

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1561

By: Shortey

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5
6 AS INTRODUCED

7 An Act relating to law enforcement; creating the
8 Unified Law Enforcement Act of 2016; creating the
9 Oklahoma Department of Law Enforcement; directing the
10 Office of Management and Enterprise Services to
11 furnish office space; stating divisions of the
12 Department; providing duties for Superintendent;
13 creating the Oklahoma Law Enforcement Commission;
14 providing for membership and qualifications; setting
15 term of appointment; providing for initial terms of
16 appointment; providing for vacancies; directing
17 selection of chair and vice-chair of Commission;
18 providing procedures for meetings; providing for the
19 adoption of certain rules and travel reimbursement;
20 stating powers, duties and responsibilities of the
21 Oklahoma Law Enforcement Commission; providing for
22 the appointment of a Superintendent of the Oklahoma
23 Department of Law Enforcement; directing the Oklahoma
24 Law Enforcement Commission to affirm certain agency
positions; requiring agencies to maintain functions
of the agency; stating powers, duties and
responsibilities of Superintendent of the Oklahoma
Department of Law Enforcement; amending 47 O.S. 2011,
Sections 2-101, as amended by Section 159, Chapter
304, O.S.L. 2012, 2-102, 2-103 and 2-104, as amended
by Section 160, Chapter 304, O.S.L. 2012 (47 O.S.
Supp. 2015, Sections 2-101 and 2-104), which relate
to the creation and organization of the Department of
Public Safety; changing title of Commissioner of
Public Safety to Director of Public Safety; removing
Governor as chief officer of the Department of Public
Safety; placing Director of Public Safety under the
supervision of the Superintendent of the Oklahoma
Department of Law Enforcement; modifying appointment
requirements for Director of Public Safety; deleting
certain duties of the Commissioner of Public Safety;

1 providing for interpretation of certain statutory
2 references; changing title of Assistant Commissioner
3 of Public Safety to Assistant Director of Public
4 Safety; providing for interpretation of certain
5 statutory references; abolishing the Oklahoma State
6 Bureau of Narcotics and Dangerous Drugs Control
7 Commission; transferring duties and powers to the
8 Oklahoma Law Enforcement Commission; placing Director
9 of the Oklahoma State Bureau of Narcotics and
10 Dangerous Drugs Control under the supervision of the
11 Superintendent of the Oklahoma Department of Law
12 Enforcement; providing for interpretation of certain
13 statutory references; amending 63 O.S. 2011, Sections
14 2-103, as last amended by Section 1, Chapter 305,
15 O.S.L. 2015, 2-106, as amended by Section 1, Chapter
16 340, O.S.L. 2013, 2-106.2 and 2-110, as amended by
17 Section 46, Chapter 259, O.S.L. 2012 (63 O.S. Supp.
18 2015, Sections 2-103, 2-106 and 2-110), which relate
19 to the Director of the Oklahoma State Bureau of
20 Narcotics and Dangerous Drugs Control; modifying
21 entity that appoints the Director; eliminating
22 references to the Oklahoma State Bureau of Narcotics
23 and Dangerous Drugs Control Commission; deleting
24 certain duties of the Director; abolishing the
Oklahoma State Bureau of Investigation Commission;
transferring duties and powers to the Oklahoma Law
Enforcement Commission; placing Director of the
Oklahoma State Bureau of Investigation under the
supervision of the Superintendent of the Oklahoma
Department of Law Enforcement; providing for
interpretation of certain statutory references;
amending 74 O.S. 2011, Section 62.3, as amended by
Section 707, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
2015, Section 62.3), which relates to the Oklahoma
Surplus Property Act; eliminating reference to the
Oklahoma State Bureau of Investigation Commission;
amending 74 O.S. 2011, Sections 150.2, as amended by
Section 7, Chapter 397, O.S.L. 2015, 150.7, as
amended by Section 1, Chapter 136, O.S.L. 2015,
150.13A, as amended by Section 1, Chapter 89, O.S.L.
2012 and 150.16, as amended by Section 1, Chapter
156, O.S.L. 2012 (74 O.S. Supp. 2015, Sections 150.2,
150.7, 150.13A and 150.16), which relate to powers
and duties of the Oklahoma State Bureau of
Investigation; eliminating references to the Oklahoma
State Bureau of Investigation Commission; deleting
and modifying certain duties of the Director;

1 repealing 63 O.S. 2011, Section 2-104.1, which
2 relates to the creation of the Oklahoma State Bureau
3 of Narcotics and Dangerous Drugs Control Commission;
4 repealing 74 O.S. 2011, Sections 150.3 and 150.4,
5 which relate to the creation, powers and duties of
6 the Oklahoma State Bureau of Investigation
7 Commission; providing for codification; providing for
8 noncodification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Unified Law
Enforcement Act of 2016".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 9100 of Title 74, unless there
is created a duplication in numbering, reads as follows:

A department of the government of this state to be known as the
"Oklahoma Department of Law Enforcement" is hereby created. Offices
for the Oklahoma Department of Law Enforcement shall be furnished by
the Office of Management and Enterprise Services. Upon formation,
the divisions of the Oklahoma Department of Law Enforcement shall
consist of the Department of Public Safety, Oklahoma Highway Patrol,
Oklahoma State Bureau of Investigation and Oklahoma State Bureau of
Narcotics and Dangerous Drugs Control. The Superintendent of the
Oklahoma Department of Law Enforcement shall supervise the
Department and may at the time of formation transfer such persons

1 and assets as may be necessary for the operation of the Department
2 from any of the initial divisions.

3 SECTION 3. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 9101 of Title 74, unless there
5 is created a duplication in numbering, reads as follows:

6 A. There is hereby created the Oklahoma Law Enforcement
7 Commission which shall consist of seven (7) members, not more than
8 two of whom shall be from the same congressional district. When
9 congressional districts are redrawn, each member appointed prior to
10 July 1 of the year in which such modification becomes effective
11 shall complete the current term of office and appointments made
12 after July 1 of the year in which such modification becomes
13 effective shall be based on the redrawn districts. No appointments
14 may be made after July 1 of the year in which such modification
15 becomes effective if such appointment would result in more than two
16 members serving from the same modified district. All members of the
17 Commission shall be appointed by the Governor and confirmed by the
18 Senate. Members shall serve at the pleasure of the Governor. The
19 term of office of each member shall be seven (7) years. The first
20 appointments shall be announced by the Governor not later than
21 September 1, 2016, for the following terms: one member for a term
22 of one (1) year; one member for a term of two (2) years; one member
23 for a term of three (3) years; one member for a term of four (4)
24 years; one member for a term of five (5) years; one member for a

1 term of six (6) years; and one member for a term of seven (7) years.
2 A member may serve more than one term on the Commission. Vacancies
3 occurring during a term shall be filled for the unexpired portion of
4 the term by the same procedure used to make the regular
5 appointments. One member shall be a district attorney while serving
6 in that capacity, one member shall be a sheriff while serving in
7 that capacity, and one member shall be a chief of police while
8 serving in that capacity; provided, that the sheriff and police
9 chief members shall have successfully completed an approved course
10 of instruction for peace officers as required by law. The lay
11 members shall be appointed representing the public at large.

