

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4

February 16, 2022

AS AMENDED

SENATE BILL NO. 1537

By: Weaver and Matthews of the
Senate

and

Ford of the House

[law enforcement training - Council on Law Enforcement Education and Training - authority of the Council - qualifiers for suspension - withdrawal of certification - certain recertification - effective date]

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

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

Section 3311. A. There is hereby created a Council on Law Enforcement Education and Training which shall be, and is hereby declared to be, a governmental law enforcement agency of ~~the State of Oklahoma~~ this state, body politic and corporate, with powers of government and with the authority to exercise the rights, privileges and functions necessary to ensure the professional training and continuing education of law enforcement officers in ~~the State of Oklahoma~~ this state. These rights, privileges and functions

1 include, but are not limited to, those specified in Sections 3311
2 through 3311.15 of this title and in the Oklahoma Security Guard and
3 Private Investigator Act and the ~~Oklahoma~~ Bail Enforcement and
4 Licensing Act. The Council shall be authorized to require agency
5 employees and the employees of agency contractors in positions to
6 have access to Oklahoma ~~Peace Officer~~ peace officer records,
7 Oklahoma ~~Security Guard~~ security guard and ~~Private Investigator~~
8 private investigator records, ~~Oklahoma~~ Bail Enforcement and
9 Licensing Act records, to be subject to a criminal history search by
10 the Oklahoma State Bureau of Investigation, as well as be
11 fingerprinted for submission of the fingerprints through the
12 Oklahoma State Bureau of Investigation to the Federal Bureau of
13 Investigation for a national criminal history check. The Council
14 shall be the recipient of the results of the record check. In
15 accordance with Section 150.9 of Title 74 of the Oklahoma Statutes,
16 this includes a national criminal record with ~~a finger print~~
17 fingerprint analysis. The Council shall be composed of thirteen
18 (13) members as follows:

- 19 1. The Commissioner of the Department of Public Safety, or
20 designee;
- 21 2. The Director of the Oklahoma State Bureau of Narcotics and
22 Dangerous Drugs Control, or designee;
- 23 3. The Director of the Oklahoma State Bureau of Investigation,
24 or designee;

1 4. One member appointed by the Governor who shall be a law
2 enforcement administrator representing a tribal law enforcement
3 agency;

4 5. One member appointed by the Governor who shall be a chief of
5 police of a municipality with a population over one hundred thousand
6 (100,000), as determined by the latest Federal Decennial Census;

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

11 7. One member appointed by the Oklahoma Association of Police
12 Chiefs who shall be a chief of police representing a municipality
13 with a population over ten thousand (10,000), as determined by the
14 latest Federal Decennial Census;

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

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

22 10. One member appointed by the Chancellor of Higher Education
23 who shall be a representative of East Central University;
24

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

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

11 13. The Speaker of the House of Representatives shall appoint
12 one member from a list of three or more nominees submitted by an
13 organization that assists in the establishment of accreditation
14 standards and training programs for law enforcement agencies
15 throughout ~~the State of Oklahoma~~ this state.

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

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

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

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

14 3. Authorize research, basic and advanced courses, and seminars
15 to assist in program planning directly and through subcommittees;

16 4. Authorize additional staff and services necessary for
17 program expansion;

18 5. Recommend legislation necessary to upgrade Oklahoma law
19 enforcement to professional status;

20 6. Establish policies and regulations concerning the number,
21 geographic and police unit distribution, and admission requirements
22 of those receiving tuition or scholarship aid available through the
23 Council. Such waiver of costs shall be limited to duly appointed
24

1 members of legally constituted local, county, and state law
2 enforcement agencies on the basis of educational and financial need;

3 7. Appoint an Executive Director ~~and an Assistant Director~~ to
4 direct the staff, inform the Council of compliance with the
5 provisions of this section and perform such other duties imposed on
6 the Council by law. An Executive Director appointed by the Council
7 must qualify for the position with a bachelor or higher degree in
8 law enforcement from an accredited college or university, or a
9 bachelor or higher degree in a law-enforcement-related subject area,
10 and a minimum of five (5) years of active law enforcement experience
11 including, but not limited to, responsibility for enforcement,
12 investigation, administration, training, or curriculum
13 implementation.

