under fifty thousand (50,000);

16 12. The President Pro Tempore of the Senate shall appoint one
17 member from a list of three or more nominees submitted by a
18 statewide organization representing cities and towns that is exempt
19 from taxation under federal law and designated pursuant to the
20 provisions of the Internal Revenue Code, 26 U.S.C., Section 170(a);
21 and

22 13. The Speaker of the House of Representatives shall appoint
23 one member from a list of three or more nominees submitted by an
24 organization that assists in the establishment of accreditation

standards and training programs for law enforcement agencies
throughout ~~the State of Oklahoma~~ this state.

The Executive Director selected by the Council shall be an ex
officio member of the Council and shall act as Secretary. The
Council on Law Enforcement Education and Training shall select a
chair and ~~vice-chair~~ vice chair from among its members. Members of
the Council on Law Enforcement Education and Training shall not
receive a salary for duties performed as members of the Council, but
shall be reimbursed for their actual and necessary expenses incurred
in the performance of Council duties pursuant to the provisions of
the State Travel Reimbursement Act.

B. The Council on Law Enforcement Education and Training is
hereby authorized and directed to:

1. Appoint a larger Advisory Council to discuss problems and
hear recommendations concerning necessary research, minimum
standards, educational needs, and other matters imperative to
upgrading Oklahoma law enforcement to professional status;

2. Promulgate rules with respect to such matters as
certification, revocation, suspension, withdrawal and reinstatement
of certification, minimum courses of study, testing and test scores,
attendance requirements, equipment and facilities, minimum
qualifications for instructors, minimum standards for basic and
advanced in-service courses, and seminars for Oklahoma police and
peace officers;

1 3. Authorize research, basic and advanced courses, and seminars
2 to assist in program planning directly and through subcommittees;
3 4. Authorize additional staff and services necessary for
4 program expansion;
5 5. Recommend legislation necessary to upgrade Oklahoma law
6 enforcement to professional status;
7 6. Establish policies and regulations concerning the number,
8 geographic and police unit distribution, and admission requirements
9 of those receiving tuition or scholarship aid available through the
10 Council. Such waiver of costs shall be limited to duly appointed
11 members of legally constituted local, county, and state law
12 enforcement agencies on the basis of educational and financial need;
13 7. Appoint an Executive Director ~~and an Assistant Director~~ to
14 direct the staff, inform the Council of compliance with the
15 provisions of this section and perform such other duties imposed on
16 the Council by law. An Executive Director appointed by the Council
17 must qualify for the position with a bachelor or higher degree in
18 law enforcement from an accredited college or university, or a
19 bachelor or higher degree in a law-enforcement-related subject area,
20 and a minimum of five (5) years of active law enforcement experience
21 including, but not limited to, responsibility for enforcement,
22 investigation, administration, training, or curriculum
23 implementation.
24

1 The Executive Director of the Council on Law Enforcement
2 Education and Training may commission CLEET staff as peace officers
3 for purposes consistent with the duties of CLEET as set out in state
4 law. The powers and duties conferred on the Executive Director or
5 any staff member appointed by the Executive Director as a peace
6 officer shall not limit the powers and duties of other peace
7 officers of this state or any political subdivision thereof. The
8 Executive Director or any staff member appointed by the Executive
9 Director as a peace officer may, upon request, assist any federal,
10 state, county or municipal law enforcement agency;

11 8. Enter into contracts and agreements for the payment of
12 classroom space, food, and lodging expenses as may be necessary for
13 law enforcement officers attending any official course of
14 instruction approved or conducted by the Council. Such expenses may
15 be paid directly to the contracting agency or business
16 establishment. The food and lodging expenses for each law
17 enforcement officer shall not exceed the authorized rates as
18 provided for in the State Travel Reimbursement Act; provided,
19 however, the Council may provide food and lodging to law enforcement
20 officials attending any official course of instruction approved or
21 conducted by the Council rather than paying for the provision of
22 such food and lodging by an outside contracting agency or business
23 establishment;

24

1 9. a. Certify canine teams, consisting of a dog and a
2 handler working together as a team, trained to detect:
3 (1) controlled dangerous substances, or
4 (2) explosives, explosive materials, explosive
5 devices, or materials which could be used to
6 construct an explosive device;

7 provided, the dog of a certified canine team shall not
8 be certified at any time as both a drug dog and a bomb
9 dog, and any dog of a certified canine team who has
10 been previously certified as either a drug dog or a
11 bomb dog shall not be eligible at any time to be
12 certified in the other category.

13 b. Upon retiring the dog from the service it was
14 certified to perform, the law enforcement department
15 that handled the dog shall retain possession of the
16 dog. The handler shall have first option of adopting
17 the dog. If that option is not exercised, the law
18 enforcement department shall provide for its adoption.
19 Once adopted the dog shall not be placed back into
20 active service;

21 10. Enter into a lease, loan or other agreement with the
22 Oklahoma Development Finance Authority or a local public trust for
23 the purpose of facilitating the financing of a new facility for its
24 operations and use and pledge, to the extent authorized by law, all

1 or a portion of its receipts of the assessment penalty herein
2 referenced for the payment of its obligations under such lease, loan
3 or other agreement. It is the intent of the Legislature to increase
4 the assessment penalty to such a level or appropriate sufficient
5 monies to the Council on Law Enforcement Education and Training to
6 make payments on the lease, loan or other agreement for the purpose
7 of retiring the bonds to be issued by the Oklahoma Development
8 Finance Authority or local public trust. Such lease, loan or other
9 agreement and the bonds issued to finance such facilities shall not
10 constitute an indebtedness of ~~the State of Oklahoma~~ this state or be
11 backed by the full faith and credit of ~~the State of Oklahoma~~ this
12 state, and the lease, loan or other agreement and the bonds shall
13 contain a statement to such effect;

14 11. Accept gifts, bequests, devises, contributions and grants,
15 public or private, of real or personal property;

16 12. Appoint an advisory committee composed of representatives
17 from security guard and private investigative agencies to advise the
18 Council concerning necessary research, minimum standards for
19 licensure, education, and other matters related to licensure of
20 security guards, security guard agencies, private investigators, and
21 private investigative agencies;

