



**Council on Law Enforcement Education & Training
2013 Legislative Update**

Prepared by J.H.B. Wilson, J.D.
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Please keep in mind that this document is, by necessity, a summary. If we were to copy all the new laws, this document would run to several thousand pages. Even a detailed summary of every provision would be hundreds of pages long, and that is simply not feasible. You are encouraged to read the complete laws, available at www.oscn.net. Click on 'legal research' and then click on 'Oklahoma Statutes Citationized'. You can get a complete history of each bill at the Oklahoma Legislature's website: <http://webserver1.LSB.state.ok.us/WebBillStatus/main.html>.

Title 2 - Agriculture

HB 1359 (Effective November 1, 2013) amends several sections related to animal shelters, changing the 'commercial Pet Breeders Act of 2012' to **the Commercial Pet Breeders and Animal Shelter Licensing Act**.

-2 O.S. § 302 defines 'animal shelter' as a 'nongovernmental facility' that maintains ten or more dogs and cats and is 'operated by or under contract' with the state or a political subdivision, or by a private organization.

-4 O.S. § 30.3 is amended to give the State Board of Agriculture power to make and enforce rules related to Animal Shelters.

-4 O.S. § 30.4 requires a license to operate an Animal Shelter as defined in the Act.

-4 O.S. § 30.5 requires for initial inspections and yearly follow-up inspections by a veterinarian or other 'qualified person' who reports to the Department of Agriculture. This statute specifically precludes the use of 'any humane society group or member of any humane society group' to perform any required inspections.

-4 O.S. § 30.14 requires the Board of Agriculture to post on its website a directory of animal shelters (and commercial pet breeders' and to post a list of shelters or breeders that have been denied licensing, or whose licenses have been revoked.

HB 1999 (Effective November 1, 2013) amends 2 O.S. § 6-182 to include 'horses, mules, or other equines' in the definition of 'meat food product'.

-Also amends 2 O.S. § 6-192 to make it unlawful to 'sell, offer or exhibit for sale' or to transfer to another person for those purposes) horsemeat for human consumption in Oklahoma.

Title 3 and Title 3A - Aircraft and Amusements and Sports

HB 1532 (EMERGENCY! - effective July 1, 2013) amends 3A O.S. § 724, as it concerns unclaimed lottery winnings (they are considered 'unclaimed' 180 days after the date of the drawing). The first \$750,000 of unclaimed prize money is to be transferred to DMH&SAS for the 'treatment of compulsive gambling disorder' and educational programs. This is increased from \$500,000.

HB 1882 (Effective November 1, 2013) enacts a new law to be codified at 3 O.S. § 351 *et seq.*, known as the 'Space Flight Liability and Immunity Act'. This bill limits the liability of a 'space

flight entity' to any space flight 'participant' and requires certain warnings of the dangers of blastoff, space flight, and re-entry.

Title 10A - Children and Juvenile Code

SB 679 (Effective November 1, 2013) makes several changes in Title 10A. Those of interest to peace officers include:

-§ 1-4-904 - added to the list of reasons to terminate is 'a finding that a child has been placed in foster care' for 15 of the most recent 22 months.

-§ 2-1-102 - emphasizes use of 'individualized treatment and best practice' in juvenile delinquency proceedings.

-§ 2-1-103 - allows a 'community intervention center' to be used for placement of children alleged to be 'in need of supervision' as defined by statute. This section also clarifies that Shelters should be used for children or youth in a 'crisis situation' and for no more than 90 days.

-§ 2-2-101 - adds a new situation to the list of when a child may be taken into custody by a peace officer without a court order. This may be done if 'in the reasonable belief' of the officer the 'child appears to have run away from home without just cause'. The statute further clarifies that this reasonable belief may be based on the child refusing to give his or her name or the name and address of a parent or when the officer has 'reason to doubt that the name and address' are accurate.

-§ 2-2-102 - for the court in a juvenile action to have jurisdiction over an adult, the adult must have appeared in court or have been properly served with summons.

-§ 2-2-503 - a child may be adjudicated as both delinquent AND deprived if a sufficient factual basis exists.

SB 1034 (Effective November 1, 2013) amends 10A O.S. § 1-6-102 to add 'CASA' records to the list of juvenile records that cannot be released except under very specific circumstances.

Title 11 - Cities and Towns

HB 1402 (Effective November 1, 2013) amends 11 O.S. § 16-302. Non-charter municipalities with a population of less than 2,000 may elect officers and consider initiatives and referendums at a 'biennial town meeting or special town meeting' OR may have such elections conducted by the County election board.