12 B. Annually the Commission shall select one of the Commission
13 members to serve as chair and one member to serve as vice-chair.
14 The Commission shall meet at least quarterly. The chair shall
15 preside at all meetings of the Commission and shall have the power
16 to call meetings of the Commission. In addition, meetings of the
17 Commission may be called by a majority of the members. The vice-
18 chair shall perform the duties of the chair in the absence or
19 incapacity of the chair. A quorum of four members of the Commission
20 shall be necessary to conduct any official business. All actions
21 taken by the Commission shall be by a simple majority vote of a
22 quorum. In the event of a tie vote, the measure being voted upon
23 shall be deemed to have failed. The Commission may adopt rules and
24 procedures for the orderly performance of its functions.

1 C. Members of the Commission shall serve without salary but may
2 be reimbursed for travel and other expenses in attending meetings
3 and performing their duties in the manner provided for under the
4 State Travel Reimbursement Act. No other provisions of law shall be
5 construed as prohibiting public officers from also serving as
6 members of the Commission, nor shall any other provisions of law be
7 construed as prohibiting public officers or public employees from
8 performing services for the Commission without compensation.

9 SECTION 4. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 9102 of Title 74, unless there
11 is created a duplication in numbering, reads as follows:

12 The Oklahoma Law Enforcement Commission shall have the following
13 powers, duties and responsibilities:

14 1. No later than January 1, 2017, and such time as appropriate
15 thereafter, appoint the Superintendent of the Oklahoma Department of
16 Law Enforcement, who shall serve at the pleasure of the Commission;

17 2. Oversee operations of the Oklahoma Department of Law
18 Enforcement;

19 3. Develop and implement oversight policies that clearly
20 separate the responsibilities of the Commission and the management
21 responsibilities of the Superintendent of the Oklahoma Department of
22 Law Enforcement;

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1 4. Hear any complaints against the Oklahoma Department of Law
2 Enforcement or any of its employees according to the following
3 procedure:

4 a. only those complaints which have been submitted in
5 writing and are signed will be acted upon by the
6 Commission,

7 b. all hearings on complaints shall be conducted in
8 executive sessions, and shall not be open to the
9 public, and

10 c. the Commission shall have limited access to pertinent
11 investigative files when investigating a complaint.
12 The Superintendent of the Oklahoma Department of Law
13 Enforcement shall provide a procedure whereby the
14 identification of all persons named in any
15 investigative file except the subject of the complaint
16 and the complaining witness shall not be revealed to
17 the members of the Commission. Any consideration of
18 files shall be in executive session not open to the
19 public. No information or evidence received in
20 connection with the hearings shall be revealed to any
21 person or agency; and

22 5. Make recommendations to the Superintendent of the Oklahoma
23 Department of Law Enforcement of any needed disciplinary action
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1 necessary as a result of an investigation conducted upon a complaint
2 received.

3 SECTION 5. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 9103 of Title 74, unless there
5 is created a duplication in numbering, reads as follows:

6 A. The Oklahoma Law Enforcement Commission shall appoint a
7 Superintendent for the Oklahoma Department of Law Enforcement. The
8 Superintendent of the Oklahoma Department of Law Enforcement shall
9 serve at the pleasure of the Commission. The Superintendent shall
10 be qualified for such position by character, knowledge, skill,
11 ability, education, training and successful administrative
12 experience in the field of law enforcement.

13 B. Upon the effective date of this act, the current
14 Commissioner of Public Safety, Chief of the Oklahoma Highway Patrol
15 Division, Director of the Oklahoma State Bureau of Investigation and
16 Director of the Oklahoma State Bureau of Narcotics and Dangerous
17 Drugs Control shall be affirmed by the Commission as the Director or
18 Chief of their respective agency.

19 C. Upon the effective date of this act, all functions performed
20 by the Department of Public Safety, Oklahoma Highway Patrol,
21 Oklahoma State Bureau of Investigation and Oklahoma State Bureau of
22 Narcotics and Dangerous Drugs Control shall remain under the
23 respective agency unless otherwise modified, merged or reorganized
24 by the Superintendent of the Oklahoma Department of Law Enforcement.

1 The elimination or renaming of any of the listed agencies above
2 shall require approval of the Commission.

3 SECTION 6. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 9104 of Title 74, unless there
5 is created a duplication in numbering, reads as follows:

6 The Superintendent of the Oklahoma Department of Law Enforcement
7 shall have the following powers, duties and responsibilities:

8 1. Formulate and implement a unified law enforcement strategy
9 for law enforcement activities in the State of Oklahoma with annual
10 and long-term measurable goals and objectives to achieve greater
11 public safety which shall be published on the Oklahoma Department of
12 Law Enforcement website;

13 2. Be directly responsible to the Commission for the affairs of
14 the Department of Public Safety, Oklahoma Highway Patrol, Oklahoma
15 State Bureau of Investigation and Oklahoma State Bureau of Narcotics
16 and Dangerous Drugs Control;

17 3. Appoint a Director of Public Safety, Chief of the Oklahoma
18 Highway Patrol, Director of the Oklahoma State Bureau of
19 Investigation and Director of the Oklahoma State Bureau of Narcotics
20 and Dangerous Drugs Control, who shall serve at the pleasure of the
21 Superintendent of the Oklahoma Department of Law Enforcement;

22 4. Supervise the activities of the Department of Public Safety,
23 Oklahoma Highway Patrol, Oklahoma State Bureau of Investigation and
24 the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control

1 and, subject to the policies established by the Commission, act for
2 the Department of Public Safety, Oklahoma Highway Patrol, Oklahoma
3 State Bureau of Investigation and Oklahoma State Bureau of Narcotics
4 and Dangerous Drugs Control in all matters, including budgetary
5 matters and expenditures of the agencies, except as may be otherwise
6 provided in this act;

