

1 ENGROSSED HOUSE  
2 BILL NO. 2914

By: Wallace, Caldwell (Trey),  
Hilbert, Burns, Sims, Ford,  
Roe, and Hays of the House

3  
4 and

Hall, Rosino and Woods of  
5 the Senate  
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9 An Act relating to law enforcement funding; creating  
10 the Oklahoma Sheriff's Office Funding Assistance  
11 Grant Program Act of 2024; authorizing certain  
12 reference and citation; establishing the Oklahoma  
13 Sheriff's Office Funding Assistance Grant Program;  
14 defining terms; providing for administration by the  
15 Attorney General's Office; declaring purpose;  
16 establishing program procedures and criteria;  
17 establishing grant amounts at certain levels under  
18 certain qualifications; authorizing proportional  
19 reductions; limiting use of proceeds; prohibiting  
20 reduction and supplanting of existing funding prior  
21 to certain date; authorizing the promulgation of  
22 rules; creating the Oklahoma Sheriff's Office Funding  
23 Assistance Revolving Fund; establishing revolving  
24 fund characteristics; deeming funds appropriated;  
providing purpose for expenditures; authorizing and  
limiting budgeting and expenditures; requiring  
budgeting and expenditure procedures; amending 19  
O.S. 2021, Section 180.62, which relates to county  
officer salaries; exempting sheriff from salary  
range; requiring sheriff salary not be below certain  
benchmark; establishing sheriff salary range;  
amending 19 O.S. 2021, Section 180.43, which relates  
to payments by sheriffs; expanding authority for use  
of funds; amending 19 O.S. 2021, Section 180.65,  
which relates to deputy pay; authorizing certain  
payments and stipends; providing for codification;  
providing an effective date; and declaring an  
emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 20k-1A of Title 74, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Oklahoma Sheriff's Office Funding Assistance Grant Program Act of 2024".

B. There is hereby established the Oklahoma Sheriff's Office Funding Assistance Grant Program.

C. As used in the Oklahoma Sheriff's Office Funding Assistance Grant Program Act of 2024:

1. "Gross assessed total tangible property valuation" means the amount determined pursuant to the calculation provided in Section 180.59 of Title 19 of the Oklahoma Statutes;

2. "Grant" means an amount authorized to be awarded under the provisions of this section; and

3. "Qualified county" means any county recognized as a county of this state as of the effective date of this act.

D. The Office of Attorney General shall establish and administer the Oklahoma Sheriff's Office Funding Assistance Grant Program to support the state purpose of ensuring professional law enforcement throughout the state by providing financial assistance to sheriff's offices in qualified counties. Such program shall embody the following procedures and criteria:

1 1. Not later than the thirtieth day after the first day of a  
2 qualified county's fiscal year, the county may submit an application  
3 for a grant to the Office of the Attorney General. A county may  
4 submit only one application each fiscal year;

5 2. Grants awarded under the provisions of this section shall be  
6 to qualified counties in the following amounts, or in proportionally  
7 equivalent reduced amounts if available funding for the program is  
8 limited:

9 a. One Hundred Fifty Thousand Dollars (\$150,000.00) for a  
10 county in the lower twenty-six (26) of qualified  
11 counties ranked by gross assessed total tangible  
12 property valuation,

13 b. Two Hundred Fifty Thousand Dollars (\$250,000.00) for a  
14 county ranked higher than twenty-six (26) but lower  
15 than fifty-three (53) of qualified counties ranked by  
16 gross assessed total tangible property valuation, and

17 c. Three Hundred Thousand Dollars (\$300,000.00) for a  
18 county ranked equal to or greater than fifty-three  
19 (53) of qualified counties ranked by gross assessed  
20 total tangible property valuation.

21 E. Counties awarded a grant from the program shall limit use of  
22 the grant proceeds to the lawful operation of the sheriff's office,  
23 provided such proceeds shall not be used for the payment of salary.

1 F. Until the completion of the fiscal year ending June 30,  
2 2026, no county shall reduce or supplant existing funding or the  
3 county's methodology for allocating funds to a county sheriff's  
4 office due to the award of grant funding as provided under the  
5 provisions of this section.

