

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 12

By: Brecheen

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5  
6 AS INTRODUCED

7 An Act relating to campus security; amending 74 O.S.  
8 2011, Sections 360.16, as amended by Section 2,  
9 Chapter 48, O.S.L. 2012 and 360.18, as amended by  
10 Section 4, Chapter 48, O.S.L. 2012, (74 O.S. Supp.  
11 2016, Sections 360.16 and 360.18), which relate to  
12 the Oklahoma Campus Security Act; modifying  
13 definitions; modifying inclusions; and providing an  
14 effective date.

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

16 SECTION 1. AMENDATORY 74 O.S. 2011, Section 360.16, as  
17 amended by Section 2, Chapter 48, O.S.L. 2012 (74 O.S. Supp. 2016,  
18 Section 360.16), is amended to read as follows:

19 Section 360.16. As used in the Oklahoma Campus Security Act:

20 1. "Campus" means the real property, buildings and other  
21 improvements within this state owned, leased or rented by an  
22 institution of higher education, a public school district, a private  
23 school or an airport public trust, as defined in this section;

24 2. "Campus police officer" means an individual holding a  
25 commission from and employed by an institution of higher education,  
26 a public school district, a private school or an airport public

1 trust pursuant to the Oklahoma Campus Security Act, who may also be  
2 known as a "campus public safety officer", an "airport officer", an  
3 "airport police officer" or an "airport security officer";

4 3. "Commission" means a certificate of appointment by the  
5 governing board of an institution of higher education or of a  
6 private school or a board of education of a public school district  
7 of an individual certified as a full-time police or peace officer  
8 pursuant to Section 3311 of Title 70 of the Oklahoma Statutes;

9 4. "Governing board" means the board of regents or trustees  
10 which determines management policy and has responsibility for the  
11 general government of an institution of higher education or of a  
12 private school or the board of education of a public school  
13 district;

14 5. "Institution of higher education" means a college,  
15 university, higher educational center, or other constituent agency  
16 of The Oklahoma State System of Higher Education or a private  
17 college or university in this state whose accreditation is  
18 recognized by the Oklahoma State Regents for Higher Education  
19 pursuant to Section 4103 of Title 70 of the Oklahoma Statutes;

20 6. "Public school district" means all free schools supported by  
21 public taxation and shall include K-12 schools and technology center  
22 schools; ~~and~~

23 7. "Airport public trust" means a public trust created under  
24 the laws of this state which operates an airport and whose

1 beneficiary is an Oklahoma municipality or a combination of one or  
2 more Oklahoma municipalities and/or one or more Oklahoma counties;  
3 and

4 8. "Private school" means a school that offers a course of  
5 instruction for students in one or more grades from prekindergarten  
6 through grade twelve and is not operated by a governmental entity.

7 SECTION 2. AMENDATORY 74 O.S. 2011, Section 360.18, as  
8 amended by Section 4, Chapter 48, O.S.L. 2012 (74 O.S. Supp. 2016,  
9 Section 360.18), is amended to read as follows:

10 Section 360.18. A. Governing boards of institutions of higher  
11 education or private schools, boards of education of public school  
12 districts and airport public trusts are authorized to establish  
13 campus police departments pursuant to the provisions of the Oklahoma  
14 Campus Security Act. In the case of airport public trusts operating  
15 more than one airport, the board of trustees of such airport public  
16 trust is authorized to establish campus police departments at any  
17 airport it operates, but is not required to establish campus police  
18 departments at all airports operated by such airport public trust.  
19 These boards may employ and commission campus police officers and  
20 may designate uniforms, badges and insignia to be worn by such  
21 officers and displayed on vehicles or other equipment of the  
22 department. Campus police departments shall use the following words  
23 or phrases, alone or in any combination, in conjunction with the  
24 uniform, badges, insignia or on vehicles utilized by these

1 departments: university police, university public safety department,  
2 campus police department, campus police officer, campus public  
3 safety department, campus public safety officer, airport officer,  
4 airport police officer, airport security officer, airport public  
5 safety officer or any standardized title such as director, chief,  
6 major, captain, lieutenant, sergeant, or corporal. Upon  
7 appointment, each such officer shall be given a written commission,  
8 with a photo identification, evidencing the officer's appointment  
9 and authority. The form of this commission shall be prescribed by  
10 the governing boards specified in Section 360.15 et seq. of this  
11 title. Persons employed by a governing board which has established  
12 a campus police department but who are not campus police officers  
13 shall not be permitted to wear uniforms, badges or insignia  
14 specified in this subsection or receive commissions or photo  
15 identification of the type provided campus police officers.

16 B. The commission of a campus police officer may be suspended  
17 or revoked by the governing board for any reason. Such commission  
18 also may be suspended or revoked by the district attorney in whose  
19 district the officer is employed for cause related to the campus  
20 police officer's ability to exercise the powers of such commission  
21 in the interest of public security or suspended or revoked by the  
22 district attorney upon conviction of the campus police officer for  
23 larceny, theft, embezzlement, false pretense, fraud, any  
24 nonconsensual sex offense, any offense involving a minor as a

1 victim, any offense involving the possession, use, distribution or  
2 sale of a controlled dangerous substance, or any offense involving a  
3 firearm. The commission of a campus police officer convicted of a  
4 felony or of a crime involving moral turpitude shall be revoked by  
5 the district attorney upon conviction. The commission of a campus  
6 police officer no longer employed by the governing board, except an  
7 officer who is retiring, shall be relinquished to the board, or its  
8 representative, at the time of cessation of ~~said~~ the employment.  
9 When a commission is revoked or relinquished, the campus police  
10 department shall take possession of all campus police officer  
11 insignia, badges, identification cards and weapons issued to the  
12 officer. A person who fails to relinquish ~~said~~ the insignia,  
13 badges, identification cards or weapons, upon conviction, shall be  
14 deemed guilty of a misdemeanor and shall be punished by the  
15 imposition of a fine of not more than One Thousand Dollars  
16 (\$1,000.00) or by imprisonment in the county jail for not to exceed  
17 one (1) year, or by both such fine and imprisonment.

18 C. Governing boards shall notify the Council on Law Enforcement  
19 Education and Training (CLEET) when an officer is commissioned or a  
20 commission is relinquished or revoked. The governing boards shall  
21 provide CLEET with all information regarding commissioned officers  
22 requested by CLEET.

23 D. A campus police officer employed pursuant to the Oklahoma  
24 Campus Security Act shall not be able to participate in either the

1 Oklahoma Police Pension and Retirement System or the Oklahoma Law  
2 Enforcement Retirement System, unless otherwise entitled to by law.

3 SECTION 3. This act shall become effective November 1, 2017.

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