7 5. Prescribe rules and regulations, subject to approval by the
8 Commission, considered necessary for the control of the Oklahoma
9 Department of Law Enforcement;

10 6. By November 1, 2017, submit to the Commission for approval,
11 a plan for a unified position and compensation system for state law
12 enforcement;

13 7. By November 1, 2017, submit to the Commission for approval,
14 a plan to unify state law enforcement data collection and data
15 systems;

16 8. By November 1, 2017, submit to the Commission for approval,
17 a plan to standardize and integrate operational boundaries for the
18 entire Oklahoma Department of Law Enforcement;

19 9. By November 1, 2017, after consultation with the Council on
20 Law Enforcement Education and Training, submit to the Commission for
21 approval, a plan to develop a focused, common training and leader
22 development program for all members of the Oklahoma Department of
23 Law Enforcement;

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1 10. Subject to approval by the Commission, create, modify,
2 merge, reorganize, rename or eliminate any of the divisions, units
3 or functions within the Department of Public Safety, Oklahoma
4 Highway Patrol, Oklahoma State Bureau of Investigation and Oklahoma
5 State Bureau of Narcotics and Dangerous Drugs Control as the
6 Superintendent of the Oklahoma Department of Law Enforcement may
7 deem appropriate to effectively administer a unified law enforcement
8 system in Oklahoma;

9 11. Have authority to commission employees of the Oklahoma
10 Department of Law Enforcement;

11 12. Be directly responsible for all monies appropriated for and
12 deposited to the credit of the Oklahoma Department of Law
13 Enforcement, Department of Public Safety, Oklahoma Highway Patrol,
14 Oklahoma State Bureau of Investigation and Oklahoma State Bureau of
15 Narcotics and Dangerous Drugs Control and approve all claims and
16 payoffs as provided in Section 34.68 of Title 62 of the Oklahoma
17 Statutes;

18 13. Purchase, lease and maintain motor vehicles and other
19 equipment for use by employees of the Oklahoma Department of Law
20 Enforcement;

21 14. Purchase or lease and equip motor vehicles for the use of
22 the Governor and Lieutenant Governor; and

23 15. Prepare, swear to, submit to the Governor or a designee and
24 file in the records of each agency, a quarterly statement containing

1 an itemized list of all funds received and spent, the source of said
2 funds and the purposes for which the funds were expended.

3 SECTION 7. AMENDATORY 47 O.S. 2011, Section 2-101, as
4 amended by Section 159, Chapter 304, O.S.L. 2012 (47 O.S. Supp.
5 2015, Section 2-101), is amended to read as follows:

6 Section 2-101. ~~(a)~~ A. A department of the government of this
7 state to be known as the "Department of Public Safety" is hereby
8 created, and offices for the Department shall be furnished by the
9 Office of Management and Enterprise Services. The Department of
10 Public Safety shall be under the control and supervision of the
11 ~~Commissioner~~ Director of Public Safety, which office and position is
12 hereby created.

13 The ~~Commissioner~~ Director shall have such powers and authority
14 as may be granted by the provisions of the Uniform Vehicle Code or
15 as may otherwise be provided by law.

16 ~~(b)~~ B. ~~The Governor shall be the chief officer of the~~
17 ~~Department of Public Safety and the Commissioner~~ Director of Public
18 Safety, under the general supervision of the Superintendent of the
19 Oklahoma Department of Law Enforcement, shall ~~execute the lawful~~
20 ~~orders of the Governor and shall~~ be responsible ~~to him~~ for the
21 operation and administration of ~~said~~ the Department. The
22 ~~Commissioner of Public Safety~~ Superintendent of the Oklahoma
23 Department of Law Enforcement shall provide personal security and
24 protection, transportation, and communications capabilities for the

1 Governor, the ~~Governor's~~ immediate family of the Governor, and the
2 Lieutenant Governor. ~~The Commissioner is authorized to provide~~
3 ~~necessary communications equipment to said persons even if said~~
4 ~~persons are not on state property or in state vehicles. The~~
5 ~~Commissioner of Public Safety is hereby authorized to purchase or~~
6 ~~lease and equip motor vehicles for the use of the Governor and~~
7 ~~Lieutenant Governor. The purchase or lease price of any such motor~~
8 ~~vehicles and equipment shall be paid from any appropriation for~~
9 ~~motor vehicles made to the Department of Public Safety.~~

10 SECTION 8. AMENDATORY 47 O.S. 2011, Section 2-102, is
11 amended to read as follows:

12 Section 2-102. A. 1. ~~The~~ On or after November 1, 2016, the
13 Department of Public Safety shall be under the control of an
14 executive officer to be known as the "~~Commissioner~~ Director of
15 Public Safety", who shall be appointed by the Governor with the
16 ~~advice and consent of the Senate~~ Superintendent of the Oklahoma
17 Department of Law Enforcement.

18 2. ~~The Commissioner of Public Safety shall be a professional~~
19 ~~law enforcement officer with ten (10) years' experience in the field~~
20 ~~of law enforcement or with five (5) years' experience in the field~~
21 ~~of law enforcement and a graduate of a four-year college with a~~
22 ~~degree in law enforcement administration, law, criminology or a~~
23 ~~related science.~~

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1 3. ~~Any vacancy in the office of the Commissioner shall be~~
2 ~~filled in the same manner as the original appointment is made.~~

3 4. The ~~Commissioner~~ Director shall be allowed the actual and
4 necessary expenses incurred in the performance of official duties of
5 the ~~Commissioner~~ Director while away from the office.

6 B. The ~~Commissioner~~ Director of Public Safety, after
7 appointment and before entering upon the discharge of duties, shall
8 take and subscribe to the oath of office required by the
9 Constitution. Bonding of the ~~Commissioner~~ Director of Public Safety
10 and other employees of the Department will be provided under the
11 provisions of Section 85.26 of Title 74 of the Oklahoma Statutes.

12 C. The ~~Commissioner~~ Director of Public Safety shall be eligible
13 to participate in either the Oklahoma Public Employees Retirement
14 System or in the Oklahoma Law Enforcement Retirement System and
15 shall make an irrevocable election in writing to participate in one
16 of the two retirement systems within thirty (30) days of
17 appointment. Any earned benefits or any credits toward retirement
18 benefits from previous participation within the Oklahoma Public
19 Employees Retirement System or the Oklahoma Law Enforcement
20 Retirement System shall remain intact within that System should the
21 Director elect to become a new participant in a different retirement
22 system.

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1 D. On or after November 1, 2016, any reference in the Oklahoma
2 Statutes to the Commissioner of Public Safety shall be deemed to be
3 a reference to the Director of Public Safety.