22 13. Enter into agreements with individuals, educational
23 institutions, agencies, and business and tribal entities for
24 professional services, the use of facilities and supplies, and staff

overtime costs incurred as a result of the user's requests to schedule functions after-hours, on weekends, or anytime such requests extend staff beyond its normal capacity, whereby contracting individuals, educational institutions, agencies, and business and tribal entities shall pay a fee to be determined by the Council by rule. All fees collected pursuant to facilities usage shall be deposited to the credit of the C.L.E.E.T. Training Center Revolving Fund created pursuant to Section 3311.6 of this title. All other fees collected pursuant to these agreements shall be deposited to the credit of the Peace Officer Revolving Fund created pursuant to Section 3311.7 of this title. The Council is authorized to promulgate emergency rules to effectuate the provisions of this paragraph;

14. Promulgate rules to establish a state firearms requalification standard for active peace officers and meet any requirements imposed on the Council by the federal Law Enforcement Officers Safety Act of 2004;

15. Set minimal criteria relating to qualifications for chief of police administrative training pursuant to Section 34-102 of Title 11 of the Oklahoma Statutes, assist in developing a course of training for a Police Chief Administrative School, and approve all police chief administrative training offered in this state;

16. Appoint a Curriculum Review Board to be composed of six (6) members as follows:

- 1 a. one member shall be selected by the Chancellor for
2 Higher Education, who possesses a background of
3 creation and review of curriculum and experience
4 teaching criminal justice or law enforcement courses,
5 who shall serve an initial term of one (1) year,
- 6 b. one member shall represent a municipal jurisdiction
7 with a population of fifty thousand (50,000) or more
8 and who shall be a management-level CLEET-certified
9 training officer, who shall serve an initial term of
10 two (2) years,
- 11 c. one member shall represent a county jurisdiction with
12 a population of fifty thousand (50,000) or more and
13 who shall be a management-level CLEET-certified
14 training officer, who shall serve an initial term of
15 three (3) years,
- 16 d. one member shall represent a municipal jurisdiction
17 with a population of less than fifty thousand (50,000)
18 and who shall be a CLEET-certified training officer,
19 who shall serve an initial term of two (2) years,
- 20 e. one member shall represent a county jurisdiction with
21 a population of less than fifty thousand (50,000) and
22 who shall be a CLEET-certified training officer, who
23 shall serve an initial term of one (1) year, and
24

1 f. one member selected by the Oklahoma Department of
2 Career and Technology Education, who shall have
3 experience in the creation and review of curriculum as
4 well as experience in teaching criminal justice or law
5 enforcement courses, who shall serve an initial term
6 of three (3) years.

7 After the initial terms of office, all members shall be
8 appointed to serve three-year terms. Any member may be reappointed
9 to serve consecutive terms. Members shall serve without
10 compensation, but may be reimbursed for travel expenses pursuant to
11 the State Travel Reimbursement Act. The Board shall review and
12 establish curriculum for all CLEET academies and training courses
13 pursuant to procedures established by the Council on Law Enforcement
14 Education and Training;

15 17. Conduct review and verification of any records relating to
16 the statutory duties of CLEET;

17 18. Receive requested reports including investigative reports,
18 court documents, statements, or other applicable information from
19 local, county and state agencies and other agencies for use in
20 actions where a certification or license issued by CLEET may be
21 subject to disciplinary or other actions provided by law;

22 19. Summarily suspend a certification of a peace officer,
23 without prior notice but otherwise subject to administrative
24 proceedings, if CLEET finds that the actions of the certified peace

1 officer may present a danger to the peace officer, the public, an
2 intimate partner, or a family or household member, or involve a
3 crime against a minor. A certified copy of the information or
4 indictment charging such a crime shall be considered clear and
5 convincing evidence of the charge; and

6 20. Approve law enforcement agencies and police departments in
7 accordance with the following:

8 a. this section applies only to an entity authorized by
9 statute or by the Constitution to create a law
10 enforcement agency or police department and
11 commission, appoint, or employ officers that first
12 creates or reactivates an inactive law enforcement
13 agency or police department and first begins to
14 commission, appoint, or employ officers on or after
15 November 1, 2011,

16 b. the entity shall submit to CLEET, a minimum of sixty
17 (60) days prior to creation of the law enforcement
18 agency or police department, information regarding:
19 (1) the need for the law enforcement agency or police
20 department in the community,
21 (2) the funding sources for the law enforcement
22 agency or police department, and proof that no
23 more than fifty percent (50%) of the funding of
24

1 the entity will be derived from ticket revenue or
2 fines,

3 (3) the physical resources available to officers,

4 (4) the physical facilities that the law enforcement
5 agency or police department will operate
6 including descriptions of the evidence room,
7 dispatch area, restroom facilities, and public
8 area,

9 (5) law enforcement policies of the law enforcement
10 agency or police department including published
11 policies on:

12 (a) use of force,

13 (b) vehicle pursuit,

14 (c) mental health,

15 (d) professional conduct of officers,

16 (e) domestic abuse,

17 (f) response to missing persons,

18 (g) supervision of part-time officers, and

19 (h) impartial policing,

20 (6) the administrative structure of the law
21 enforcement agency or police department,

22 (7) liability insurance, and

23 (8) any other information CLEET requires by rule,
24

1 c. within sixty (60) days of receiving an entity's
2 request, CLEET will forward to the entity by certified
3 mail, return receipt requested, a letter of
4 authorization or denial to create a law enforcement
5 agency or police department and commission, appoint,
6 or employ officers, signed by the Executive Director
7 of CLEET, and

8 d. in cases of denial, the entity may appeal the decision
9 of the Executive Director to the full CLEET Council.
10 The Executive Director shall ensure that the final
11 report is provided to all members of the Council. The
12 Council shall review and make recommendations
13 concerning the report at the first meeting of the
14 Council to occur after all members of the Council have
15 received the report. The Council may, by majority
16 vote:

- 17 (1) order additional information be provided,
18 (2) order confirmation of the opinion of the
19 Executive Director, or
20 (3) order authorization of the entity.