14 The Executive Director of the Council on Law Enforcement
15 Education and Training may commission CLEET staff as peace officers
16 for purposes consistent with the duties of CLEET as set out in state
17 law. The powers and duties conferred on the Executive Director or
18 any staff member appointed by the Executive Director as a peace
19 officer shall not limit the powers and duties of other peace
20 officers of this state or any political subdivision thereof. The
21 Executive Director or any staff member appointed by the Executive
22 Director as a peace officer may, upon request, assist any federal,
23 state, county or municipal law enforcement agency;

1 8. Enter into contracts and agreements for the payment of
2 classroom space, food, and lodging expenses as may be necessary for
3 law enforcement officers attending any official course of
4 instruction approved or conducted by the Council. Such expenses may
5 be paid directly to the contracting agency or business
6 establishment. The food and lodging expenses for each law
7 enforcement officer shall not exceed the authorized rates as
8 provided for in the State Travel Reimbursement Act; provided,
9 however, the Council may provide food and lodging to law enforcement
10 officials attending any official course of instruction approved or
11 conducted by the Council rather than paying for the provision of
12 such food and lodging by an outside contracting agency or business
13 establishment;

14 9. a. Certify canine teams, consisting of a dog and a
15 handler working together as a team, trained to detect:

- 16 (1) controlled dangerous substances, or
17 (2) explosives, explosive materials, explosive
18 devices, or materials which could be used to
19 construct an explosive device;

20 provided, the dog of a certified canine team shall not
21 be certified at any time as both a drug dog and a bomb
22 dog, and any dog of a certified canine team who has
23 been previously certified as either a drug dog or a
24

1 bomb dog shall not be eligible at any time to be
2 certified in the other category.

3 b. Upon retiring the dog from the service it was
4 certified to perform, the law enforcement department
5 that handled the dog shall retain possession of the
6 dog. The handler shall have first option of adopting
7 the dog. If that option is not exercised, the law
8 enforcement department shall provide for its adoption.
9 Once adopted the dog shall not be placed back into
10 active service;

11 10. Enter into a lease, loan or other agreement with the
12 Oklahoma Development Finance Authority or a local public trust for
13 the purpose of facilitating the financing of a new facility for its
14 operations and use and pledge, to the extent authorized by law, all
15 or a portion of its receipts of the assessment penalty herein
16 referenced for the payment of its obligations under such lease, loan
17 or other agreement. It is the intent of the Legislature to increase
18 the assessment penalty to such a level or appropriate sufficient
19 monies to the Council on Law Enforcement Education and Training to
20 make payments on the lease, loan or other agreement for the purpose
21 of retiring the bonds to be issued by the Oklahoma Development
22 Finance Authority or local public trust. Such lease, loan or other
23 agreement and the bonds issued to finance such facilities shall not
24 constitute an indebtedness of ~~the State of Oklahoma~~ this state or be

1 backed by the full faith and credit of ~~the State of Oklahoma~~ this
2 state, and the lease, loan or other agreement and the bonds shall
3 contain a statement to such effect;

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

6 12. Appoint an advisory committee composed of representatives
7 from security guard and private investigative agencies to advise the
8 Council concerning necessary research, minimum standards for
9 licensure, education, and other matters related to licensure of
10 security guards, security guard agencies, private investigators, and
11 private investigative agencies;

12 13. Enter into agreements with individuals, educational
13 institutions, agencies, and business and tribal entities for
14 professional services, the use of facilities and supplies, and staff
15 overtime costs incurred as a result of the user's requests to
16 schedule functions after-hours, on weekends, or anytime such
17 requests extend staff beyond its normal capacity, whereby
18 contracting individuals, educational institutions, agencies, and
19 business and tribal entities shall pay a fee to be determined by the
20 Council by rule. All fees collected pursuant to facilities usage
21 shall be deposited to the credit of the C.L.E.E.T. Training Center
22 Revolving Fund created pursuant to Section 3311.6 of this title.
23 All other fees collected pursuant to these agreements shall be
24 deposited to the credit of the Peace Officer Revolving Fund created

1 pursuant to Section 3311.7 of this title. The Council is authorized
2 to promulgate emergency rules to effectuate the provisions of this
3 paragraph;

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

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

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

- 15 a. one member shall be selected by the Chancellor for
16 Higher Education, who possesses a background of
17 creation and review of curriculum and experience
18 teaching criminal justice or law enforcement courses,
19 who shall serve an initial term of one (1) year,
- 20 b. one member shall represent a municipal jurisdiction
21 with a population of fifty thousand (50,000) or more
22 and who shall be a management-level CLEET-certified
23 training officer, who shall serve an initial term of
24 two (2) years,

- 1 c. one member shall represent a county jurisdiction with
2 a population of fifty thousand (50,000) or more and
3 who shall be a management-level CLEET-certified
4 training officer, who shall serve an initial term of
5 three (3) years,
- 6 d. one member shall represent a municipal jurisdiction
7 with a population of less than fifty thousand (50,000)
8 and who shall be a CLEET-certified training officer,
9 who shall serve an initial term of two (2) years,
- 10 e. one member shall represent a county jurisdiction with
11 a population of less than fifty thousand (50,000) and
12 who shall be a CLEET-certified training officer, who
13 shall serve an initial term of one (1) year, and
- 14 f. one member selected by the Oklahoma Department of
15 Career and Technology Education, who shall have
16 experience in the creation and review of curriculum as
17 well as experience in teaching criminal justice or law
18 enforcement courses, who shall serve an initial term
19 of three (3) years.