4 SECTION 9. AMENDATORY 47 O.S. 2011, Section 2-103, is
5 amended to read as follows:

6 Section 2-103. A. ~~The Commissioner~~ Director of Public Safety
7 shall organize the Department of Public Safety as prescribed by law
8 and in such manner as may be deemed necessary and proper to
9 segregate and conduct the work of the Department. ~~The Commissioner~~
10 Subject to the approval of the Superintendent of the Oklahoma
11 Department of Law Enforcement, the Director shall appoint
12 assistants, deputies, officers, investigators and other employees as
13 may be necessary to carry out the provisions of this title.

14 B. Unless otherwise provided by law, salaries and traveling
15 expenses of employees of the Department of Public Safety and the
16 cost of equipment ~~for the Department~~ shall be paid from the
17 appropriations made to the Oklahoma Department of ~~Public Safety~~ Law
18 Enforcement.

19 ~~C. The Commissioner is authorized to purchase and maintain~~
20 ~~motor vehicles and other equipment for use by the employees of the~~
21 ~~Department.~~

22 SECTION 10. AMENDATORY 47 O.S. 2011, Section 2-104, as
23 amended by Section 160, Chapter 304, O.S.L. 2012 (47 O.S. Supp.
24 2015, Section 2-104), is amended to read as follows:

1 Section 2-104. A. ~~The Commissioner, subject to the Merit~~
2 ~~System laws, shall appoint an Assistant Commissioner and such other~~
3 ~~deputies, subordinates, officers, investigators, and other employees~~
4 ~~as may be necessary to implement the provisions of this title. Any~~
5 ~~employee of the Department of Public Safety appointed to the~~
6 ~~position of Assistant Commissioner shall have a right to return to~~
7 ~~the previous position of the employee without any loss of rights,~~
8 ~~privileges or benefits immediately upon completion of the duties as~~
9 ~~Assistant Commissioner, provided the employee is not otherwise~~
10 ~~disqualified.~~

11 B. When traveling with the Governor or at ~~his~~ the request of
12 the Governor:

13 1. Those personnel assigned by the ~~Commissioner~~ Superintendent
14 of the Oklahoma Department of Law Enforcement for executive security
15 shall be allowed their actual and necessary traveling expenses, upon
16 claims approved by the ~~Commissioner~~ Superintendent, and shall
17 receive, in addition to base salary, an additional One Hundred
18 Seventy-five Dollars (\$175.00) per month; and

19 2. Those personnel serving as noncommissioned pilots in the
20 Department of Public Safety shall be allowed their actual and
21 necessary traveling expenses, upon claims approved by the
22 ~~Commissioner~~ Superintendent.

23 C. B. Any person appointed to the position of Assistant
24 ~~Commissioner~~ Director of Public Safety shall be eligible for

1 retirement participation as a member of the Highway Patrol Division
2 in the Oklahoma Law Enforcement Retirement System if such person at
3 the time of appointment satisfies the age qualifications of an
4 Oklahoma Highway Patrolman as provided in subsection B of Section 2-
5 105 of this title; however, the Assistant ~~Commissioner~~ Director
6 shall be eligible for participation in only one retirement system
7 and shall elect in writing the system in which he or she intends to
8 participate within thirty (30) days of appointment. Any earned
9 benefits or any credits toward retirement benefits from previous
10 participation within the Oklahoma Public Employees Retirement System
11 or the Oklahoma Law Enforcement Retirement System shall remain
12 intact within that System should the Assistant Director elect to
13 become a new participant in a different retirement system.

14 ~~D. C.~~ C. The salaries of the employees of the ~~Department of Public~~
15 ~~Safety,~~ Oklahoma Department of Law Enforcement shall be governed by
16 and in accordance with the procedures established by the Office of
17 Management and Enterprise Services, unless otherwise provided by
18 law.

19 D. On or after November 1, 2016, any reference in the Oklahoma
20 Statutes to the Assistant Commissioner of Public Safety shall be
21 deemed to be a reference to the Assistant Director of Public Safety.

22 SECTION 11. AMENDATORY 63 O.S. 2011, Section 2-103, as
23 last amended by Section 1, Chapter 305, O.S.L. 2015 (63 O.S. Supp.
24 2015, Section 2-103), is amended to read as follows:

1 Section 2-103. A. The Director shall be appointed by the
2 ~~Oklahoma State Bureau of Narcotics and Dangerous Drugs Control~~
3 ~~Commission~~ Superintendent of the Oklahoma Department of Law
4 Enforcement. ~~The Director of Narcotics and Dangerous Drugs Control~~
5 ~~on January 1, 1984, shall be initially appointed as Director. The~~
6 ~~succeeding Director shall, at the time of the appointment, have a~~
7 ~~Bachelor's Degree from an accredited college or university and at~~
8 ~~least five (5) years of experience in drug law enforcement. The~~
9 Subject to the approval of the Superintendent of the Oklahoma
10 Department of Law Enforcement, the Director may appoint necessary
11 assistants, agents, and other personnel to perform the work of the
12 office and may prescribe their titles and duties ~~and fix their~~
13 ~~compensation pursuant to Merit System rules. The~~ Subject to the
14 approval of the Superintendent, the Director may appoint employees
15 to the positions of Chief of Law Enforcement Information and
16 Technology, Public Information/Education Officer, Training Officer,
17 Program Administrators, Grants Administrator, Criminal Analysts,
18 Legal Secretary, and Typist Clerk/Spanish Transcriptionists. The
19 positions shall be unclassified and exempt from the rules and
20 procedures of the Office of Management and Enterprise Services,
21 except leave regulations. ~~The office of the Director shall be~~
22 ~~located at a suitable place in Oklahoma City, Oklahoma.~~

23 B. 1. Agents appointed by the Director shall have the powers
24 of peace officers generally; provided, subject to the approval of

1 the Superintendent, the Director may appoint special agents and
2 reserve special agents, who shall be unclassified employees of the
3 state, to meet specific investigatory needs. Special agents and
4 reserve special agents shall not be required to meet the age and
5 educational requirements as specified in this section.

6 2. Agents appointed on and after November 1, 1998, shall be at
7 least twenty-one (21) years of age and shall have a Bachelor's
8 Degree from an accredited college or university.

9 3. Each entering agent, with the exception of special agents,
10 shall be required to serve one (1) year in a probationary status as
11 a prerequisite to being placed on permanent status.