21 C. 1. Payment of any fee provided for in this section may be
22 made by a nationally recognized credit or debit card issued to the
23 applicant. The Council may publicly post and collect a fee for the
24 acceptance of the nationally recognized credit or debit card not to

1 exceed five percent (5%) of the amount of the payment. For purposes
2 of this subsection, "nationally recognized credit card" means any
3 instrument or device, whether known as a credit card, credit plate,
4 charge plate, or by any other name, issued with or without fee by an
5 issuer for the use of the cardholder in obtaining goods, services,
6 or anything else of value and which is accepted by over one thousand
7 merchants in this state. "Debit card" means an identification card
8 or device issued to a person by a business organization which
9 permits such person to obtain access to or activate a consumer
10 banking electronic facility. The Council shall determine which
11 nationally recognized credit or debit cards will be accepted as
12 payment for fees.

13 2. Payment for any fee provided for in this title may be made
14 by a business check. The Council may:

- 15 a. add an amount equal to the amount of the service
16 charge incurred, not to exceed three percent (3%) of
17 the amount of the check as a service charge for the
18 acceptance and verification of the check, or
- 19 b. add an amount of no more than Five Dollars (\$5.00) as
20 a service charge for the acceptance and verification
21 of a check. For purposes of this subsection,
22 "business check" shall not mean a money order,
23 cashier's check, or bank certified check.

24

1 D. Failure of the Legislature to appropriate necessary funds to
2 provide for expenses and operations of the Council on Law
3 Enforcement Education and Training shall not invalidate other
4 provisions of this section relating to the creation and duties of
5 the Council.

6 E. 1. No person shall be eligible for employment as a peace
7 officer or reserve peace officer until the employing law enforcement
8 agency has conducted a background investigation of such person
9 consisting of the following:

10 a. a fingerprint search submitted to the Oklahoma State
11 Bureau of Investigation with a return report to the
12 submitting agency that such person has no felony
13 record,

14 b. a fingerprint search submitted to the Federal Bureau
15 of Investigation with a return report to the
16 submitting agency that such person has no felony
17 record,

18 c. such person has undergone psychological evaluation by
19 a psychologist licensed by ~~the State of Oklahoma~~ this
20 state and has been evaluated to be suitable to serve
21 as a peace officer in ~~the State of Oklahoma~~ this
22 state,

- 1 d. the employing agency has verified that such person has
2 a high school diploma or a GED equivalency certificate
3 as recognized by state law,
- 4 e. such person is not participating in a deferred
5 sentence agreement for a felony, a crime involving
6 moral turpitude or a crime of domestic violence, and
7 does not have any criminal charges pending in any
8 court in this state, another state, in tribal court or
9 pursuant to the United States Code,
- 10 f. such person is not currently subject to an order of
11 the Council revoking, suspending, or accepting a
12 voluntary surrender of peace officer certification,
- 13 g. such person is not currently undergoing treatment for
14 a mental illness, condition or disorder. For purposes
15 of this subsection, "currently undergoing treatment
16 for mental illness, condition or disorder" means the
17 person has been diagnosed by a licensed physician,
18 psychologist, or licensed mental health professional
19 as being afflicted with a substantial disorder of
20 thought, mood, perception, psychological orientation
21 or memory that significantly impairs judgment,
22 behavior, capacity to recognize reality, or ability to
23 meet the ordinary demands of life and such condition
24 continues to exist,

1 h. such person is twenty-one (21) years of age.

2 Provided, this requirement shall not affect those
3 persons who are already employed as a police or peace
4 officer prior to November 1, 1985, and

5 i. such person has provided proof of United States
6 citizenship or resident alien status, pursuant to an
7 employment eligibility verification form from the
8 United States Citizenship and Immigration Services.

9 2. To aid the evaluating psychologist in interpreting the test
10 results including automated scoring and interpretations, the
11 employing agency shall provide the psychologist a statement
12 confirming the identity of the individual taking the test as the
13 person who is employed or seeking employment as a peace officer of
14 the agency and attesting that it administered the psychological
15 instrument in accordance with standards within the test document.
16 The psychologist shall report to the employing agency the evaluation
17 of the assessment instrument and may include any additional
18 recommendations to assist the employing agency in determining
19 whether to certify to the Council on Law Enforcement Education and
20 Training that the person being evaluated is suitable to serve as a
21 peace officer in ~~the State of Oklahoma~~ this state. No additional
22 procedures or requirements shall be imposed for performance of the
23 psychological evaluation. The psychological instrument utilized
24 shall be evaluated by a psychologist licensed by ~~the State of~~

1 ~~Oklahoma~~ this state, and the employing agency shall certify to the
2 Council that the evaluation was conducted in accordance with this
3 provision and that the employee or applicant is suitable to serve as
4 a peace officer in ~~the State of Oklahoma~~ this state.

5 a. Any person found not to be suitable for employment or
6 certification by the Council shall not be employed,
7 retained in employment as a peace officer, or
8 certified by the Council for at least one (1) year, at
9 which time the employee or applicant may be
10 reevaluated by a psychologist licensed by ~~the State of~~
11 ~~Oklahoma~~ this state. This section shall also be
12 applicable to all reserve peace officers in ~~the State~~
13 ~~of Oklahoma~~ this state.

14 b. Any person who is certified by CLEET and has undergone
15 the psychological evaluation required by this
16 subparagraph and has been found to be suitable as a
17 peace officer shall not be required to be reevaluated
18 for any subsequent employment as a peace officer
19 following retirement or any break in service as a
20 peace officer, unless such break in service exceeds
21 five (5) years or the Council determines that a peace
22 officer may present a danger to himself or herself,
23 the public, or a family or household member.

1 c. All persons seeking certification shall have their
2 name, gender, date of birth, and address of such
3 person submitted to the Department of Mental Health
4 and Substance Abuse Services by the Council. The
5 Department of Mental Health and Substance Abuse
6 Services shall respond to the Council within ten (10)
7 days whether the computerized records of the
8 Department indicate the applicant has ever been
9 involuntarily committed to an Oklahoma state mental
10 institution. In the event that the Department of
11 Mental Health and Substance Abuse Services reports to
12 the Council that the applicant has been involuntarily
13 committed, the Council shall immediately inform the
14 employing agency.

15 All basic police courses shall include a minimum of four (4)
16 hours of education and training in recognizing and managing a person
17 appearing to require mental health treatment or services. The
18 training shall include training in crime and drug prevention, crisis
19 intervention, youth and family intervention techniques, recognizing,
20 investigating and preventing abuse and exploitation of elderly
21 persons, mental health issues, human trafficking, and criminal
22 jurisdiction on Sovereign Indian Land.