20 After the initial terms of office, all members shall be
21 appointed to serve three-year terms. Any member may be reappointed
22 to serve consecutive terms. Members shall serve without
23 compensation, but may be reimbursed for travel expenses pursuant to
24 the State Travel Reimbursement Act. The Board shall review and

1 establish curriculum for all CLEET academies and training courses
2 pursuant to procedures established by the Council on Law Enforcement
3 Education and Training;

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

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

11 19. Summarily suspend a certification of a peace officer,
12 without prior notice but otherwise subject to administrative
13 proceedings, if CLEET finds that a certified peace officer has been
14 suspended or terminated for cause by a law enforcement employer or
15 that the actions of the certified peace officer may present a danger
16 to the peace officer, the public, an intimate partner, or a family
17 or household member, or involve a crime against a minor. For
18 purposes of this section, "for cause" shall mean any infraction that
19 would constitute a felony or domestic violence crime, even if no
20 charges are brought, or any violation of the employer's rules or
21 policies that involve dishonesty or an improper or excessive use of
22 force. A certified copy of the information or indictment charging
23 such a crime shall be considered clear and convincing evidence of
24 the charge; and

1 20. Approve law enforcement agencies and police departments in
2 accordance with the following:

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

11 b. the entity shall submit to CLEET, a minimum of sixty
12 (60) days prior to creation of the law enforcement
13 agency or police department, information regarding:

14 (1) the need for the law enforcement agency or police
15 department in the community,

16 (2) the funding sources for the law enforcement
17 agency or police department, and proof that no
18 more than fifty percent (50%) of the funding of
19 the entity will be derived from ticket revenue or
20 fines,

21 (3) the physical resources available to officers,

22 (4) the physical facilities that the law enforcement
23 agency or police department will operate
24 including descriptions of the evidence room,

1 dispatch area, restroom facilities, and public
2 area,

3 (5) law enforcement policies of the law enforcement
4 agency or police department including published
5 policies on:

6 (a) use of force,

7 (b) vehicle pursuit,

8 (c) mental health,

9 (d) professional conduct of officers,

10 (e) domestic abuse,

11 (f) response to missing persons,

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

13 (h) impartial policing,

14 (6) the administrative structure of the law
15 enforcement agency or police department,

16 (7) liability insurance, and

17 (8) any other information CLEET requires by rule,

18 c. within sixty (60) days of receiving an entity's
19 request, CLEET will forward to the entity by certified
20 mail, return receipt requested, a letter of
21 authorization or denial to create a law enforcement
22 agency or police department and commission, appoint,
23 or employ officers, signed by the Executive Director
24 of CLEET, and

1 d. in cases of denial, the entity may appeal the decision
2 of the Executive Director to the full CLEET Council.
3 The Executive Director shall ensure that the final
4 report is provided to all members of the Council. The
5 Council shall review and make recommendations
6 concerning the report at the first meeting of the
7 Council to occur after all members of the Council have
8 received the report. The Council may, by majority
9 vote:

- 10 (1) order additional information be provided,
11 (2) order confirmation of the opinion of the
12 Executive Director, or
13 (3) order authorization of the entity.

14 C. 1. Payment of any fee provided for in this section may be
15 made by a nationally recognized credit or debit card issued to the
16 applicant. The Council may publicly post and collect a fee for the
17 acceptance of the nationally recognized credit or debit card not to
18 exceed five percent (5%) of the amount of the payment. For purposes
19 of this subsection, "nationally recognized credit card" means any
20 instrument or device, whether known as a credit card, credit plate,
21 charge plate, or by any other name, issued with or without fee by an
22 issuer for the use of the cardholder in obtaining goods, services,
23 or anything else of value and which is accepted by over one thousand
24 merchants in this state. "Debit card" means an identification card

1 or device issued to a person by a business organization which
2 permits such person to obtain access to or activate a consumer
3 banking electronic facility. The Council shall determine which
4 nationally recognized credit or debit cards will be accepted as
5 payment for fees.

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

8 a. add an amount equal to the amount of the service
9 charge incurred, not to exceed three percent (3%) of
10 the amount of the check as a service charge for the
11 acceptance and verification of the check, or

12 b. add an amount of no more than Five Dollars (\$5.00) as
13 a service charge for the acceptance and verification
14 of a check. For purposes of this subsection,
15 "business check" shall not mean a money order,
16 cashier's check, or bank certified check.