12 C. Agents appointed pursuant to the provisions of this section
13 shall have the responsibility of investigating alleged violations
14 and shall have the authority to arrest those suspected of having
15 violated the provisions of the Uniform Controlled Dangerous
16 Substances Act, as well as the crimes ~~of money laundering and human~~
17 ~~trafficking,~~ as otherwise set forth by laws of this state.

18 D. The Subject to the approval of the Superintendent, the
19 Director may appoint reserve special agents who shall not be
20 considered employees of the state and shall serve at the will of the
21 Director. Reserve special agents shall complete a minimum of one
22 hundred sixty (160) hours of training pursuant to Section 3311 of
23 Title 70 of the Oklahoma Statutes and may not serve more than one
24 hundred forty (140) hours per calendar month. Upon completion of

1 training, reserve special agents appointed by the Director shall
2 have general peace officer powers and the authority to arrest those
3 suspected of having violated the provisions of the Uniform
4 Controlled Dangerous Substances Act. The agency may expend funds
5 related to training and special reserve agents may receive travel
6 expenses pursuant to the State Travel Reimbursement Act.

7 E. A commissioned employee of the Oklahoma State Bureau of
8 Narcotics and Dangerous Drugs Control shall be entitled to receive
9 upon retirement by reason of length of service, the continued
10 custody and possession of the sidearm and badge carried by such
11 employee immediately prior to retirement.

12 F. A commissioned employee of the Bureau may be entitled to
13 receive, upon retirement by reason of disability, the continued
14 custody and possession of the sidearm and badge carried by such
15 employee immediately prior to retirement upon written approval of
16 the Director.

17 G. Custody and possession of the sidearm and badge of a
18 commissioned employee killed in the line of duty may be awarded by
19 the Director to the spouse or next of kin of the deceased employee.

20 H. Custody and possession of the sidearm and badge of a
21 commissioned employee who dies while employed at the Oklahoma State
22 Bureau of Narcotics and Dangerous Drugs Control may be awarded by
23 the Director to the spouse or next of kin of the deceased employee.
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1 I. Any Director appointed on or after July 1, 2003, shall be
2 eligible to participate in either the Oklahoma Public Employees
3 Retirement System or in the Oklahoma Law Enforcement Retirement
4 System and shall make an irrevocable election in writing to
5 participate in one of the two retirement systems within thirty (30)
6 days of appointment.

7 SECTION 12. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 2-103.2 of Title 63, unless
9 there is created a duplication in numbering, reads as follows:

10 A. The Oklahoma State Bureau of Narcotics and Dangerous Drugs
11 Control Commission is hereby abolished. All duties and powers of
12 the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control
13 Commission shall be assumed and be performed by the Oklahoma
14 Department of Law Enforcement. The Director of the Oklahoma State
15 Bureau of Narcotics and Dangerous Drugs Control shall be under the
16 general supervision of the Superintendent of the Oklahoma Department
17 of Law Enforcement.

18 B. On or after November 1, 2016, any reference in the Oklahoma
19 Statutes to the Oklahoma State Bureau of Narcotics and Dangerous
20 Drugs Control Commission shall be deemed to be a reference to the
21 Oklahoma Department of Law Enforcement.

22 SECTION 13. AMENDATORY 63 O.S. 2011, Section 2-106, as
23 amended by Section 1, Chapter 340, O.S.L. 2013 (63 O.S. Supp. 2015,
24 Section 2-106), is amended to read as follows:

1 Section 2-106. A. The Director of the Oklahoma State Bureau of
2 Narcotics and Dangerous Drugs Control shall, in addition to other
3 powers and duties vested in the Director:

4 1. Cooperate with federal and other state agencies in
5 discharging the responsibilities concerning traffic in narcotics and
6 dangerous substances and in suppressing the abuse of dangerous
7 substances;

8 2. Arrange for the exchange of information between governmental
9 officials concerning the use and abuse of dangerous substances;

10 3. Coordinate and cooperate in training programs on dangerous
11 substances law enforcement at the local and state levels;

12 4. ~~Cooperate with the Oklahoma State Bureau of Narcotics and~~
13 ~~Dangerous Drugs Control by establishing~~ Establish a centralized unit
14 which will accept, catalog, file and collect statistics, including
15 records of drug-dependent persons and other dangerous substance law
16 offenders within the state, and make such information available for
17 federal, state and local law enforcement purposes; and may collect
18 and furnish statistics for other appropriate purposes; and

19 5. Coordinate and cooperate in programs of eradication aimed at
20 destroying wild or illicit growth of plant species from which
21 controlled dangerous substances may be extracted.

22 B. Results, information and evidence received from the Oklahoma
23 State Bureau of Narcotics and Dangerous Drugs Control relating to
24 the regulatory functions of this act, including results of

1 inspections conducted by that agency, may be relied upon and acted
2 upon by the Director in conformance with the regulatory functions
3 under this act.

4 C. The Director is further authorized and directed to:

5 1. Coordinate and cooperate in educational programs designed to
6 prevent and deter misuse and abuse of controlled dangerous
7 substances;

8 2. Promote better recognition of the problems of misuse and
9 abuse of controlled dangerous substances within the regulated
10 industry and among interested groups and organizations;

11 3. Assist the regulated industry, interested groups and
12 organizations in contributing to the reduction of misuse and abuse
13 of controlled dangerous substances;

14 4. Consult with interested groups and organizations to aid them
15 in solving administrative and organizational problems;

16 5. Assist in evaluating procedures, projects, techniques and
17 controls conducted or proposed as part of educational programs on
18 misuse and abuse of controlled dangerous substances;

19 6. Disseminate the results of research on misuse and abuse of
20 controlled dangerous substances to promote a better public
21 understanding of what problems exist and what can be done to combat
22 them;

23

24

1 7. Assist in the education and training of state and local law
2 enforcement officials in their efforts to control misuse and abuse
3 of controlled dangerous substances; and

4 ~~8. Conduct an annual seminar to be attended by selected law~~
5 ~~enforcement officers in order to teach new techniques and advances~~
6 ~~in the investigation of violations of the Uniform Controlled~~
7 ~~Dangerous Substances Act; and~~

8 ~~9.~~ Supervise and direct agents appointed in the performance of
9 their function of enforcement of the provisions of this act.

10 D. The Director is further authorized and directed to:

11 1. Encourage research on misuse and abuse of controlled
12 dangerous substances;

13 2. Cooperate in establishing methods to assess accurately the
14 effects of controlled dangerous substances and to identify and
15 characterize controlled dangerous substances with potential for
16 abuse; and

17 3. Cooperate in making studies and in undertaking programs of
18 research to:

19 a. develop new or improved approaches, techniques,
20 systems, equipment and devices to strengthen the
21 enforcement of this act,

22 b. determine patterns of misuse and abuse of controlled
23 dangerous substances and the social effects thereof,
24 and

1 c. improve methods for preventing, predicting,
2 understanding and dealing with the misuse and abuse of
3 controlled dangerous substances.