1 Subject to the availability of funding, for full-time salaried
2 police or peace officers a basic police course academy shall consist
3 of a minimum of six hundred (600) hours.

4 For reserve deputies a basic reserve academy shall consist of a
5 minimum of two hundred forty (240) hours.

6 3. Beginning January 1, 2018, any reserve peace officer who has
7 completed the two-hundred-forty-hour reserve peace officer
8 certification program and who has been in active service in that
9 capacity for the past six (6) months shall be eligible to attend a
10 three-hundred-sixty-hour basic full-time training academy to become
11 certified as a full-time peace or police officer.

12 4. Every person who has not been certified as a police or peace
13 officer and is duly appointed or elected as a police or peace
14 officer shall hold such position on a temporary basis only, and
15 shall, within six (6) months from the date of appointment or taking
16 office, qualify as required in this subsection or forfeit such
17 position. In computing the time for qualification, all service
18 shall be cumulative from date of first appointment or taking office
19 as a police or peace officer with any department in this state.

20 a. The Council may extend the time requirement specified
21 in this paragraph for good cause as determined by the
22 Council.

1 b. A duty is hereby imposed upon the employing agency to
2 withhold payment of the compensation or wage of such
3 unqualified officer.

4 c. If the police or peace officer fails to forfeit the
5 position or the employing agency fails to require the
6 officer to forfeit the position, the district attorney
7 shall file the proper action to cause the forfeiting
8 of such position. The district court of the county
9 where the officer is employed shall have jurisdiction
10 to hear the case.

11 5. The Council may certify officers who have completed a course
12 of study in another state deemed by the Council to meet standards
13 for Oklahoma peace officers providing the officer's certification in
14 the other state has not been revoked or voluntarily surrendered to
15 avoid revocation or other disciplinary action and is not currently
16 under suspension.

17 6. For purposes of this section, a police or peace officer is
18 defined as a full-time duly appointed or elected officer who is paid
19 for working more than twenty-five (25) hours per week and whose
20 duties are to preserve the public peace, protect life and property,
21 prevent crime, serve warrants, transport prisoners, and enforce laws
22 and ordinances of this state, or any political subdivision thereof;
23 provided, elected sheriffs and their deputies and elected,
24 appointed, or acting chiefs of police shall meet the requirements of

1 this subsection within the first six (6) months after assuming the
2 duties of the office to which they are elected or appointed or for
3 which they are an acting chief; provided further, that this section
4 shall not apply to persons designated by the Director of the
5 Department of Corrections as peace officers pursuant to Section 510
6 of Title 57 of the Oklahoma Statutes.

7 7. Beginning November 1, 2022, each peace officer and reserve
8 peace officer shall have to renew their individual certification
9 every three (3) years by providing to CLEET proof of successful and
10 timely completion of all required continuing education hours for the
11 applicable period as well as attesting that they remain eligible for
12 peace officer employment according to applicable statutory
13 requirements. The three-year cycle shall be calculated from the
14 officer's original date of certification or the latest anniversary
15 of such certification if the certification occurred more than three
16 (3) years previously, whichever occurred last. No additional
17 training shall be required to renew certification unless such
18 certification has expired without a timely renewal. A person whose
19 peace officer or reserve peace officer certification expires without
20 renewal, may subsequently reapply for recertification. Officers may
21 renew certification at least sixty (60) days prior to their renewal
22 deadline with a thirty-day grace period following their renewal
23 deadline. CLEET shall promulgate rules to give effect to this
24 section.

1 F. No person shall be certified as a police or peace officer by
2 the Council or be employed by the state, a county, a city, or any
3 political subdivision thereof, who is currently subject to an order
4 of the Council revoking, suspending, ~~or~~ accepting a voluntary
5 surrender to avoid revocation or other disciplinary action, or
6 accepting a withdrawal of peace officer certification or who has
7 been convicted of a felony, a crime involving moral turpitude, or a
8 crime of domestic violence, unless a full pardon has been granted by
9 the proper agency; however, any person who has been trained and
10 certified by the Council on Law Enforcement Education and Training
11 and is actively employed as a full-time peace officer as of November
12 1, 1985, shall not be subject to the provisions of this subsection
13 for convictions occurring prior to November 1, 1985.

14 G. 1. The Council is hereby authorized to provide to any
15 employing agency the following information regarding a person who is
16 or has applied for employment as a police or peace officer of such
17 employing agency:

- 18 a. Oklahoma State Bureau of Investigation and Federal
19 Bureau of Investigation reports,
- 20 b. administration of the psychological tests provided for
21 herein,
- 22 c. performance in the course of study or other basis of
23 certification,
- 24 d. previous certifications issued, and

1 e. any administrative or judicial determination denying
2 certification.

3 2. An employing agency shall not be liable in any action
4 arising out of the release of contents of personnel information
5 relevant to the qualifications or ability of a person to perform the
6 duties of a police or peace officer when such information is
7 released pursuant to written authorization for release of
8 information signed by such person and is provided to another
9 employing agency which has employed or has received an application
10 for employment from such person.

11 3. As used in this subsection, "employing agency" means a
12 political subdivision or law enforcement agency which either has
13 employed or received an employment application from a person who, if
14 employed, would be subject to this section.

15 H. 1. A law enforcement agency employing police or peace
16 officers in this state shall report the hiring, resignation, or
17 termination for any reason of a police or peace officer to the
18 Council within ten (10) days. Failure to comply with the provisions
19 of this subsection may disqualify a law enforcement agency from
20 participating in training programs sponsored by the Council. Every
21 law enforcement agency employing police or peace officers in this
22 state shall submit to CLEET on or before October 1 of each calendar
23 year a complete list of all commissioned employees with a current
24 mailing address and phone number for each such employee. In

1 addition to the above, CLEET may impose an administrative fine for
2 violations of this section.

3 2. A tribal law enforcement agency that has peace officers
4 commissioned by an Oklahoma law enforcement agency pursuant to a
5 cross-deputization agreement with ~~the State of Oklahoma~~ this state
6 or any political subdivision of ~~the State of Oklahoma~~ this state
7 pursuant to the provisions of Section 1221 of Title 74 of the
8 Oklahoma Statutes shall report the commissioning, resignation, or
9 termination of commission for any reason of a cross-deputized tribal
10 police or peace officer to CLEET within ten (10) days of the
11 commissioning, resignation, or termination. Failure to comply with
12 the provisions of this subsection may disqualify a tribal law
13 enforcement agency from participating in training programs sponsored
14 by the Council.