17 D. Failure of the Legislature to appropriate necessary funds to
18 provide for expenses and operations of the Council on Law
19 Enforcement Education and Training shall not invalidate other
20 provisions of this section relating to the creation and duties of
21 the Council.

22 E. 1. No person shall be eligible for employment as a peace
23 officer or reserve peace officer until the employing law enforcement
24

1 agency has conducted a background investigation of such person
2 consisting of the following:

3 a. a fingerprint search submitted to the Oklahoma State
4 Bureau of Investigation with a return report to the
5 submitting agency that such person has no felony
6 record,

7 b. a fingerprint search submitted to the Federal Bureau
8 of Investigation with a return report to the
9 submitting agency that such person has no felony
10 record,

11 c. such person has undergone psychological evaluation by
12 a psychologist licensed by ~~the State of Oklahoma~~ this
13 state and has been evaluated to be suitable to serve
14 as a peace officer in ~~the State of Oklahoma~~ this
15 state,

16 d. the employing agency has verified that such person has
17 a high school diploma or a GED equivalency certificate
18 as recognized by state law,

19 e. such person is not participating in a deferred
20 sentence agreement for a felony, a crime involving
21 moral turpitude or a crime of domestic violence, and
22 does not have any criminal charges pending in any
23 court in this state, another state, in tribal court or
24 pursuant to the United States Code,

- 1 f. such person is not currently subject to an order of
2 the Council revoking, suspending, or accepting a
3 voluntary surrender of peace officer certification,
- 4 g. such person is not currently undergoing treatment for
5 a mental illness, condition or disorder. For purposes
6 of this subsection, "currently undergoing treatment
7 for mental illness, condition or disorder" means the
8 person has been diagnosed by a licensed physician,
9 psychologist, or licensed mental health professional
10 as being afflicted with a substantial disorder of
11 thought, mood, perception, psychological orientation
12 or memory that significantly impairs judgment,
13 behavior, capacity to recognize reality, or ability to
14 meet the ordinary demands of life and such condition
15 continues to exist,
- 16 h. such person is twenty-one (21) years of age.
17 Provided, this requirement shall not affect those
18 persons who are already employed as a police or peace
19 officer prior to November 1, 1985, and
- 20 i. such person has provided proof of United States
21 citizenship or resident alien status, pursuant to an
22 employment eligibility verification form from the
23 United States Citizenship and Immigration Services.
- 24

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

21 a. Any person found not to be suitable for employment or
22 certification by the Council shall not be employed,
23 retained in employment as a peace officer, or
24 certified by the Council for at least one (1) year, at

1 which time the employee or applicant may be
2 reevaluated by a psychologist licensed by ~~the State of~~
3 ~~Oklahoma~~ this state. This section shall also be
4 applicable to all reserve peace officers in ~~the State~~
5 ~~of Oklahoma~~ this state.

6 b. Any person who is certified by CLEET and has undergone
7 the psychological evaluation required by this
8 subparagraph and has been found to be suitable as a
9 peace officer shall not be required to be reevaluated
10 for any subsequent employment as a peace officer
11 following retirement or any break in service as a
12 peace officer, unless such break in service exceeds
13 five (5) years or the Council determines that a peace
14 officer may present a danger to himself or herself,
15 the public, or a family or household member.

16 c. All persons seeking certification shall have their
17 name, gender, date of birth, and address of such
18 person submitted to the Department of Mental Health
19 and Substance Abuse Services by the Council. The
20 Department of Mental Health and Substance Abuse
21 Services shall respond to the Council within ten (10)
22 days whether the computerized records of the
23 Department indicate the applicant has ever been
24 involuntarily committed to an Oklahoma state mental

1 institution. In the event that the Department of
2 Mental Health and Substance Abuse Services reports to
3 the Council that the applicant has been involuntarily
4 committed, the Council shall immediately inform the
5 employing agency.

6 All basic police courses shall include a minimum of four (4)
7 hours of education and training in recognizing and managing a person
8 appearing to require mental health treatment or services. The
9 training shall include training in crime and drug prevention, crisis
10 intervention, youth and family intervention techniques, recognizing,
11 investigating and preventing abuse and exploitation of elderly
12 persons, mental health issues, and criminal jurisdiction on
13 Sovereign Indian Land.

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

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

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

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

9 a. The Council may extend the time requirement specified
10 in this paragraph for good cause as determined by the
11 Council.

12 b. A duty is hereby imposed upon the employing agency to
13 withhold payment of the compensation or wage of such
14 unqualified officer.

