

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 2319

By: Loring of the House

and

Shaw of the Senate

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7 An Act relating to crimes and punishments; amending
8 21 O.S. 2011, Section 99a, as amended by Section 2,
9 Chapter 249, O.S.L. 2013 (21 O.S. Supp. 2015, Section
10 99a), which relates to peace officer powers;
11 clarifying jurisdictional boundaries for certain
12 peace officers; and providing an effective date.

13 AUTHOR: Add the following House Coauthor: Billy

14 AUTHOR: Add the following Senate Coauthors: Paddack, Pittman and
15 Matthews

16 AMENDMENT NO. 1. Page 1, strike the title to read

17 "[crimes and punishments - peace officer powers -
18 boundaries - effective date]"

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1 Passed the Senate the 20th day of April, 2016.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2016.

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9 Presiding Officer of the House
10 of Representatives

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10 99a), which relates to peace officer powers;
11 clarifying jurisdictional boundaries for certain
12 peace officers; and providing an effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2011, Section 99a, as
15 amended by Section 2, Chapter 249, O.S.L. 2013 (21 O.S. Supp. 2015,
16 Section 99a), is amended to read as follows:

17 Section 99a. A. Subject to subsections C and D of this section
18 in addition to any other powers vested by law, a peace officer of
19 the State of Oklahoma as used in this section may enforce the
20 criminal laws of this state throughout the territorial bounds of
21 this state, under the following circumstances:

22 1. In response to an emergency involving an immediate threat to
23 human life or property;
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1 2. Upon the prior consent of the head of a state law
2 enforcement agency, the sheriff or the chief of police in whose
3 investigatory or territorial jurisdiction the exercise of the powers
4 occurs;

5 3. In response to a request for assistance pursuant to a mutual
6 law enforcement assistance agreement with the agency of
7 investigatory or territorial jurisdiction;

8 4. In response to the request for assistance by a peace officer
9 with investigatory or territorial jurisdiction; or

10 5. While the peace officer is transporting a prisoner.

11 B. While serving as peace officers of the State of Oklahoma and
12 rendering assistance under the circumstances enumerated above, peace
13 officers shall have the same powers and duties as though employed by
14 and shall be deemed to be acting within the scope of authority of
15 the law enforcement agency in whose or under whose investigatory or
16 territorial jurisdiction they are serving. Salaries, insurance and
17 other benefits shall not be the responsibility of a law enforcement
18 agency that is not the employing agency for the peace officer.

19 C. A municipal peace officer may exercise authority provided by
20 this section only if the peace officer acts pursuant to policies and
21 procedures adopted by the municipal governing body.

22 D. A Bureau of Indian Affairs law enforcement officer or a
23 tribal law enforcement officer of a federally recognized Indian
24 tribe who has been commissioned by the Federal Bureau of Indian

1 Affairs and has been certified by the Council on Law Enforcement
2 Education and Training shall have state police powers to enforce
3 state laws on ~~lands the title to which is held by the United States~~
4 ~~in trust for the benefit of either~~ fee land purchased by a federally
5 recognized American Indian tribe or ~~an enrolled citizen thereof~~ in
6 Indian country, as defined in Section 1151 of Title 18 of the United
7 States Code.

8 E. Nothing in this act shall limit or prohibit jurisdiction
9 given to tribal officers pursuant to a cross-deputization agreement
10 between a state or local governmental agency or another state or
11 federal law.

12 SECTION 2. This act shall become effective November 1, 2016.

13 Passed the House of Representatives the 10th day of March, 2016.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ___ day of _____, 2016.

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Presiding Officer of the Senate

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