15 I. It is unlawful for any person to willfully make any
16 statement in an application to CLEET knowing the statement is false
17 or intentionally commit fraud in any application to the Council for
18 attendance in any CLEET-conducted or CLEET-approved peace officer
19 academy or Collegiate Officer Program or for the purpose of
20 obtaining peace officer certification or reinstatement. It is
21 unlawful for any person to willfully submit false or fraudulent
22 documents relating to continuing education rosters, transcripts or
23 certificates, or any canine license application. Any person
24 convicted of a violation of this subsection shall be guilty of a

1 felony punishable by imprisonment in the Department of Corrections
2 for a term of not less than two (2) years nor more than five (5)
3 years, or by a fine not exceeding Two Thousand Dollars (\$2,000.00),
4 or by both such fine and imprisonment. In addition to the above,
5 CLEET may impose an administrative fine.

6 J. 1. A police or peace officer shall be subject to denial of
7 certification or disciplinary action to include a ~~denial~~ letter of
8 reprimand, suspension, revocation or acceptance of ~~voluntary~~
9 ~~surrender~~ a withdrawal of peace officer certification upon a showing
10 of clear and convincing evidence for the following:

- 11 a. conviction of a felony or a crime of domestic
12 violence,
- 13 b. conviction of a misdemeanor involving moral turpitude;
14 provided, if the conviction is a single isolated
15 incident that occurred more than five (5) years ~~ago~~
16 before the person applies for peace officer
17 certification, is disclosed at the time the person
18 applies for peace officer certification, and the
19 Council is satisfied that the person has been
20 sufficiently rehabilitated, the Council may, in its
21 discretion, certify such person providing that all
22 other statutory requirements have been met,
- 23 c. a verdict of guilt or entry of a plea of guilty or
24 nolo contendere or an "Alford" plea or any plea other

- 1 than a not guilty plea for a felony offense, a crime
2 of moral turpitude, or a crime of domestic violence,
3 d. falsification or a willful misrepresentation of
4 information in an employment application or
5 application to the Council on Law Enforcement
6 Education and Training, records of evidence, or in
7 testimony under oath,
8 e. revocation, suspension, or voluntary surrender of
9 police or peace officer certification in another state
10 for a violation of any law or rule or in settlement of
11 any disciplinary action in such state,
12 f. involuntary commitment of a reserve or peace officer
13 in a mental institution or licensed private mental
14 health facility for any mental illness, condition or
15 disorder that is diagnosed by a licensed physician,
16 psychologist or a licensed mental health professional
17 as a substantial disorder of thought, mood,
18 perception, psychological orientation, or memory that
19 significantly impairs judgment, behavior, capacity to
20 recognize reality, or ability to meet the ordinary
21 demands of life. Provided, the peace officer
22 certification may be reinstated upon the Council
23 receiving notification of a psychological evaluation
24 conducted by a licensed physician, psychologist or

1 licensed mental health professional which attests and
2 states by affidavit that the officer and the
3 evaluation test data of the officer have been examined
4 and that, in the professional opinion of the
5 physician, psychologist or licensed mental health
6 professional, the officer is psychologically suitable
7 to return to duty as a peace officer. Notwithstanding
8 any other provision of state law pertaining to
9 confidentiality of hospital or other medical records,
10 and as allowable under federal law, CLEET may subpoena
11 or request a court to subpoena records necessary to
12 assure compliance with these provisions. Any
13 confidential information received by CLEET for such
14 purpose shall retain its confidential character while
15 in the possession of CLEET,

16 g. abuse of office,

17 h. entry of a final order of protection against applicant
18 or officer, or

19 i. any violation of the Oklahoma Private Security
20 Licensing Act.

21 2. Disciplinary proceedings shall be commenced by filing a
22 complaint with the Council on a form approved by the Council. Any
23 employing agency or other person having information may submit such
24

1 information to the Council for consideration as provided in this
2 subsection.

3 3. Upon the filing of the complaint, a preliminary
4 investigation shall be conducted to determine whether:

5 a. there is reason to believe the person has violated any
6 provision of this subsection or any other provision of
7 law or rule, or

8 b. there is reason to believe the person has been
9 convicted of a felony, a crime involving moral
10 turpitude or a domestic violence offense or is
11 currently participating in a deferred sentence for
12 such offenses.

13 4. When the investigation of a complaint does not find the
14 person has violated any of the provisions of this subsection, or
15 finds that the person is sufficiently rehabilitated as provided in
16 subparagraph b or f of paragraph 1 of this subsection, no
17 disciplinary action shall be required and the person shall remain
18 certified as a police or peace officer. When the investigation of a
19 complaint finds that the person has violated any of the provisions
20 of this subsection, the matter shall be referred for disciplinary
21 proceedings. The disciplinary proceedings shall be in accordance
22 with Articles I and II of the Administrative Procedures Act.

23 5. The Council shall revoke or suspend the certification of any
24 person upon determining that such person has been convicted of a

1 felony or a crime involving moral turpitude or a domestic violence
2 offense or has entered a plea of guilty, or nolo contendere or an
3 "Alford" plea or any plea other than a not guilty plea for a felony
4 offense, a crime of moral turpitude or a crime of domestic violence
5 or is the respondent in a final ~~Victims~~ Victim Protective Order;
6 provided, that if the conviction has been reversed, vacated or
7 otherwise invalidated by an appellate court, such conviction shall
8 not be the basis for revocation of certification; provided further,
9 that any person who has been trained and certified by the Council on
10 Law Enforcement Education and Training and is actively employed as a
11 full-time peace officer as of November 1, 1985, shall not be subject
12 to the provisions of this subsection for convictions occurring prior
13 to November 1, 1985. The sole issue to be determined at the hearing
14 shall be whether the person has been convicted of a felony, a crime
15 involving moral turpitude or a domestic violence offense or is the
16 named respondent/defendant in a final ~~Victims~~ Victim Protective
17 Order.

18 6. The Council shall revoke or suspend the certification of any
19 person upon determining that such person has received a deferred
20 sentence for a felony, a crime involving moral turpitude or a
21 domestic violence offense.