HB 1921 (effective November 1, 2013) amends 11 O.S. § 55-103 to allow municipalities to regulate amateur radio antennae, so long as the ordinance 'reasonably' accommodates amateur radio communications, and is the 'minimum practicable regulation necessary to accomplish the intent' of this statute, and provides for an appeal procedure.

HB 1904 (Effective November 1, 2013) amends 11 O.S. § 29-203 to allow a municipality that has a volunteer fire department that serves a 911 area of fifty square miles or more to increase the size of the volunteer fire department by 'up to an additional five members' with the total number of members 'not to exceed thirty'.

SB 197 (Effective November 1, 2013) amends 11 O.S. 34-102 to clarify that the curriculum for the 'Chief School' is to be 'developed by the Oklahoma Association of Chiefs of Police' and approved by CLEET. This Bill also provides that a municipal Police Chief who does not meet the Chief School 'training requirements' shall have their CLEET certification revoked for the purpose of serving as chief' in addition to being removed from the position of Chief.

-Also enacts a new law to be codified at **11 O.S. § 34-107** which requires that municipal police department have adopted policies (by January 1, 2016) that cover, at a minimum, the following topics:

- search and seizure
- arrest and alternatives to arrest
- strip and body cavity searches
- evidence and property management
- inventories and audits
- use of firearms and use of force
- pursuit driving
- impartial policing / racial profiling
- mental health
- professional conduct of officers
- domestic abuse
- response to missing persons
- supervision of part-time officers

Title 12 – Civil procedure

HB 1033 (effective November 1, 2013) enacts a new law to be codified at 12 O.S. § 20. This law provides that any 'court, arbitration, tribunal, or administrative agency ruling or decision' is considered against public policy if it is based on a foreign law that does not 'grant the parties affected' the same 'fundamental liberties, rights, and privileges' of the U.S. and Oklahoma Constitutions. A contractual provision which provides for use of a foreign law is 'void and unenforceable' if it does not provide those same protections. This statute does not apply to any contract to which a 'corporation' or 'other legal entity' has legally agreed. This act is not meant to conflict with any federal treaty or international agreement to which the U.S. is a party.

HB 2072 (Effective November 1, 2013) enacts a new law to be codified at 12 O.S. § 718A. A 'foreign defamation judgment' (defined as an action fundamentally equivalent to libel or slander) from a foreign court may not be enforced unless the foreign judicial system provides procedures 'substantially compatible' with due process, and protection of speech and press, as in the U.S. System.

HB 1509 (Effective November 1, 2013) amends 12 O.S. § 2011 to allow the use of a statement of a 'child 13 years of age or older who has a disability' even though that statement is hearsay, if certain conditions are met. 'Disability' is defined as a physical or mental impairment 'which substantially limits one or more of the major life activities of the child'.

SB 951 (Effective November 1, 2013) amends 12 O.S. § 2502. With this change the attorney-client evidentiary privilege also applies to a person who makes or receives a 'confidential

communication' while acting in the scope of employment of the client 'for the purpose of effectuating legal representation for the client'.

Title 15 - Contracts

SB 550 (Effective November 1, 2013) amends 15 O.S. § 598.6 and related statutes (the 'Unfair Sales Act'). Under that Act, some listed items may be sold at less than wholesale cost in certain circumstances. Added to that list of circumstances is where merchandise is sold 'below cost' for 15 or fewer sequential days and where the sale does not occur more than 10 separate times in any twelve-month period. The following items may not be sold at less than wholesale:

- gasoline and diesel fuel
- legend drug products
- food and nonalcoholic beverages sold for off-premise use or consumption
- household soaps and detergents
- health and beauty aids
- over-the-counter medicines, vitamins, and health products
- pet food and pet supplies
- paper and plastic goods
- household cleaning agents and cleaning supplies
- baby supplies related to nutrition and food preservation
- disposable diapers
- low-point beer sold for off-premises use or consumption
- structural building materials

Title 19 - Counties and County Officers

SB 285 (Effective November 1, 2013) amends 19 O.S. § 215.22 to allow the destruction of certain District Attorney Records if the records are microfilmed or stored in computer form.

- record related to a felony (except homicide) - 10 years from the date of last action in the case.
- misdemeanor or traffic - five years
- juvenile - ten years
- civil - ten years

Title 20 - Courts

HB 1242 (effective November 1, 2013) enacts a new law to be codified at 20 O.S. § 129 to allow a 'district judge, municipal judge, or retired district judge to carry a firearm 'anywhere in the state' for 'personal protection' if the judge has completed a course of firearms training which 'meets the minimum requirements for firearms training' as set by CLEET.

