

An Act

ENROLLED HOUSE
BILL NO. 2319

By: Loring and Billy of the
House

and

Shortey, Paddack, Pittman,
Matthews and Shaw of the
Senate

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

SUBJECT: Peace officers

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

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

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

1. In response to an emergency involving an immediate threat to human life or property;

2. Upon the prior consent of the head of a state law enforcement agency, the sheriff or the chief of police in whose

investigatory or territorial jurisdiction the exercise of the powers occurs;

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

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

5. While the peace officer is transporting a prisoner.

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

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

D. A Bureau of Indian Affairs law enforcement officer or a tribal law enforcement officer of a federally recognized Indian tribe who has been commissioned by the Federal Bureau of Indian Affairs and has been certified by the Council on Law Enforcement Education and Training shall have state police powers to enforce state laws on ~~lands the title to which is held by the United States in trust for the benefit of either~~ fee land purchased by a federally recognized American Indian tribe or an enrolled citizen thereof in Indian country, as defined in Section 1151 of Title 18 of the United States Code.

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

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

Passed the House of Representatives the 18th day of May, 2016.

Presiding Officer of the House
of Representatives

Passed the Senate the 25th day of May, 2016.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____