

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3906

By: Pfeiffer, **Smith**, **Steagall**,
Roberts (Sean) and **Lawson**

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9 COMMITTEE SUBSTITUTE

10 An Act relating to county officers; amending 19 O.S.
11 2021, Section 516, which relates to the duty and
12 powers of peace officers; establishing that county
13 sheriffs are the chief law enforcement officers of
14 the county; amending 19 O.S. 2021, Section 215.4,
15 which relates to the duties of district attorneys;
16 establishing that district attorneys are the chief
17 law enforcement officer of the district; and
18 providing an effective date.

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

SECTION 1. AMENDATORY 19 O.S. 2021, Section 516, is
amended to read as follows:

Section 516. A. It shall be the duty of the sheriff,
undersheriffs and deputies to keep and preserve the peace of their
respective counties, and to quiet and suppress all affrays, riots
and unlawful assemblies and insurrections, for which purpose and for
the service of process in civil and criminal cases, and in

1 apprehending or securing any person for felony or breach of the
2 peace, they and every constable may call to their aid such person or
3 persons of their county as they may deem necessary.

4 B. The sheriff, in addition to the duties pursuant to
5 subsection A of this section, shall coordinate and administer
6 courthouse security.

7 C. The sheriff is recognized as a constitutional office and is
8 the chief law enforcement officer of the county. Nothing in this
9 section shall limit the jurisdiction of other law enforcement
10 agencies.

11 SECTION 2. AMENDATORY 19 O.S. 2021, Section 215.4, is
12 amended to read as follows:

13 Section 215.4 The district attorney, assistant district
14 attorneys, or special assistant district attorneys authorized by
15 subsection C of Section 215.37M of this title, shall appear in all
16 trial courts and prosecute all actions for crime committed in the
17 district, whether the venue is changed or not; the district attorney
18 or assistant district attorneys shall prosecute or defend in all
19 courts, state and federal, in any county in this state, all civil
20 actions or proceedings in which any county in the district is
21 interested, or a party unless representation for the county is
22 provided pursuant to subsection A of Section 215.37M of this title;
23 and the district attorney or assistant district attorneys shall
24 assist the grand jury, if required, pursuant to Section 215.13 of

1 this title. The district attorney may at all times request the
2 assistance of district attorneys, assistant district attorneys,
3 district attorney investigators from other districts, or any
4 attorney employed by the District Attorneys Council who then may
5 appear and assist in the prosecution of actions for crime or assist
6 in investigation of crime in like manner as assistants or
7 investigators in the district. The district attorney is recognized
8 as a constitutional office and as the chief law enforcement officer
9 for his or her district. Nothing in this section shall limit the
10 jurisdiction of other law enforcement agencies.

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

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13 COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT,
14 dated 02/28/2022 - DO PASS, As Amended and Coauthored.
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