6 G. The Office of the Attorney General is hereby authorized to  
7 adopt rules and procedures as necessary to carry out the provisions  
8 of this section.

9 SECTION 2. NEW LAW A new section of law to be codified  
10 in the Oklahoma Statutes as Section 20k-1B of Title 74, unless there  
11 is created a duplication in numbering, reads as follows:

12 There is hereby created in the State Treasury a revolving fund  
13 for the Office of the Attorney General to be designated the  
14 "Oklahoma Sheriff's Office Funding Assistance Revolving Fund". The  
15 fund shall be a continuing fund, not subject to fiscal year  
16 limitations, and shall consist of all monies directed to the fund  
17 and eligible for deposit by law. All monies accruing to the credit  
18 of said fund are hereby appropriated and may be budgeted and  
19 expended by the Office of the Attorney General exclusively for the  
20 purposes and in compliance with the Oklahoma Sheriff's Office  
21 Funding Assistance Grant Program, created in Section 1 of this act.  
22 Expenditures from said fund shall be made upon warrants issued by  
23 the State Treasurer against claims filed as prescribed by law with  
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1 the Director of the Office of Management and Enterprise Services for  
2 approval and payment.

3 SECTION 3. AMENDATORY 19 O.S. 2021, Section 180.62, is  
4 amended to read as follows:

5 Section 180.62 A. The basic salaries of county officers upon  
6 which all salaries and future increases or decreases thereof shall  
7 not be less than Nineteen Thousand Dollars (\$19,000.00) per annum  
8 nor shall they exceed Forty-nine Thousand Five Hundred Dollars  
9 (\$49,500.00) per annum, provided the basic salary for the sheriff,  
10 which shall be no less than other salaries for county officers  
11 controlled by this section, shall not be less than Forty-four  
12 Thousand Dollars (\$44,000.00) per annum nor shall it exceed Seventy-  
13 four Thousand Five Hundred Dollars (\$74,500.00) per annum.

14 B. The board of county commissioners, or if the county has  
15 elected to come under the County Budget Act, the budget board  
16 members of the county, shall set the salaries for all elected county  
17 officials within the limits allowed by law.

18 C. The annual salaries fixed by this act shall be paid either  
19 monthly or twice a month, by order of the board of county  
20 commissioners, for each month or fraction thereof the incumbent  
21 lawfully occupies and holds title to such office.

22 SECTION 4. AMENDATORY 19 O.S. 2021, Section 180.43, is  
23 amended to read as follows:

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1 Section 180.43 A. Each county sheriff may contract with any  
2 public or private entity engaged in the business of transportation  
3 of prisoners, the Department of Justice of the United States of  
4 America, the Department of Corrections, or any municipality of this  
5 state for the feeding, care, housing, and upkeep of federal, state,  
6 or municipal prisoners, or alien detainees incarcerated in the  
7 county jail. Any funds received pursuant to said contract shall be  
8 the funds of the county where the federal, state, or municipal  
9 prisoners, or alien detainees are incarcerated and shall be  
10 deposited in the Sheriff's Service Fee Account. All purchases made  
11 pursuant to the provisions of this subsection shall be made pursuant  
12 to the purchasing procedures specified in Sections 1500 through 1507  
13 of this title, including the use of blanket purchase orders as  
14 provided for in Section 310.8 of Title 62 of the Oklahoma Statutes.  
15 The sheriff shall be permitted to expend the funds for capital  
16 expenditures. The sheriff shall be permitted to expend any ~~surplus~~  
17 funds in the Sheriff's Service Fee Account for administering  
18 expenses for salaries, training, equipment or travel.

19 The claim for said expenses shall be filed with and allowed by  
20 the board of county commissioners as other claims. The sheriff  
21 shall receive no compensation for said services. The sheriff shall  
22 file an annual report with the board of county commissioners not  
23 later than January 15 of each year. The State Auditor and Inspector  
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1 shall conduct an audit of the report as on other public records of  
2 the county.