4 E. The Director shall prepare a yearly report on all deaths and
5 nonfatal overdoses which were the result or probable result of abuse
6 of a controlled dangerous substance. The yearly report shall be
7 limited to statistical information including, but not limited to,
8 the county where the death or nonfatal overdose occurred, age, race,
9 gender, type of controlled dangerous substances involved in the
10 death or nonfatal overdose, and the method in which the controlled
11 dangerous substance was obtained by the person, when available.

12 F. The ~~Director~~ Superintendent of the Oklahoma Department of
13 Law Enforcement may enter into contracts with public agencies,
14 institutions of higher education and private organizations or
15 individuals for the purpose of conducting research, demonstrations
16 or special projects which bear directly on misuse and abuse of
17 controlled dangerous substances.

18 G. The ~~Director~~ Superintendent may enter into contracts for
19 educational and research activities without performance bonds.

20 H. The ~~Director~~ Superintendent may authorize persons engaged in
21 research or scientific activities on the use and effects of
22 dangerous substances to withhold the names and other identifying
23 characteristics of persons who are the subjects of such research.
24 Persons who obtain this authorization may not be compelled in any

1 state civil, criminal, administrative, legislative or other
2 proceeding to identify the subjects of research for which such
3 authorization was obtained.

4 I. The ~~Director~~ Superintendent may authorize the lawful
5 possession, distribution and use of controlled dangerous substances
6 by persons engaged in research or scientific activities;
7 authorization for possession of controlled dangerous substances may
8 be extended to persons engaged in a program of drug education or
9 persons in the performance of an official duty. Persons who obtain
10 this authorization shall be exempt from state prosecution for
11 possession, distribution or use of dangerous substances to the
12 extent authorized by the Director.

13 J. The ~~Director~~ Superintendent is authorized to accept gifts,
14 bequests, devises, contributions and grants, public or private,
15 including federal funds or funds from any other source for use in
16 furthering the purpose of the office of the Director.

17 ~~K. The Director is authorized to purchase or sell real
18 property, together with appurtenances, in the name of the Oklahoma
19 State Bureau of Narcotics and Dangerous Drugs Control upon approval
20 of the Oklahoma State Bureau of Narcotics and Dangerous Drugs
21 Control Commission.~~

22 ~~L. The Director is authorized to purchase and maintain motor
23 vehicles and other equipment for use by the employees of the Bureau.~~

24

1 ~~M. The Director shall be in charge of all monies appropriated~~
2 ~~for or deposited to the credit of the office of the Director and is~~
3 ~~authorized to approve claims and payrolls as provided in Section~~
4 ~~41.26 of Title 62 of the Oklahoma Statutes.~~

5 ~~N. The Director shall have the authority of a peace officer and~~
6 ~~is authorized to commission assistants of the office as peace~~
7 ~~officers.~~

8 ~~Q. L.~~ Upon determining that a practitioner is prescribing a
9 controlled dangerous substance to a person engaged in fraudulent or
10 deceptive efforts to fill or refill multiple prescriptions for
11 controlled dangerous substances, the Director shall provide written
12 or electronic notification alerting the practitioner to the
13 possibility that the person may be unlawfully obtaining prescription
14 drugs in violation of the Uniform Controlled Dangerous Substances
15 Act.

16 SECTION 14. AMENDATORY 63 O.S. 2011, Section 2-106.2, is
17 amended to read as follows:

18 Section 2-106.2. A. The Oklahoma ~~State Bureau of Narcotics and~~
19 ~~Dangerous Drugs Control~~ Department of Law Enforcement, pursuant to
20 rules promulgated by the Oklahoma ~~State Bureau of Narcotics and~~
21 ~~Dangerous Drugs Control~~ Law Enforcement Commission, is hereby
22 authorized to:
23
24

1 1. Make available for sale used vehicles, used equipment and
2 forfeited property to any federal, state, county, or municipal
3 agency, trust authority or public school district;

4 2. Sell at public auction any used vehicles, used equipment and
5 any property forfeited to the Bureau; and

6 3. Donate or transfer title to any surplus property as defined
7 in Section 62.2 of Title 74 of the Oklahoma Statutes, or property
8 forfeited to the Bureau, to any law enforcement agency of any
9 political subdivision of the State of Oklahoma. The use of such
10 donated equipment shall be limited to valid and authorized law
11 enforcement efforts by the receiving agency.

12 B. Any property subject to this section shall be exempted from
13 the provisions set forth in Section 62.3 of Title 74 of the Oklahoma
14 Statutes.

15 SECTION 15. AMENDATORY 63 O.S. 2011, Section 2-110, as
16 amended by Section 46, Chapter 259, O.S.L. 2012 (63 O.S. Supp. 2015,
17 Section 2-110), is amended to read as follows:

18 Section 2-110. ~~The Director of the Oklahoma State Bureau of~~
19 ~~Narcotics and Dangerous Drugs Control~~ Department of Law Enforcement
20 may employ attorneys, who shall be unclassified employees of the
21 state, or contract with attorneys, as needed. These attorneys may
22 advise the ~~Director~~ Superintendent of the Oklahoma Department of Law
23 Enforcement, the Oklahoma ~~State Bureau of Narcotics and Dangerous~~
24 ~~Drugs Control~~ Law Enforcement Commission and ~~Bureau~~ Oklahoma

1 Department of Law Enforcement personnel on all legal matters and
2 shall appear for and represent the ~~Director~~ Superintendent, the
3 Oklahoma Law Enforcement Commission and ~~Bureau~~ Oklahoma Department
4 of Law Enforcement personnel in all administrative hearings and all
5 litigation or other proceedings which may arise in the discharge of
6 their duties. At the request of the Oklahoma ~~State Bureau of~~
7 ~~Narcotics and Dangerous Drugs Control Commission~~ Superintendent,
8 such attorney shall assist the district attorney in prosecuting
9 charges of violators of the Uniform Controlled Dangerous Substances
10 Act or any felony relating to or arising from a violation of the
11 Uniform Controlled Dangerous Substances Act. Attorneys for the
12 ~~Bureau~~ Oklahoma Department of Law Enforcement who have been
13 certified by the Council on Law Enforcement Education and Training
14 to carry a weapon or have been issued a handgun license pursuant to
15 the provisions of the Oklahoma Self-Defense Act shall be allowed to
16 carry weapons pursuant to paragraph 3 of subsection A of Section
17 1272 of Title 21 of the Oklahoma Statutes. These attorneys,
18 pursuant to this provision, shall not be considered eligible to
19 participate in the Oklahoma Law Enforcement Retirement System. If a
20 conflict of interest would be created by such attorney representing
21 the ~~Director~~ Superintendent, the Oklahoma Law Enforcement Commission
22 or ~~Bureau~~ Oklahoma Department of Law Enforcement personnel,
23 additional counsel may be hired upon approval of the Oklahoma ~~State~~

24

1 ~~Bureau of Narcotics and Dangerous Drugs Control~~ Law Enforcement
2 Commission.