15 c. If the police or peace officer fails to forfeit the
16 position or the employing agency fails to require the
17 officer to forfeit the position, the district attorney
18 shall file the proper action to cause the forfeiting
19 of such position. The district court of the county
20 where the officer is employed shall have jurisdiction
21 to hear the case.

22 5. The Council may certify officers who have completed a course
23 of study in another state deemed by the Council to meet standards
24 for Oklahoma peace officers providing the officer's certification in

1 the other state has not been revoked or voluntarily surrendered to
2 avoid revocation or other disciplinary action and is not currently
3 under suspension.

4 6. For purposes of this section, a police or peace officer is
5 defined as a full-time duly appointed or elected officer who is paid
6 for working more than twenty-five (25) hours per week and whose
7 duties are to preserve the public peace, protect life and property,
8 prevent crime, serve warrants, transport prisoners, and enforce laws
9 and ordinances of this state, or any political subdivision thereof;
10 provided, elected sheriffs and their deputies and elected,
11 appointed, or acting chiefs of police shall meet the requirements of
12 this subsection within the first six (6) months after assuming the
13 duties of the office to which they are elected or appointed or for
14 which they are an acting chief; provided further, that this section
15 shall not apply to persons designated by the Director of the
16 Department of Corrections as peace officers pursuant to Section 510
17 of Title 57 of the Oklahoma Statutes.

18 7. Beginning November 1, 2022, each peace officer and reserve
19 peace officer shall have to renew their individual certification
20 every three (3) years by providing to CLEET proof of successful and
21 timely completion of all required continuing education hours for the
22 applicable period as well as attesting that they remain eligible for
23 peace officer employment according to applicable statutory
24 requirements. The three (3) year cycle will be calculated from the

1 officer's original date of certification or the latest anniversary
2 of such certification if the certification occurred more than three
3 (3) years previously, whichever occurred last. No additional
4 training will be required to renew certification unless such
5 certification has expired without a timely renewal. A person whose
6 peace officer or reserve peace officer certification expires without
7 renewal, may subsequently reapply for recertification. CLEET shall
8 promulgate rules to give effect to this section.

9 F. No person shall be certified as a police or peace officer by
10 the Council or be employed by the state, a county, a city, or any
11 political subdivision thereof, who is currently subject to an order
12 of the Council revoking, suspending, ~~or~~ accepting a voluntary
13 surrender to avoid revocation or other disciplinary action, or
14 accepting a withdrawal of peace officer certification or who has
15 been convicted of a felony, a crime involving moral turpitude, or a
16 crime of domestic violence, unless a full pardon has been granted by
17 the proper agency; however, any person who has been trained and
18 certified by the Council on Law Enforcement Education and Training
19 and is actively employed as a full-time peace officer as of November
20 1, 1985, shall not be subject to the provisions of this subsection
21 for convictions occurring prior to November 1, 1985.

22 G. 1. The Council is hereby authorized to provide to any
23 employing agency the following information regarding a person who is
24

1 or has applied for employment as a police or peace officer of such
2 employing agency:

3 a. Oklahoma State Bureau of Investigation and Federal
4 Bureau of Investigation reports,

5 b. administration of the psychological tests provided for
6 herein,

7 c. performance in the course of study or other basis of
8 certification,

9 d. previous certifications issued, and

10 e. any administrative or judicial determination denying
11 certification.

12 2. An employing agency shall not be liable in any action
13 arising out of the release of contents of personnel information
14 relevant to the qualifications or ability of a person to perform the
15 duties of a police or peace officer when such information is
16 released pursuant to written authorization for release of
17 information signed by such person and is provided to another
18 employing agency which has employed or has received an application
19 for employment from such person.

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

1 H. 1. A law enforcement agency employing police or peace
2 officers in this state shall report the hiring, resignation, or
3 termination for any reason of a police or peace officer to the
4 Council within ten (10) days. Failure to comply with the provisions
5 of this subsection may disqualify a law enforcement agency from
6 participating in training programs sponsored by the Council. Every
7 law enforcement agency employing police or peace officers in this
8 state shall submit to CLEET on or before October 1 of each calendar
9 year a complete list of all commissioned employees with a current
10 mailing address and phone number for each such employee. In
11 addition to the above, CLEET may impose an administrative fine for
12 violations of this section.

13 2. A tribal law enforcement agency that has peace officers
14 commissioned by an Oklahoma law enforcement agency pursuant to a
15 cross-deputization agreement with ~~the State of Oklahoma~~ this state
16 or any political subdivision of ~~the State of Oklahoma~~ this state
17 pursuant to the provisions of Section 1221 of Title 74 of the
18 Oklahoma Statutes shall report the commissioning, resignation, or
19 termination of commission for any reason of a cross-deputized tribal
20 police or peace officer to CLEET within ten (10) days of the
21 commissioning, resignation, or termination. Failure to comply with
22 the provisions of this subsection may disqualify a tribal law
23 enforcement agency from participating in training programs sponsored
24 by the Council.

