

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3897

By: Ford

AS INTRODUCED

An Act relating to cities and towns; amending 11 O.S. 2021, Section 34-102, which relates to the powers, duties, and functions of the chief of police; modifying the definition of chief of police; providing powers, duties, functions; providing qualifications; providing definition of police officer; and providing an effective date.

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

SECTION 1. AMENDATORY 11 O.S. 2021, Section 34-102, is amended to read as follows:

~~Section 34-102. A. The chief of police of a municipality shall be a peace officer and shall enforce the municipal ordinances. The chief of police of a municipality shall have such other powers, duties and functions as may be prescribed by law or ordinance.~~

~~B. Any person elected or appointed to the position of chief of police of a municipality shall meet the following qualifications:~~

- ~~1. Be at least twenty one (21) years of age;~~
- ~~2. Be a citizen of the United States;~~

1 ~~3. Possess at least a high school diploma or General Education~~
2 ~~Diploma (GED);~~

3 ~~4. Be certified as a peace officer in this state by the Council~~
4 ~~on Law Enforcement Education and Training (CLEET), or meet all~~
5 ~~requirements necessary for CLEET certification and obtain such~~
6 ~~certification within six (6) months of assuming the position of~~
7 ~~chief of police or as otherwise allowed by Section 3311 of Title 70~~
8 ~~of the Oklahoma Statutes; and~~

9 ~~5. Have successfully completed a course of training meeting at~~
10 ~~least the minimal criteria established by the Council on Law~~
11 ~~Enforcement Education and Training (CLEET) for police chief~~
12 ~~administration, successfully completed an approved police chief~~
13 ~~administrative school which has been developed by the Oklahoma~~
14 ~~Association of Chiefs of Police and approved by the Council within~~
15 ~~twelve (12) months of assuming the position of chief of police.~~

16 ~~C. 1. Any person who does not meet the qualifications of~~
17 ~~paragraph 4 or 5 of subsection B of this section at the time of~~
18 ~~election or appointment to the position of chief of police and who~~
19 ~~fails after assuming the position of chief of police to meet such~~
20 ~~qualifications within the time required shall have their CLEET~~
21 ~~certification revoked for the purpose of serving as chief and be~~
22 ~~removed from the position.~~

23 ~~2. Any person assuming the position of chief of police without~~
24 ~~prior CLEET certification who fails to complete an approved course~~
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1 ~~of training or police chief administration school within the time~~
2 ~~required shall be precluded from obtaining CLEET certification while~~
3 ~~in such position.~~

4 ~~D. The Council on Law Enforcement Education and Training~~
5 ~~(CLEET) shall establish minimal criteria for the qualifications of~~
6 ~~paragraph 5 of subsection B of this section relating to a course of~~
7 ~~training and police chief administration schools and approve all~~
8 ~~training offered in this state relating to police chief~~
9 ~~administration. The Oklahoma Association of Chiefs of Police in~~
10 ~~consultation and cooperation with the Council is directed to develop~~
11 ~~a Police Chief Administrative School consisting of training courses~~
12 ~~that meet at least the minimal criteria established by the Council.~~

13 ~~E. The provisions of this act relating to qualifications for a~~
14 ~~chief of police shall not apply to any person who has assumed the~~
15 ~~position of chief of police and is currently serving as the chief of~~
16 ~~police of a municipality on or before November 1, 2006.~~

17 A. The chief of police of a municipality shall be the chief law
18 enforcement officer of the municipality, they shall enforce the
19 municipal ordinances, and they shall have such other powers, duties,
20 and functions as may be prescribed by law or ordinance.

21 B. The elected or appointed chief shall be a certified peace
22 officer in Oklahoma or certified in a state that CLEET recognizes
23 and accepts reciprocity.

1 C. The elected or appointed chief shall have served as a duly
2 certified peace officer in a full-time capacity for a period of five
3 (5) years or more prior to the date of taking office.

4 D. All newly elected or appointed chiefs shall complete a
5 Chief's administrative school, which has been developed by the
6 Oklahoma Association of Chiefs of Police and which has been approved
7 by the Council on Law Enforcement Education and Training (CLEET).
8 Failure to complete the chief's administrative school within the
9 specified period shall preclude the new chief from obtaining CLEET
10 certification. New chiefs with prior CLEET certification, who fail
11 to attend the chief's administrative school, shall have their CLEET
12 certification revoked. Provided, however, the provisions of this
13 section relating to qualifications shall not apply to any person
14 serving as a police chief or to any person previously serving as a
15 police chief prior to the adoption of this act.

16 E. For purposes of this act, "peace officer" shall mean a full-
17 time duly appointed or elected officer who is paid for working more
18 than twenty-five (25) hours per week and whose duties are to
19 preserve the public peace, protect life and property, prevent crime,
20 serve warrants, and enforce state, federal, or local ordinances of
21 this state or any political subdivision thereof.

22 SECTION 2. This act shall become effective November 1, 2024.

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