22 7. The Council may suspend the certification of any person upon
23 a determination that such person has been involuntarily committed to
24 a mental institution or mental health facility for a mental illness,

1 condition or disorder as provided in subparagraph f of paragraph 1
2 of this subsection.

3 8. Every law enforcement agency in this state shall, within
4 thirty (30) days of a final order of termination or resignation
5 while under investigation of a CLEET-certified peace officer, report
6 such order or resignation in writing to the Executive Director of
7 the Council. Any report, upon receipt by the Council, shall be
8 considered as personnel records and shall be afforded confidential
9 protection pursuant to Sections 24A.7 and 24A.8 of Title 51 of the
10 Oklahoma Statutes. Any medical or other confidential records
11 obtained by subpoena pursuant to this subsection shall not be made a
12 part of such report. ~~The Executive Director shall ensure that the~~
13 ~~report is provided to all members of the Council. The Council shall~~
14 ~~review and make recommendations concerning the report at the first~~
15 ~~meeting of the Council to occur after all members of the Council~~
16 ~~have received the report. The Council may, by a majority vote,~~
17 ~~order the suspension, for a given period of time, or revocation of~~
18 ~~the CLEET certification of the peace officer in question if there~~
19 ~~are grounds for such actions pursuant to this section and the peace~~
20 ~~officer in question has been provided with notice and an opportunity~~
21 ~~for a hearing pursuant to the Administrative Procedures Act.~~
22 ~~Suspension or revocation of CLEET certification pursuant to this~~
23 ~~paragraph shall be reported to the district attorney for the~~
24 ~~jurisdiction in which the peace officer was employed, to 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.~~

9. For all ~~other~~ violations of this subsection, the ~~hearing examiner~~ Executive Director or designee shall take into consideration the severity of the violation, any mitigating circumstances offered by the person subject to disciplinary action, including participation in an employee assistance program or wellness program, and any other evidence relevant to the person's character to determine the appropriate disciplinary action.

10. a. A police or peace officer ~~may voluntarily surrender and relinquish the peace officer certification to CLEET~~ who is the subject of an investigation into, or a pending or concluded proceeding involving allegations of violations of any of the provisions of this section, other provisions of law, or CLEET's administrative rules may withdraw his or her peace officer certification pursuant to promulgated CLEET rules governing the same. Pursuant to such ~~surrender or relinquishment~~ withdrawal of certification, the person ~~surrendering~~ withdrawing the certification shall be prohibited from applying to CLEET for reinstatement within five (5) years of the date of the

1 ~~surrender or relinquishment~~ withdrawal, unless
2 otherwise provided by law for reinstatement.

3 b. ~~No~~ Any person who has had a police or peace officer
4 certification from another state revoked or
5 voluntarily surrendered to avoid revocation or other
6 disciplinary action and has not been reinstated by
7 that state shall not be considered for certification
8 by CLEET.

9 c. Any person seeking reinstatement of police or peace
10 officer certification which has been suspended,
11 revoked, ~~or~~ voluntarily surrendered, or withdrawn may
12 apply for reinstatement pursuant to promulgated CLEET
13 rules governing reinstatement. Except as provided in
14 this subsection, any person whose certification has
15 been revoked, suspended ~~or~~, voluntarily surrendered,
16 or withdrawn for any reason including failure to
17 comply with mandatory education and training
18 requirements, shall pay a reinstatement fee of One
19 Hundred Fifty Dollars (\$150.00) to be deposited to the
20 credit of the Peace Officer Revolving Fund created
21 pursuant to Section 3311.7 of this title.

22 11. A duty is hereby imposed upon the district attorney who, on
23 behalf of ~~the State of Oklahoma~~ this state, prosecutes a person
24 holding police or peace officer or reserve peace officer

1 certification for a felony, a crime involving moral turpitude, or a
2 crime of domestic violence in which a plea of guilty, nolo
3 contendere, or an "Alford" plea or any other plea other than a not
4 guilty plea or other finding of guilt is entered by, against or on
5 behalf of a certified police or peace officer to report such plea,
6 agreement, or other finding of guilt to the Council on Law
7 Enforcement Education and Training within ten (10) days of such plea
8 agreement or the finding of guilt.

9 12. Any person or agency required or authorized to submit
10 information pursuant to this section to the Council shall be immune
11 from liability arising from the submission of the information as
12 long as the information was submitted in good faith and without
13 malice.

14 13. Any peace officer employed by a law enforcement agency in
15 this state which has internal discipline policies and procedures on
16 file with CLEET shall be exempt from the disciplinary proceedings
17 and actions provided for in this subsection; provided, however, such
18 exemption shall not apply if the peace officer has been convicted of
19 a felony crime, a crime of moral turpitude, or a crime of domestic
20 violence.

21 14. All criminal proceedings initiated against a CLEET-
22 certified peace officer or reserve peace officer shall be reported
23 by the officer to CLEET immediately after arrest or discovery of the
24 filing of such criminal proceeding. All CLEET-certified peace

1 officers and reserve peace officers shall be required to report when
2 a Victim Protective Order has been issued against the officer
3 including orders issued on an emergency basis and all final orders
4 of protection. Failure to give notice pursuant to the provisions of
5 this paragraph may be cause to initiate an action against the
6 officer by CLEET.

7 15. As used in this subsection:

8 a. "law enforcement agency" means any department or
9 agency of the state, a county, a municipality, or
10 political subdivision thereof, with the duties to
11 maintain public order, make arrests, and enforce the
12 criminal laws of this state or municipal ordinances,
13 which employs CLEET-certified personnel,

14 b. "final order of termination" means a final notice of
15 dismissal from employment provided after all
16 grievance, arbitration, and court actions have been
17 completed, ~~and~~

18 c. "resignation while under investigation" means the
19 resignation from employment of a peace officer who is
20 under investigation for any felony violation of law, a
21 crime of moral turpitude, a crime of domestic
22 violence, or the resignation from employment of a
23 peace officer as part of an arbitration or plea
24 agreement, and

1
2 d. "moral turpitude" shall mean any of the following
3 crimes:
4 (1) fraud,
5 (2) theft,
6 (3) larceny,
7 (4) embezzlement,
8 (5) bribery,
9 (6) perjury,
10 (7) false declaration, or
11 (8) driving under the influence of alcohol or other
12 controlled dangerous substance.