1 I. It is unlawful for any person to willfully make any
2 statement in an application to CLEET knowing the statement is false
3 or intentionally commit fraud in any application to the Council for
4 attendance in any CLEET-conducted or CLEET-approved peace officer
5 academy or Collegiate Officer Program or for the purpose of
6 obtaining peace officer certification or reinstatement. It is
7 unlawful for any person to willfully submit false or fraudulent
8 documents relating to continuing education rosters, transcripts or
9 certificates, or any canine license application. Any person
10 convicted of a violation of this subsection shall be guilty of a
11 felony punishable by imprisonment in the Department of Corrections
12 for a term of not less than two (2) years nor more than five (5)
13 years, or by a fine not exceeding Two Thousand Dollars (\$2,000.00),
14 or by both such fine and imprisonment. In addition to the above,
15 CLEET may impose an administrative fine.

16 J. 1. A police or peace officer shall be subject to denial of
17 certification or disciplinary action to include a ~~denial~~ letter of
18 reprimand, suspension, revocation or acceptance of ~~voluntary~~
19 ~~surrender~~ a withdrawal of peace officer certification upon a showing
20 of clear and convincing evidence for the following:

- 21 a. conviction of a felony or a crime of domestic
22 violence,
- 23 b. conviction of a misdemeanor involving moral turpitude;
24 provided, if the conviction is a single isolated

1 incident that occurred more than five (5) years ~~ago~~
2 before the person applies for peace officer
3 certification, is disclosed at the time the person
4 applies for peace officer certification, and the
5 Council is satisfied that the person has been
6 sufficiently rehabilitated, the Council may, in its
7 discretion, certify such person providing that all
8 other statutory requirements have been met,

9 c. a verdict of guilt or entry of a plea of guilty or
10 nolo contendere or an "Alford" plea or any plea other
11 than a not guilty plea for a felony offense, a crime
12 of moral turpitude, or a crime of domestic violence,

13 d. falsification or a willful misrepresentation of
14 information in an employment application or
15 application to the Council on Law Enforcement
16 Education and Training, records of evidence, or in
17 testimony under oath,

18 e. revocation, suspension, or voluntary surrender of
19 police or peace officer certification in another state
20 for a violation of any law or rule or in settlement of
21 any disciplinary action in such state,

22 f. involuntary commitment of a reserve or peace officer
23 in a mental institution or licensed private mental
24 health facility for any mental illness, condition or

1 disorder that is diagnosed by a licensed physician,
2 psychologist or a licensed mental health professional
3 as a substantial disorder of thought, mood,
4 perception, psychological orientation, or memory that
5 significantly impairs judgment, behavior, capacity to
6 recognize reality, or ability to meet the ordinary
7 demands of life. Provided, the peace officer
8 certification may be reinstated upon the Council
9 receiving notification of a psychological evaluation
10 conducted by a licensed physician, psychologist or
11 licensed mental health professional which attests and
12 states by affidavit that the officer and the
13 evaluation test data of the officer have been examined
14 and that, in the professional opinion of the
15 physician, psychologist or licensed mental health
16 professional, the officer is psychologically suitable
17 to return to duty as a peace officer. Notwithstanding
18 any other provision of state law pertaining to
19 confidentiality of hospital or other medical records,
20 and as allowable under federal law, CLEET may subpoena
21 or request a court to subpoena records necessary to
22 assure compliance with these provisions. Any
23 confidential information received by CLEET for such
24

- 1 purpose shall retain its confidential character while
2 in the possession of CLEET,
- 3 g. abuse of office,
- 4 h. entry of a final order of protection against applicant
5 or officer, ~~or~~
- 6 i. any violation of the Oklahoma Private Security
7 Licensing Act, or
- 8 j. termination for cause by a law enforcement employer.

9 2. Disciplinary proceedings shall be commenced by filing a
10 complaint with the Council on a form approved by the Council. Any
11 employing agency or other person having information may submit such
12 information to the Council for consideration as provided in this
13 subsection.

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

- 16 a. there is reason to believe the person has violated any
17 provision of this subsection or any other provision of
18 law or rule, or
- 19 b. there is reason to believe the person has been
20 convicted of a felony, a crime involving moral
21 turpitude or a domestic violence offense or is
22 currently participating in a deferred sentence for
23 such offenses.
- 24

1 4. When the investigation of a complaint does not find the
2 person has violated any of the provisions of this subsection, or
3 finds that the person is sufficiently rehabilitated as provided in
4 subparagraph b or f of paragraph 1 of this subsection, no
5 disciplinary action shall be required and the person shall remain
6 certified as a police or peace officer. When the investigation of a
7 complaint finds that the person has violated any of the provisions
8 of this subsection, the matter shall be referred for disciplinary
9 proceedings. The disciplinary proceedings shall be in accordance
10 with Articles I and II of the Administrative Procedures Act.

