

1 ENGROSSED SENATE
2 BILL NO. 1297

By: Brecheen of the Senate

3 and

4 McCullough of the House

5
6 An Act relating to campus security; amending 74 O.S.
7 2011, Section 360.16, as amended by Section 2,
8 Chapter 48, O.S.L. 2012 (74 O.S. Supp. 2015, Section
9 360.16), which relates to definitions used in the
10 Oklahoma Campus Security Act; modifying definitions;
11 amending 74 O.S. 2011, Section 360.18, as amended by
12 Section 4, Chapter 48, O.S.L. 2012 (74 O.S. Supp.
13 2015, Section 360.18), which relates to the
14 establishment of campus police departments; modifying
15 inclusions; and providing an effective date.

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

17 SECTION 1. AMENDATORY 74 O.S. 2011, Section 360.16, as
18 amended by Section 2, Chapter 48, O.S.L. 2012 (74 O.S. Supp. 2015,
19 Section 360.16), is amended to read as follows:

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

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

2. "Campus police officer" means an individual holding a
commission from and employed by an institution of higher education,
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 pre-kindergarten
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. 2015,
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 school, 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 employment. When a
9 commission is revoked or relinquished, the campus police department
10 shall take possession of all campus police officer insignia, badges,
11 identification cards and weapons issued to the officer. A person
12 who fails to relinquish said insignia, badges, identification cards
13 or weapons, upon conviction, shall be deemed guilty of a misdemeanor
14 and shall be punished by the imposition of a fine of not more than
15 One Thousand Dollars (\$1,000.00) or by imprisonment in the county
16 jail for not to exceed one (1) year, or by both such fine and
17 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, 2016.

4 Passed the Senate the 8th day of March, 2016.

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Presiding Officer of the Senate

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8 Passed the House of Representatives the ____ day of _____,

9 2016.

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Presiding Officer of the House
of Representatives

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