3 SECTION 16. AMENDATORY 74 O.S. 2011, Section 62.3, as
4 amended by Section 707, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
5 2015, Section 62.3), is amended to read as follows:

6 Section 62.3. A. The Director of the Office of Management and
7 Enterprise Services shall promulgate rules for use by state agencies
8 and the Office of Management and Enterprise Services to dispose of
9 surplus property. The rules shall include standards for
10 recordkeeping, methods for removal or disposal of surplus property,
11 and acquisition by state agencies and authorized entities of surplus
12 property, and for Office management of surplus property programs.

13 B. A state agency selling, trading, redistributing or otherwise
14 disposing of surplus property shall comply with the rules
15 promulgated by the Director.

16 C. The Office shall make surplus property available to state
17 agencies and authorized entities, which shall include political
18 subdivisions, school districts, and nonprofit entities of this
19 state.

20 D. The provisions of the Oklahoma Surplus Property Act shall
21 not apply to institutions of higher education in this state, or the
22 Northeast Oklahoma Public Facilities Authority. The Grand River Dam
23 Authority shall be exempt from the provisions of the Oklahoma
24 Surplus Property Act for any surplus property disposed of prior to

1 November 1, 2006. ~~CompSource Oklahoma shall be exempt from the~~
2 ~~provisions of the Oklahoma Surplus Property Act if CompSource~~
3 ~~Oklahoma is operating pursuant to a pilot program authorized by~~
4 ~~Sections 3316 and 3317 of this title.~~

5 E. Notwithstanding the provisions of the Oklahoma Surplus
6 Property Act, the Oklahoma ~~State Bureau of Investigation~~ Department
7 of Law Enforcement may, pursuant to rules promulgated by the
8 Oklahoma ~~State Bureau of Investigation~~ Law Enforcement Commission
9 for that purpose, donate any surplus property, as defined in Section
10 62.2 of this title, to any law enforcement agency of any political
11 subdivision of the State of Oklahoma. The use of such donated
12 equipment shall be limited to valid and authorized law enforcement
13 efforts by the receiving agency.

14 SECTION 17. AMENDATORY 74 O.S. 2011, Section 150.2, as
15 amended by Section 7, Chapter 397, O.S.L. 2015 (74 O.S. Supp. 2015,
16 Section 150.2), is amended to read as follows:

17 Section 150.2. The Oklahoma ~~State Bureau of Investigation~~
18 Department of Law Enforcement shall have the power and duty to:

19 1. Maintain a nationally accredited scientific laboratory to
20 assist all law enforcement agencies in the discovery and detection
21 of criminal activity;

22 2. Maintain fingerprint and other identification files
23 including criminal history records, juvenile identification files,
24 and DNA profiles;

- 1 3. Establish, coordinate and maintain the automated
2 fingerprinting identification system (AFIS) and the deoxyribonucleic
3 acid (DNA) laboratory;
- 4 4. Operate teletype, mobile and fixed radio or other
5 communications systems;
- 6 5. Conduct schools and training programs for the agents, peace
7 officers, and technicians of this state charged with the enforcement
8 of law and order and the investigation and detection of crime;
- 9 6. Assist the ~~Director of the Oklahoma State Bureau of~~
10 ~~Narcotics and Dangerous Drugs Control,~~ the Chief Medical Examiner,
11 and all law enforcement officers and district attorneys when such
12 assistance is requested, in accordance with the policy determined by
13 the Oklahoma ~~State Bureau of Investigation~~ Law Enforcement
14 ~~Commission established in Section 150.3 of this title;~~
- 15 7. Investigate and detect criminal activity when directed to do
16 so by the Governor;
- 17 8. Investigate, detect, institute and maintain actions
18 involving vehicle theft pursuant to Section 150.7a of this title or
19 oil, gas or oil field equipment theft pursuant to Sections 152.2
20 through 152.9 of this title;
- 21 9. Investigate any criminal threat made to the physical safety
22 of elected or appointed officials of this state or any political
23 subdivision of the state ~~and forward the results of that~~
24 ~~investigation to the Department of Public Safety,~~ and provide

1 security to foreign elected or appointed officials while they are in
2 this state on official business;

3 10. Investigate and detect violations of the Oklahoma Computer
4 Crimes Act; and

5 11. Investigate and enforce all laws relating to any crime
6 listed in Section 571 of Title 57 of the Oklahoma Statutes that
7 ~~occur~~ occurs on the turnpikes.

8 SECTION 18. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 150.2a of Title 74, unless there
10 is created a duplication in numbering, reads as follows:

11 A. The Oklahoma State Bureau of Investigation Commission is
12 hereby abolished. All duties and powers of the Oklahoma State
13 Bureau of Investigation Commission shall be assumed and be performed
14 by the Oklahoma Department of Law Enforcement. The Director of the
15 Oklahoma State Bureau of Investigation shall be under the general
16 supervision of the Superintendent of the Oklahoma Department of Law
17 Enforcement.

18 B. On or after November 1, 2016, any reference in the Oklahoma
19 Statutes to the Oklahoma State Bureau of Investigation Commission
20 shall be deemed to be a reference to the Oklahoma Department of Law
21 Enforcement.

