

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 59

By: Sharp

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5
6 AS INTRODUCED

7 An Act relating to peace officers; amending 21 O.S.
8 2011, Section 99a, as amended by Section 2, Chapter
9 249, O.S.L. 2013 (21 O.S. Supp. 2014, Section 99a),
10 which relates to authority of peace officers;
11 modifying requirements for tribal law enforcement;
12 and providing an effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2011, Section 99a, as
15 amended by Section 2, Chapter 249, O.S.L. 2013 (21 O.S. Supp. 2014,
16 Section 99a), is amended to read as follows:

17 Section 99a. A. Subject to subsections C and D of this section
18 in addition to any other powers vested by law, a peace officer of
19 the State of Oklahoma as used in this section may enforce the
20 criminal laws of this state throughout the territorial bounds of
21 this state, under the following circumstances:

22 1. In response to an emergency involving an immediate threat to
23 human life or property;

24 2. Upon the prior consent of the head of a state law
enforcement agency, the sheriff or the chief of police in whose

1 investigatory or territorial jurisdiction the exercise of the powers
2 occurs;

3 3. In response to a request for assistance pursuant to a mutual
4 law enforcement assistance agreement with the agency of
5 investigatory or territorial jurisdiction;

6 4. In response to the request for assistance by a peace officer
7 with investigatory or territorial jurisdiction; or

8 5. While the officer is transporting a prisoner.

9 B. While serving as peace officers of the State of Oklahoma and
10 rendering assistance under the circumstances enumerated above, peace
11 officers shall have the same powers and duties as though employed by
12 and shall be deemed to be acting within the scope of authority of
13 the law enforcement agency in whose or under whose investigatory or
14 territorial jurisdiction they are serving. Salaries, insurance and
15 other benefits shall not be the responsibility of a law enforcement
16 agency that is not the employing agency for the officer.

17 C. A municipal peace officer may exercise authority provided by
18 this section only if the officer acts pursuant to policies and
19 procedures adopted by the municipal governing body.

20 D. A Bureau of Indian Affairs law enforcement officer or a
21 tribal law enforcement officer of a federally recognized Indian
22 tribe who ~~has been commissioned by the Federal Bureau of Indian~~
23 ~~Affairs and~~ has been certified by the Council on Law Enforcement
24 Education and Training shall have state police powers to enforce

1 state laws on lands the title to which is held by the United States
2 in trust for the benefit of either a federally recognized American
3 Indian tribe or an enrolled citizen thereof.

4 E. Nothing in this act shall limit or prohibit jurisdiction
5 given to tribal officers pursuant to a cross-deputization agreement
6 between a state or local governmental agency or another state or
7 federal law.

8 SECTION 2. This act shall become effective November 1, 2015.

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