13 K. 1. Every canine team in the state trained to detect
14 controlled dangerous substances shall be certified, by test, in the
15 detection of such controlled dangerous substances and shall be
16 recertified annually so long as the canine is used for such
17 detection purposes. The certification test and annual
18 recertification test provisions of this subsection shall not be
19 applicable to canines that are owned by a law enforcement agency and
20 that are certified and annually recertified in the detection of
21 controlled dangerous substances by the United States Customs
22 Service. No employee of CLEET may be involved in the training or
23 testing of a canine team.

1 2. The Council shall appoint a Drug Dog Advisory Council to
2 make recommendations concerning minimum standards, educational
3 needs, and other matters imperative to the certification of canines
4 and canine teams trained to detect controlled dangerous substances.
5 The Council shall promulgate rules based upon the recommendations of
6 the Advisory Council. Members of the Advisory Council shall
7 include, but need not be limited to, a commissioned officer with
8 practical knowledge of such canines and canine teams from each of
9 the following:

- 10 a. the Oklahoma State Bureau of Narcotics and Dangerous
11 Drugs Control,
- 12 b. the Department of Public Safety,
- 13 c. a police department,
- 14 d. a sheriff's office, and
- 15 e. a university or college campus police department.

16 3. The fee for the certification test shall be Two Hundred
17 Dollars (\$200.00) and the annual recertification test fee shall be
18 One Hundred Dollars (\$100.00) per canine team. A retest fee of
19 Fifty Dollars (\$50.00) will be charged if the team fails the test.
20 No such fee shall be charged to any local, state or federal
21 government agency. The fees provided for in this paragraph shall be
22 deposited to the credit of the CLEET Fund created pursuant to
23 Section 1313.2 of Title 20 of the Oklahoma Statutes.
24

1 L. 1. Every canine team in the state trained to detect
2 explosives, explosive materials, explosive devices, and materials
3 which could be used to construct an explosive device shall be
4 certified, by test, in the detection of such explosives and
5 materials and shall be recertified annually so long as the canine is
6 used for such detection purposes. The certification test and annual
7 recertification test provisions of this subsection shall not be
8 applicable to canines that are owned by a law enforcement agency if
9 such canines are certified and annually recertified in the detection
10 of explosives and materials by the United States Department of
11 Defense. No employee of CLEET may be involved in the training or
12 testing of a canine team.

13 2. The Council shall appoint a Bomb Dog Advisory Council to
14 make recommendations concerning minimum standards, educational
15 needs, and other matters imperative to the certification of canines
16 and canine teams trained to detect explosives, explosive materials,
17 explosive devices and materials which could be used to construct an
18 explosive device. The Council shall promulgate rules based upon the
19 recommendations of the Advisory Council. Members of the Advisory
20 Council shall include, but need not be limited to, a commissioned
21 officer with practical knowledge of such canines and canine teams
22 from each of the following:

- 23 a. the Department of Public Safety,
- 24 b. a police department,

1 c. a sheriff's office, and

2 d. a university or college campus police department.

3 3. The fee for the certification test shall be Two Hundred
4 Dollars (\$200.00) and the annual recertification test fee shall be
5 One Hundred Dollars (\$100.00) per canine team. A retest fee of
6 Fifty Dollars (\$50.00) will be charged if the team fails the test.
7 No such fee shall be charged to any local, state or federal
8 government agency. The fees provided for in this paragraph shall be
9 deposited to the credit of the CLEET Fund created pursuant to
10 Section 1313.2 of Title 20 of the Oklahoma Statutes.

11 M. All tribal police officers of any Indian tribe or nation who
12 have been commissioned by an Oklahoma law enforcement agency
13 pursuant to a cross-deputization agreement with ~~the State of~~
14 ~~Oklahoma~~ this state or any political subdivision of ~~the State of~~
15 ~~Oklahoma~~ this state pursuant to the provisions of Section 1221 of
16 Title 74 of the Oklahoma Statutes shall be eligible for peace
17 officer certification under the same terms and conditions required
18 of members of the law enforcement agencies of ~~the State of Oklahoma~~
19 this state and its political subdivisions. CLEET shall issue peace
20 officer certification to tribal police officers who, as of July 1,
21 2003, are commissioned by an Oklahoma law enforcement agency
22 pursuant to a cross-deputization agreement with ~~the State of~~
23 ~~Oklahoma~~ this state or any political subdivision of ~~the State of~~
24 ~~Oklahoma~~ this state pursuant to the provisions of Section 1221 of

1 Title 74 of the Oklahoma Statutes and have met the training and
2 qualification requirements of this section.

3 N. If an employing law enforcement agency in this state has
4 paid for CLEET training and the salary of a person while that person
5 is completing in this state a basic police course approved by the
6 Council and if within one (1) year after initial employment with the
7 original employing agency that person resigns and is hired by
8 another law enforcement agency in this state, the second agency or
9 the person receiving the training shall reimburse the original
10 employing agency for the cost of CLEET training and salary paid to
11 the person while completing the basic police course by the original
12 employing agency. If the person leaves the original employing
13 agency later than one (1) year, but less than two (2) years, after
14 the initial employment, the second agency or the person receiving
15 the training shall reimburse the original employing agency fifty
16 percent (50%) of the cost of CLEET training and salary paid to the
17 person while completing the basic police course by the original
18 employing agency. CLEET shall not be a party to any court action
19 based on this provision.

20 O. The Council on Law Enforcement Education and Training, in
21 its discretion, may waive all or part of any moneys due to the
22 Council, if deemed uncollectable by the Council.

23 P. Peace officers, reserve peace officers, tribal peace
24 officers, agencies, bail enforcers, security guards and private

1 investigators shall maintain with the Council current mailing
2 addresses and shall notify the Council, in writing, of any change of
3 address or name. Notification of change of name shall require
4 certified copies of any marriage license or other court document
5 which reflects the change of name. Notice of change of address or
6 telephone number must be made within ten (10) days of the effected
7 change. Notices shall not be accepted over the phone. In any
8 proceeding in which the Council is required to serve notice or an
9 order on an individual or an agency, the Council may send a letter
10 to the mailing address on file with the Council. If the letter is
11 returned and a notation of the U.S. Postal Service indicates
12 "unclaimed", or "moved", or "refused" or any other nondelivery
13 markings and the records of the Council indicate that no change of
14 address as required by this subsection has been received by the
15 Council, the notice and any subsequent notices or orders shall be
16 deemed by the Court as having been legally served for all purposes.

