

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1668

By: Haste

AS INTRODUCED

An Act relating to sheriffs, undersheriffs, and deputies; amending 19 O.S. 2021, Section 547, which relates to sheriffs, undersheriffs, and deputies; enabling sheriffs to contract for the guarding of prisoners in need of outside medical care; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 19 O.S. 2021, Section 547, is amended to read as follows:

Section 547. A. The sheriff shall be responsible for the official acts of the undersheriff and deputy sheriffs, and may revoke such appointments at the pleasure of the sheriff; provided, however, for counties with a population of five hundred thousand (500,000) or more persons, according to the latest Federal Decennial Census, with the exception of chief deputies and undersheriffs, all deputy sheriffs and detention officers shall serve a five-year probationary period during which the deputy sheriff or detention officer shall be considered an at-will employee. After the five-year probationary period, such deputy sheriff or detention officer

1 shall not be discharged except for just cause. The sheriff or the
2 undersheriff may in writing depute certain persons to do particular
3 acts.

4 B. Each sheriff may appoint as many reserve force deputy
5 sheriffs as are necessary to preserve the peace and dignity of the
6 county. A current list of each person holding such appointment
7 shall be maintained by the county sheriff and shall be available to
8 the public. Reserve force deputy sheriffs may perform duties which
9 encompass a particular act or a series of acts. The sheriff or a
10 ~~CLEET-certified~~ Council on Law Enforcement Education and Training-
11 certified deputy sheriff shall accompany a reserve force deputy
12 sheriff in the performance of all duties assigned to such reserve
13 force deputy sheriff unless such reserve deputy has completed the
14 required two-hundred-forty-hour basic police course. Reserve force
15 deputies may receive compensation for their services. The sheriff
16 may pay reserve force deputies for travel expenses pursuant to the
17 State Travel Reimbursement Act. Such reserve deputy sheriffs shall
18 complete a two-hundred-forty-hour basic police course within six (6)
19 months after they have been commissioned to be paid by the county as
20 an individual reserve deputy. The sheriff may pay for additional
21 training courses attended by reserve force deputies.

22 C. Reserve force deputy sheriffs shall not serve more than one
23 hundred forty (140) hours per calendar month.

1 D. The sheriff or a designee may deputize municipal police
2 officers subject to an interlocal governmental agreement to combine
3 city and county law enforcement efforts and to encourage cooperation
4 between city and county law enforcement officials. Liability for
5 the conduct of any municipal police officers deputized under the
6 terms and conditions of an interlocal governmental agreement shall
7 remain the responsibility of their municipal employer.

8 E. The sheriff may enter into mutual aid agreements pursuant to
9 the Interlocal Cooperation Act, Section 1002 et seq. of Title 74 of
10 the Oklahoma Statutes, to assist or provide law enforcement services
11 to any town, city, and county within this state and the sheriff and
12 deputies shall have law enforcement authority within the
13 jurisdiction making the request. The employing governmental unit
14 shall remain responsible for their officers or deputies pursuant to
15 any mutual aid agreement.

16 F. A sheriff of the county may respond to any request from any
17 other jurisdiction within the state for law enforcement assistance
18 in cases of emergency. The sheriff, deputy sheriffs and reserve
19 deputy sheriffs serving in response to the emergency request shall
20 have the same powers and duties as though employed by the requesting
21 law enforcement agency, and when so acting they shall be deemed to
22 be acting within the scope of employment of the requesting law
23 enforcement agency. Salaries, insurance and other benefits shall be
24 provided in the regular manner by the county in which the sheriff,

1 deputy sheriffs and reserve deputy sheriffs are regularly employed.
2 As used in this subsection, "emergency" means a sudden and
3 unforeseeable occurrence or condition, either as to its onset or its
4 extent, of such severity or magnitude that immediate response or
5 action is necessary to assist law enforcement agencies having
6 jurisdiction at the scene of the emergency to carry out their
7 functions.

8 G. A reserve force deputy sheriff shall be authorized to serve
9 civil process pursuant to Section 2004 of Title 12 of the Oklahoma
10 Statutes.

11 H. The sheriff may contract with a private security firm that
12 meets the requirements set forth in Sections 1750.1 through 1750.14
13 of Title 59 of the Oklahoma Statutes to guard any detainee or
14 prisoner temporarily housed for treatment in a medical facility
15 outside the confines of the jail.

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

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