22 SECTION 19. AMENDATORY 74 O.S. 2011, Section 150.7, as
23 amended by Section 1, Chapter 136, O.S.L. 2015 (74 O.S. Supp. 2015,
24 Section 150.7), is amended to read as follows:

1 Section 150.7. The Director of the Oklahoma State Bureau of
2 Investigation shall have the following powers, duties and
3 responsibilities:

4 1. ~~To~~ Subject to the approval of the Superintendent of the
5 Oklahoma Department of Law Enforcement, appoint or dismiss a Deputy
6 Director who shall have the same qualifications as the Director;

7 2. ~~To supervise~~ Supervise the maintaining of all reports and
8 records of the Bureau and to promulgate administrative rules
9 concerning the destruction and retention of such records. Such
10 records shall not be transferred to the custody or control of the
11 Archives and Records Commission or be subject to the provisions of
12 Section 590 of Title 21 of the Oklahoma Statutes. The Director may,
13 pursuant to adopted and promulgated administrative ~~rule~~ rules of the
14 Oklahoma Law Enforcement Commission, order the destruction of
15 records deemed to be no longer of value to the Bureau, excluding
16 criminalistic and investigative records which shall forever be kept
17 and maintained;

18 3. ~~To report~~ Report to the Superintendent of the Oklahoma
19 Department of Law Enforcement Commission ~~at each regular meeting,~~ or
20 as directed by the Oklahoma Law Enforcement Commission, the current
21 workload of the Bureau. Such reports shall be submitted by category
22 of the persons or entities authorized to initiate investigations as
23 provided for in subsection A of Section 150.5 of this title, and any
24 other category the Superintendent or Commission may request which

1 does not violate the confidentiality restrictions imposed in
2 Sections 150.1 through 152.9 of this title. Such reports shall
3 contain the following information:

- 4 a. what types of investigations are pending,
- 5 b. what new types of investigations have been opened,
- 6 c. what types of investigations have been closed, and
- 7 d. what criminal charges have been filed as a result of
8 Bureau investigations.

9 The reports shall not contain any information on the individual
10 subjects of the investigation or persons questioned in connection
11 with an investigation. These reports shall be open for public
12 inspection;

13 4. ~~To~~ Upon approval of the Superintendent of the Oklahoma
14 Department of Law Enforcement designate positions, and appoint
15 employees and fix salaries of the Bureau, other than the salaries
16 established by subsection A of Section 150.6a of this title, and ~~to~~
17 authorize the payment of necessary certification expenses for the
18 employees; and

19 5. ~~To authorize the purchase and issuance of uniforms for all~~
20 ~~law enforcement officers, criminalists, and other personnel of the~~
21 ~~Bureau as designated by the Director and to purchase and issue~~
22 ~~necessary equipment for all employees of the Bureau. All uniforms~~
23 ~~and equipment shall be used only in the performance of the official~~
24 ~~duties of the officers, criminalists or other personnel and shall~~

1 ~~remain the property of the Bureau except as otherwise provided by~~
2 ~~law; and~~

3 6. ~~To~~ Upon approval of the Superintendent of the Oklahoma
4 Department of Law Enforcement, enter into local cooperative
5 agreements with local law enforcement agencies for the purpose of
6 appointing affiliate task force agents to assist ~~the Bureau~~ in the
7 investigation of major crimes under the jurisdiction of the ~~Bureau~~
8 Oklahoma Department of Law Enforcement. Affiliate task force agents
9 shall be employees and commissioned law enforcement officers of the
10 local law enforcement agency entering into agreement with the ~~Bureau~~
11 Oklahoma Department of Law Enforcement and shall not be employees of
12 the ~~Bureau~~ Oklahoma Department of Law Enforcement. Affiliate task
13 force agents shall have general peace officer powers and the
14 authority to arrest persons throughout the state while serving as an
15 affiliate task force agent. Affiliate task force agents serve
16 solely at the discretion and will of the Director. ~~The~~ Upon
17 approval of the Superintendent, the Director may renew, suspend, or
18 revoke any agreement appointing an affiliate task force agent at any
19 time.

20 SECTION 20. AMENDATORY 74 O.S. 2011, Section 150.13A, as
21 amended by Section 1, Chapter 89, O.S.L. 2012 (74 O.S. Supp. 2015,
22 Section 150.13A), is amended to read as follows:

23 Section 150.13A. A. The Director of the Oklahoma State Bureau
24 of Investigation is hereby authorized to appoint, with the approval

1 of the ~~Oklahoma State Bureau of Investigation Commission~~
2 Superintendent of the Oklahoma Department of Law Enforcement,
3 special officers that shall have enforcement authority related to
4 the investigation of oil and gas industry crimes, which shall
5 include the larceny of equipment, property, supplies or products.
6 The number of special officers shall not exceed twenty (20)
7 positions and those special officers shall not be salaried employees
8 of the ~~Bureau~~ Oklahoma Department of Law Enforcement, but shall at
9 all times be subject to the orders and directions of the Director.
10 In addition, the special officers shall not have authority to
11 enforce any laws except the provisions of the Oklahoma Statutes
12 relating directly to oil and gas industry crimes, for which they
13 will have the same authority as any other peace officer. The
14 special officers shall be known as Special Investigators.

15 B. Special Investigators shall not receive any compensation or
16 expenses from this state or any of its departments, agencies or
17 subdivisions for their services. Before the issuance of a special
18 commission, each Special Investigator shall enter into a good and
19 sufficient bond executed by a surety company authorized to do
20 business in this state in the sum of Five Hundred Thousand Dollars
21 (\$500,000.00). The bond shall also be approved by the ~~Director~~
22 Superintendent of the Oklahoma Department of Law Enforcement and
23 shall indemnify all persons against damages accruing as a result of
24 any illegal or unlawful acts on the part of the Special

1 Investigators. The special commissions shall expire on January 1 of
2 the odd-numbered year after the appointment. The ~~Director~~
3 Superintendent of the Oklahoma Department of Law Enforcement may
4 renew, suspend or revoke any special commission at any time.

5 SECTION 21. AMENDATORY 74 O.S. 2011, Section 150.16, as
6 amended by Section 1, Chapter 156, O.S.L. 2012 (74 O.S. Supp. 2015,
7 Section 150.16), is amended to read as follows:

8 Section 150.16. The Oklahoma ~~State Bureau of Investigation~~
9 Department of Law Enforcement is hereby authorized to own and
10 operate aircraft and to rent or charter aircraft on a project or
11 mission basis, such rental or charter to last only for the duration
12 of the project or mission. The ~~Bureau~~ Superintendent of the
13 Oklahoma Department of Law Enforcement is also authorized to pay,
14 from any funds available ~~to the Bureau~~, expenses involved in
15 qualifying multiengine and instrument pilots as may be required to
16 accomplish agency responsibilities.

17 SECTION 22. REPEALER 63 O.S. 2011, Section 2-104.1, is
18 hereby repealed.

19 SECTION 23. REPEALER 74 O.S. 2011, Sections 150.3 and
20 150.4, are hereby repealed.

21 SECTION 24. This act shall become effective November 1, 2016.

22
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