11 5. The Council shall revoke or suspend the certification of any
12 person upon determining that such person has been convicted of a
13 felony or a crime involving moral turpitude or a domestic violence
14 offense or has entered a plea of guilty, or nolo contendere or an
15 "Alford" plea or any plea other than a not guilty plea for a felony
16 offense, a crime of moral turpitude or a crime of domestic violence
17 or is the respondent in a final ~~Victims~~ Victim Protective Order;
18 provided, that if the conviction has been reversed, vacated or
19 otherwise invalidated by an appellate court, such conviction shall
20 not be the basis for revocation of certification; provided further,
21 that any person who has been trained and certified by the Council on
22 Law Enforcement Education and Training and is actively employed as a
23 full-time peace officer as of November 1, 1985, shall not be subject
24 to the provisions of this subsection for convictions occurring prior

1 to November 1, 1985. The sole issue to be determined at the hearing
2 shall be whether the person has been convicted of a felony, a crime
3 involving moral turpitude or a domestic violence offense or is the
4 named respondent/defendant in a final ~~Victims~~ Victim Protective
5 Order.

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

10 7. The Council may suspend the certification of any person upon
11 a determination that such person has been involuntarily committed to
12 a mental institution or mental health facility for a mental illness,
13 condition or disorder as provided in subparagraph f of paragraph 1
14 of this subsection.

15 8. Every law enforcement agency in this state shall, within
16 thirty (30) days of a final order of termination or resignation
17 while under investigation of a CLEET-certified peace officer, report
18 such order or resignation in writing to the Executive Director of
19 the Council. Any report, upon receipt by the Council, shall be
20 considered as personnel records and shall be afforded confidential
21 protection pursuant to Sections 24A.7 and 24A.8 of Title 51 of the
22 Oklahoma Statutes. Any medical or other confidential records
23 obtained by subpoena pursuant to this subsection shall not be made a
24 part of such report. ~~The Executive Director shall ensure that the~~

~~report is provided to all members of the Council. The Council shall review and make recommendations concerning the report at the first meeting of the Council to occur after all members of the Council have received the report. The Council may, by a majority vote, order the suspension, for a given period of time, or revocation of the CLEET certification of the peace officer in question if there are grounds for such actions pursuant to this section and the peace officer in question has been provided with notice and an opportunity for a hearing pursuant to the Administrative Procedures Act. Suspension or revocation of CLEET certification pursuant to this paragraph shall be reported to the district attorney for the 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, 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~~

1 CLEET who is the subject of an investigation into, or
2 a pending or concluded proceeding involving
3 allegations of violations of any of the provisions of
4 this section, other provisions of law, or CLEET's
5 administrative rules may withdraw his or her peace
6 officer certification pursuant to promulgated CLEET
7 rules governing the same. Pursuant to such ~~surrender~~
8 ~~or relinquishment~~ withdrawal of certification, the
9 person ~~surrendering~~ withdrawing the certification
10 shall be prohibited from applying to CLEET for
11 reinstatement within five (5) years of the date of the
12 ~~surrender or relinquishment~~ withdrawal, unless
13 otherwise provided by law for reinstatement.

14 b. ~~No~~ Any person who has had a police or peace officer
15 certification from another state revoked or
16 voluntarily surrendered to avoid revocation or other
17 disciplinary action and has not been reinstated by
18 that state shall not be considered for certification
19 by CLEET.

20 c. Any person seeking reinstatement of police or peace
21 officer certification which has been suspended,
22 revoked, ~~or~~ voluntarily surrendered, or withdrawn may
23 apply for reinstatement pursuant to promulgated CLEET
24 rules governing reinstatement. Except as provided in

1 this subsection, any person whose certification has
2 been revoked, suspended ~~or~~, voluntarily surrendered,
3 or withdrawn for any reason including failure to
4 comply with mandatory education and training
5 requirements, shall pay a reinstatement fee of One
6 Hundred Fifty Dollars (\$150.00) to be deposited to the
7 credit of the Peace Officer Revolving Fund created
8 pursuant to Section 3311.7 of this title.

