

An Act

ENROLLED SENATE
BILL NO. 12

By: Brecheen of the Senate

and

Bennett (John) of the House

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

SUBJECT: Oklahoma Campus Security Act

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

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

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

1. "Campus" means the real property, buildings and other improvements within this state owned, leased or rented by an institution of higher education, a public school district, a private 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 trust pursuant to the Oklahoma Campus Security Act, who may also be

known as a "campus public safety officer", an "airport officer", an "airport police officer" or an "airport security officer";

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

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

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

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

7. "Airport public trust" means a public trust created under the laws of this state which operates an airport and whose beneficiary is an Oklahoma municipality or a combination of one or more Oklahoma municipalities and/or one or more Oklahoma counties; and

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

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

Section 360.18. A. Governing boards of institutions of higher education or private schools, boards of education of public school

districts and airport public trusts are authorized to establish campus police departments pursuant to the provisions of the Oklahoma Campus Security Act. In the case of airport public trusts operating more than one airport, the board of trustees of such airport public trust is authorized to establish campus police departments at any airport it operates, but is not required to establish campus police departments at all airports operated by such airport public trust. These boards may employ and commission campus police officers and may designate uniforms, badges and insignia to be worn by such officers and displayed on vehicles or other equipment of the department. Campus police departments shall use the following words or phrases, alone or in any combination, in conjunction with the uniform, badges, insignia or on vehicles utilized by these departments: university police, university public safety department, campus police department, campus police officer, campus public safety department, campus public safety officer, airport officer, airport police officer, airport security officer, airport public safety officer or any standardized title such as director, chief, major, captain, lieutenant, sergeant, or corporal. Upon appointment, each such officer shall be given a written commission, with a photo identification, evidencing the officer's appointment and authority. The form of this commission shall be prescribed by the governing boards specified in Section 360.15 et seq. of this title. Persons employed by a governing board which has established a campus police department but who are not campus police officers shall not be permitted to wear uniforms, badges or insignia specified in this subsection or receive commissions or photo identification of the type provided campus police officers.

B. The commission of a campus police officer may be suspended or revoked by the governing board for any reason. Such commission also may be suspended or revoked by the district attorney in whose district the officer is employed for cause related to the campus police officer's ability to exercise the powers of such commission in the interest of public security or suspended or revoked by the district attorney upon conviction of the campus police officer for larceny, theft, embezzlement, false pretense, fraud, any nonconsensual sex offense, any offense involving a minor as a victim, any offense involving the possession, use, distribution or sale of a controlled dangerous substance, or any offense involving a firearm. The commission of a campus police officer convicted of a felony or of a crime involving moral turpitude shall be revoked by

the district attorney upon conviction. The commission of a campus police officer no longer employed by the governing board, except an officer who is retiring, shall be relinquished to the board, or its representative, at the time of cessation of ~~said~~ the employment. When a commission is revoked or relinquished, the campus police department shall take possession of all campus police officer insignia, badges, identification cards and weapons issued to the officer. A person who fails to relinquish ~~said~~ the insignia, badges, identification cards or weapons, upon conviction, shall be deemed guilty of a misdemeanor and shall be punished by the imposition of a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for not to exceed one (1) year, or by both such fine and imprisonment.

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

D. A campus police officer employed pursuant to the Oklahoma Campus Security Act shall not be able to participate in either the Oklahoma Police Pension and Retirement System or the Oklahoma Law Enforcement Retirement System, unless otherwise entitled to by law.

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

Passed the Senate the 9th day of March, 2017.

Presiding Officer of the Senate

Passed the House of Representatives the 17th day of April, 2017.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____