3 B. In lieu of the travel reimbursement or monthly travel  
4 allowance provided for by law, the board of county commissioners may  
5 purchase and provide for the operation, maintenance, insurance,  
6 equipping, and repair of an automobile for each county commissioner  
7 to be used in performing the duties of his office. In lieu of the  
8 travel reimbursement or monthly travel allowance provided for by  
9 law, the board of county commissioners, with the concurrence of the  
10 county sheriff, may purchase and provide for the operation,  
11 maintenance, insurance, equipping, and repair of automobiles for the  
12 use of the sheriff in performing the duties of his office. Any  
13 automobile purchased pursuant to the authority granted in this  
14 section shall be purchased by competitive bids. The use of any said  
15 automobile for private or personal purposes is hereby prohibited.  
16 In any county having a population of at least three hundred fifty  
17 thousand (350,000), where it is determined by the sheriff to be more  
18 economical and advantageous to the county, the sheriff may establish  
19 a monthly automobile allowance of not more than Four Hundred Dollars  
20 (\$400.00) per month in lieu of the mileage per mile for in-county  
21 driving as authorized in this section. Any travel reimbursement  
22 other than in-county driving as provided for in this section shall  
23 be for actual and necessary expenses as provided for in the State  
24 Travel Reimbursement Act. Any person violating the provisions of

1 this subsection, upon conviction, shall be guilty of a misdemeanor  
2 and shall be punished by a fine of not more than One Hundred Dollars  
3 (\$100.00) or by imprisonment in the county jail for not more than  
4 thirty (30) days, or by both said fine and imprisonment, and in  
5 addition thereto shall be discharged from county employment.

6 C. The State of Oklahoma hereby declares and states that the  
7 increased number of persons impersonating law enforcement officers  
8 by making routine traffic stops while using unmarked cars is a  
9 threat to the public health and safety of all of the citizens of the  
10 State of Oklahoma; therefore it shall be unlawful for any county  
11 sheriff, deputy sheriff or reserve deputy sheriff to use any vehicle  
12 which is not clearly marked as a law enforcement vehicle for routine  
13 traffic enforcement except as provided in Section 12-218 of Title 47  
14 of the Oklahoma Statutes. In addition to Section 12-218 of Title 47  
15 of the Oklahoma Statutes, the peace officer operating the law  
16 enforcement vehicle for routine traffic stops shall be dressed in  
17 the official uniform including shoulder patches, badge, and any  
18 other identifying insignias normally used by the employing law  
19 enforcement agency.

20 D. Each county sheriff may operate, or contract the operation  
21 of, a commissary for the benefit of persons lawfully confined in the  
22 county jail under the custody of the county sheriff. Any funds  
23 received pursuant to said operations shall be the funds of the  
24 county where the persons are incarcerated and shall be deposited in



1 the Sheriff's Commissary Account. The sheriff shall be permitted to  
2 expend the funds to improve or provide jail services. The sheriff  
3 shall be permitted to expend any surplus in the Sheriff's Commissary  
4 Account for administering expenses for training equipment, travel or  
5 for capital expenditures. The claims for expenses shall be filed  
6 with and allowed by the board of county commissioners in the same  
7 manner as other claims. The sheriff shall receive no compensation  
8 for the operation of said commissary. The sheriff shall file an  
9 annual report on any said commissary under his or her operation no  
10 later than January 15 of each year. The State Auditor and Inspector  
11 shall conduct an audit of the report in the same manner as other  
12 public records of the county.

13 E. Each county sheriff may operate, or contract the operation  
14 of, a telephone system for the benefit of persons lawfully confined  
15 in the county jail under the custody of the county sheriff. Any  
16 funds received pursuant to said operations shall be the funds of the  
17 county where the persons are incarcerated and shall be deposited in  
18 the Sheriff's Service Fee Account. Such funds may be expended  
19 according to the guidelines previously established for expenditures  
20 from the general fund. The claims for expenses shall be filed with  
21 and allowed by the board of county commissioners in the same manner  
22 as other claims.