9 11. A duty is hereby imposed upon the district attorney who, on
10 behalf of ~~the State of Oklahoma~~ this state, prosecutes a person
11 holding police or peace officer or reserve peace officer
12 certification for a felony, a crime involving moral turpitude, or a
13 crime of domestic violence in which a plea of guilty, nolo
14 contendere, or an "Alford" plea or any other plea other than a not
15 guilty plea or other finding of guilt is entered by, against or on
16 behalf of a certified police or peace officer to report such plea,
17 agreement, or other finding of guilt to the Council on Law
18 Enforcement Education and Training within ten (10) days of such plea
19 agreement or the finding of guilt.

20 12. Any person or agency required or authorized to submit
21 information pursuant to this section to the Council shall be immune
22 from liability arising from the submission of the information as
23 long as the information was submitted in good faith and without
24 malice.

1 13. Any peace officer employed by a law enforcement agency in
2 this state which has internal discipline policies and procedures on
3 file with CLEET shall be exempt from the disciplinary proceedings
4 and actions provided for in this subsection; provided, however, such
5 exemption shall not apply if the peace officer has been convicted of
6 a felony crime, a crime of moral turpitude, or a crime of domestic
7 violence.

8 14. All criminal proceedings initiated against a CLEET-
9 certified peace officer or reserve peace officer shall be reported
10 by the officer to CLEET immediately after arrest or discovery of the
11 filing of such criminal proceeding. All CLEET-certified peace
12 officers and reserve peace officers shall be required to report when
13 a Victim Protective Order has been issued against the officer
14 including orders issued on an emergency basis and all final orders
15 of protection. Failure to give notice pursuant to the provisions of
16 this paragraph may be cause to initiate an action against the
17 officer by CLEET.

18 15. As used in this subsection:

- 19 a. "law enforcement agency" means any department or
20 agency of the state, a county, a municipality, or
21 political subdivision thereof, with the duties to
22 maintain public order, make arrests, and enforce the
23 criminal laws of this state or municipal ordinances,
24 which employs CLEET-certified personnel,

1 b. "final order of termination" means a final notice of
2 dismissal from employment provided after all
3 grievance, arbitration, and court actions have been
4 completed, and

5 c. "resignation while under investigation" means the
6 resignation from employment of a peace officer who is
7 under investigation for any felony violation of law, a
8 crime of moral turpitude, a crime of domestic
9 violence, or the resignation from employment of a
10 peace officer as part of an arbitration or plea
11 agreement.

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

23 2. The Council shall appoint a Drug Dog Advisory Council to
24 make recommendations concerning minimum standards, educational

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

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

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

22 L. 1. Every canine team in the state trained to detect
23 explosives, explosive materials, explosive devices, and materials
24 which could be used to construct an explosive device shall be

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

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

- 20 a. the Department of Public Safety,
 - 21 b. a police department,
 - 22 c. a sheriff's office, and
 - 23 d. a university or college campus police department.
- 24

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

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

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

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

21 P. Peace officers, reserve peace officers, tribal peace
22 officers, agencies, bail enforcers, security guards and private
23 investigators shall maintain with the Council current mailing
24 addresses and shall notify the Council, in writing, of any change of

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

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

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

22 Section 3311.4. A. Beginning ~~January 1, 2008~~ November 1, 2022,
23 ~~and annually thereafter,~~ every active full-time peace officer, who
24 is certified as a full-time peace officer by the Council on Law

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

22 B. Beginning ~~January 1, 2017~~ November 1, 2022, ~~and annually~~
23 ~~thereafter,~~ every active reserve peace officer, certified who is
24 certified as a reserve officer by CLEET pursuant to Section 3311 of

1 this title, shall attend and complete a minimum of ~~eight (8)~~ twenty-
2 four (24) hours of continuing law enforcement training ~~accredited~~
3 catalogued or provided by CLEET ~~which~~ per certification cycle. Such
4 training shall include ~~a mandatory one (1) hour~~ training on mental
5 health issues and on responding to sexual assault calls as mandated
6 for full-time certified peace officers.

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

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

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

1 ~~suspended pursuant to this section may request a hearing with CLEET.~~
2 ~~Such hearings shall be governed by the Administrative Procedures Act~~
3 ~~except that the affected officer has the burden to show CLEET why~~
4 ~~CLEET should not have the certification of the officer suspended.~~

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

19 ~~G. Peace officers with full-time certification who worked~~
20 ~~during a calendar year only as a reserve officer are required to~~
21 ~~complete only the training requirements for reserve certification.~~
22 ~~For purposes of the requirements outlined in subsection F of this~~
23 ~~section, full-time peace officers who worked both in the capacity of~~
24

1 ~~a full-time peace officer and reserve officer in a calendar year~~
2 ~~must complete full-time continuing education requirements.~~

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

4 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
5 February 16, 2022 - DO PASS AS AMENDED
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24