17 Q. All CLEET records of ~~Bail Enforcers~~ bail enforcers may be
18 released only in compliance with this section and the ~~Oklahoma~~ Bail
19 Enforcement and Licensing Act. All records in CLEET possession
20 concerning other persons or entities shall be released only in
21 compliance with this section and the Oklahoma Open Records Act.

22 SECTION 2. AMENDATORY 70 O.S. 2021, Section 3311.4, is
23 amended to read as follows:

24

1 Section 3311.4. A. Beginning ~~January 1, 2008~~ November 1, 2022,
2 ~~and annually thereafter~~, every active full-time peace officer, who
3 is certified as a full-time peace officer by the Council on Law
4 Enforcement Education and Training (CLEET) pursuant to Section 3311
5 of this title, shall attend and complete a minimum of ~~twenty-five~~
6 ~~(25)~~ seventy-five (75) hours of continuing law enforcement training
7 ~~accredited~~ catalogued or provided by CLEET per certification cycle.
8 ~~which~~ Such training shall include a mandatory ~~two (2)~~ six (6) hours
9 on mental health issues. ~~Effective November 1, 2019, CLEET shall~~
10 ~~establish appropriate training resources which and~~ shall include
11 training on the policies and protocols for responding to sexual
12 assault calls, guidelines for the collection and maintenance of
13 sexual assault kits and continuing education on trauma-informed
14 sexual assault response and intervention, ~~and shall require all~~
15 ~~CLEET-certified law enforcement officers to complete such training~~
16 ~~on a regular basis to be determined by CLEET.~~ CLEET shall
17 promulgate rules to enforce the provisions of this section and shall
18 enter into contracts and agreements for the payment of classroom
19 space, training, food, and lodging expenses as may be necessary for
20 law enforcement officers attending such training in accordance with
21 subsection B of Section 3311 of this title. Such training and
22 seminars shall be conducted in all areas of this state at technology
23 center schools, institutions of higher education, or other approved
24 sites.

1 B. Beginning ~~January 1, 2017~~ November 1, 2022, and annually
2 ~~thereafter~~, every active reserve peace officer, certified who is
3 certified as a reserve officer by CLEET pursuant to Section 3311 of
4 this title, shall attend and complete a minimum of ~~eight (8)~~ twenty-
5 four (24) hours of continuing law enforcement training ~~accredited~~
6 catalogued or provided by CLEET ~~which~~ per certification cycle. Such
7 training shall include ~~a mandatory one (1) hour~~ training on mental
8 health issues and on responding to sexual assault calls as mandated
9 for full-time certified peace officers.

10 C. ~~Every inactive full-time or reserve peace officer, certified~~
11 ~~by CLEET, shall be exempt from these requirements during the~~
12 ~~inactive status. Upon reentry to full-time active status, the peace~~
13 ~~officer shall be required to comply with subsection A of this~~
14 ~~section. If a full-time certified peace officer has been inactive~~
15 ~~for five (5) or more years, If a peace officer's or reserve peace~~
16 officer's certification has lapsed, the officer must complete
17 refresher training as prescribed by CLEET and which shall include a
18 ~~minimum of four (4) hours of mental health education and training,~~
19 ~~within one (1) year of employment~~ before the peace officer or
20 reserve peace officer's certification will be renewed. ~~Upon reentry~~
21 ~~to active reserve status, the peace officer shall be required to~~
22 ~~comply with subsection B of this section. If a certified reserve~~
23 ~~officer has been inactive for five (5) or more years, the certified~~
24 ~~reserve officer shall complete a legal update as prescribed by~~

1 ~~CLEET. The Director of CLEET may waive these requirements based on~~
2 ~~review of all records of employment and training.~~

3 D. Every tribal officer who is commissioned by an Oklahoma law
4 enforcement agency pursuant to a cross-deputization agreement with
5 ~~the State of Oklahoma~~ this state or any political subdivision of the
6 ~~State of Oklahoma~~ this state pursuant to the provisions of Section
7 1221 of Title 74 of the Oklahoma Statutes shall comply with the
8 provisions of this section.

9 E. Any ~~active~~ full-time or reserve certified peace officer, or
10 CLEET-certified cross-deputized tribal officer who fails to meet the
11 ~~annual~~ training requirements specified in this section will be
12 ineligible to renew their certification, ~~shall be subject to having~~
13 ~~the certification of the peace officer suspended, after the peace~~
14 ~~officer and the employer have been given written notice of~~
15 ~~noncompliance and a reasonable time, as defined by the Council, to~~
16 ~~comply with the provisions of this section. A peace officer shall~~
17 ~~not be employed in the capacity of a peace officer during any period~~
18 ~~of suspension. The suspension period shall be for a period of time~~
19 ~~until the officer files a statement attesting to full compliance~~
20 ~~with the provisions of this section. Suspension of peace officer~~
21 ~~certification shall be reported to the district attorney for the~~
22 ~~jurisdiction in which the officer is employed, the liability~~
23 ~~insurance company of the law enforcement agency that employed the~~
24 ~~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.~~

~~F. All certified, active full-time or reserve peace officers employed, commissioned or appointed for a period of ninety (90) days in a calendar year, who become inactive prior to the end of a calendar year, are responsible for meeting mandatory continuing education requirements as set forth in this section upon return to active full-time or reserve peace officer status within sixty (60) days of the date of return to employment, commission or appointment. Failure to complete the mandatory continuing education within sixty (60) days may result in disciplinary action as set forth in CLEET Rules at OAC 390:2. Full-time or reserve certified peace officers who return to active status within the calendar year they become inactive must complete the annual mandatory continuing education requirements outlined in this section within the remaining portion of the calendar year.~~

~~G. Peace officers with full-time certification who worked during a calendar year only as a reserve officer are required to complete only the training requirements for reserve certification. For purposes of the requirements outlined in subsection F of this~~

~~section, full-time peace officers who worked both in the capacity of
a full-time peace officer and reserve officer in a calendar year
must complete full-time continuing education requirements.~~

SECTION 3. This act shall become effective November 1, 2022.

58-2-11320 GRS 04/11/22