23 SECTION 5. AMENDATORY 19 O.S. 2021, Section 180.65, is  
24 amended to read as follows:

1 Section 180.65 A. The officers named in paragraph 1 of Section  
2 180.61 of this title shall have such number of regular or technical  
3 deputies, assistants, investigators, evidence persons, aides,  
4 stenographers or reporters, technicians, undersheriffs, jailers,  
5 matrons, handwriting and fingerprint experts, probation officers,  
6 juvenile officers, bailiffs or other help, whatever title the  
7 principal officer may ascribe to the duties or functions to be  
8 performed as authorized by law and clearly related to the proper  
9 accomplishment of lawful functions, whether on whole or part-time  
10 basis, at such rates of salary or pay, subject to the provisions of  
11 this section as hereinafter set forth, as the principal officer may  
12 propose and establish the need of and which the county excise board  
13 may approve, for the adequate accomplishment of the functions of the  
14 office and the performance of the duties imposed thereon by law,  
15 with due weight being given to employment on whole or part-time  
16 basis. However, no such employments shall exceed the amount of  
17 lawful funds appropriated for such purpose, provided however,  
18 nothing in this section shall be interpreted to prohibit additional  
19 salary payments or stipends paid from the Sheriff's Service Fee  
20 Account.

21 B. Each principal officer named in paragraph 1 of Section  
22 180.61 of this title, except judges, shall designate of record in  
23 the office of the county clerk a first or chief deputy, undersheriff  
24 or assistant who shall be chargeable with all the duties of such

1 principal officer, while subject to the direction of the same. The  
2 first or chief deputy, undersheriff or assistant shall carry on the  
3 duties of the office during the absence of the principal officer or,  
4 in the event of the death, removal or resignation of said principal  
5 officer, until a successor shall have qualified. During periods of  
6 vacancy of the principal office, resulting from the death, removal  
7 or resignation of the principal officer, the chief deputy,  
8 undersheriff or assistant shall be bonded in the same manner and in  
9 the same sum as required for the principal officer.

10 C. No deputy, as defined in paragraph 2 of Section 161 of this  
11 title, shall receive a salary in excess of the principal officer.  
12 Any employee employed to perform duties that are not in assistance  
13 to a county officer in the performance of the official duties of the  
14 county officer including, but not limited to, specialized or  
15 technical duties, may receive a salary in excess of a county  
16 officer. The salaries set forth in this subsection within the  
17 limitations shall be such amounts as the principal officer may  
18 propose and establish the need for and which the county excise board  
19 may approve within salary and staffing requirements as may be  
20 prescribed by law. The numerical rank of any deputy or assistant to  
21 be effective must be by designation of the principal officer by the  
22 signature of the principal officer and filed with the county clerk.  
23 The numerical rank of any deputy or assistant shall be within the  
24 sole discretion of the principal officer.

1 D. The board of county commissioners shall continue to have the  
2 authority to recommend the total amount of funds that can be used  
3 for the combined salaries in each of the county offices covered by  
4 this title. However, the approval of the funding for such offices  
5 shall continue to be the responsibility of the county excise board.  
6 County officers shall have no authority to make salary commitments  
7 beyond the amount of the funding so provided.

8 E. The county excise board shall meet with each of the  
9 principal officers of the county in budget planning conference or  
10 conferences, before July 1 of each year, to discuss personnel needs  
11 for each office for the succeeding fiscal year. The excise board  
12 shall provide the principal officers a tentative estimate of  
13 anticipated revenues for the next fiscal year prior to the budget  
14 planning conferences.

15 SECTION 6. This act shall become effective July 1, 2024.

16 SECTION 7. It being immediately necessary for the preservation  
17 of the public peace, health or safety, an emergency is hereby  
18 declared to exist, by reason whereof this act shall take effect and  
19 be in full force from and after its passage and approval.

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1 Passed the House of Representatives the 28th day of May, 2024.

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4 Presiding Officer of the House  
5 of Representatives

6 Passed the Senate the \_\_\_ day of \_\_\_\_\_, 2024.

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9 Presiding Officer of the Senate