Title 21 - Crimes and punishments

SB 501 (Effective November 1, 2013) amends 21 O.S. 1247 to remove the 'smoking room' provision for all 'buildings and other properties, or portions thereof' that are 'owned or operated by this state'.

Also amends 63 O.S. 1-1527 to allow a city or town to 'enact laws restricting smoking'. County or Municipal governments may prohibit 'smoking in or on property owned or operated by the respective governing bodies'.

HB 1524 (Effective November 1, 2013) repeals 21 O.S. § 955, which required railroad conductors and brakemen to arrest anyone who uses a confidence game (like 'three-card monte') to swindle others on a train.

HB 1523 (Effective November 1, 2013) repeals 21 O.S. § 471, which applied a criminal penalty to violations of Oklahoma Constitution Article 9, Section 13. That Constitutional provision prevents giving free railroad tickets to anyone, except for certain specified charitable reasons.

HB 2161 (Effective November 1, 2013) amends 21 O.S. § 566.1. When a person is in indirect contempt for failing to pay child support as ordered, and the court finds that the person is 'willfully unemployed', the court may require that the person work 2 eight-hour days per week in a community service program.

SB 89 (EMERGENCY! - Effective July 1, 2013) amends 21 O.S. § 1761.1 to increase the maximum amount of a fine for littering from \$200 to \$400.

HB 1423 (Effective November 1, 2013) amends 21 O.S. § 455 to provide that anyone who 'attempts to prevent' any person from testifying or 'producing any record, document, or other object' is subject to a penalty of 1 to 10 years.

HB 1622 (Effective November 1, 2013) amends 21 O.S. § 1277 ('unlawful carry in certain places'). The prohibition of carrying a firearm into meetings of 'city, town, county, state, or federal officials, school board members, legislative members' or other officials is removed.

-This Bill also provides that a concealed or unconcealed weapon may be carried onto 'private school property or in any school bus' or similar vehicle by a 'person who is licensed' under SDA IF the private school has adopted such a policy. Protection is provided for the private school except for gross negligence or 'willful or wanton misconduct' or workers comp. claims.

-Amends 21 O.S. § 1280.1 ('possession of firearm on school property') to make the same change.

SB 1036 (Effective November 1, 2013) amends 21 O.S. § 701.10, and enacts a new law to be codified at 21 O.S. § 701.10-1 which concern sentencing in cases of murder first degree. When the State seeks the death penalty the court is to conduct a separate 'sentencing proceeding' to determine if the proper sentence should be death, life without parole, or life imprisonment. If the State is not seeking the death penalty, the court is to have a separate sentencing proceeding to give the State an opportunity to prove any prior felony convictions beyond a reasonable doubt.

HB 1067 (Effective November 1, 2013) amends 21 O.S. § 748.2 and § 1029 regarding human trafficking. Any peace officer who comes in contact with a 'human trafficking victim' shall inform the victim of the hotline number and give the victim a written notice of the victim's rights. The peace officer is also to 'immediately notify' DHS and the child is to be remanded to the custody of DHS for no longer than 72 hours. In addition, in a prosecution for prostitution (or similar crimes) a person 16 or 17 years old shall be 'presumed' to have been 'coerced' to have committed the crime by a human trafficker.

HB 1297 (Effective November 1, 2013) amends 21 O.S. § 1123 to modify the possible punishment for 'lewd and indecent proposals or acts' to children under 16. A second or subsequent violation is subject to punishment for a specific term of years unless 21 O.S. § 51.1a applies. Under Section 51.1a, a conviction after being previously convicted of 'rape in the first degree, forcible sodomy, lewd molestation, or sexual abuse of a child' is punishable by 'life without parole'.

HB 1243 (effective November 1, 2013) amends 21 O.S. 1270 to change 'concealed handgun license' to 'handgun license'. (This is one the legislature missed last year.)

Amends 21 O.S. § 1290.11 to provide that a person on a 'deferred sentence' for specified crimes shall be precluded from obtaining a handgun license while on the deferred sentence and for three years after the 'final determination' of the criminal case.

HB 2170 (Effective November 1, 2013) amends 21 O.S. § 1272 to remove 'spring type knife' from the list of prohibited weapons.

SB 173 (effective November 1, 2013) amends several sections related to unconcealed carry.

Amends 21 O.S. § 1289.23 to allow an off-duty police officer or reserve police officer to carry a firearm concealed or unconcealed (if within the guidelines established by the employing agency).

Amends 21 O.S. § 1290.2 to require that an unconcealed handgun be in a 'belt holster' (as opposed to a 'belt' in the 2012 version of this statute) and changes the definition of 'concealed handgun' to read: 'means a loaded or unloaded pistol the presence of which is not openly discernible to the ordinary observation of a reasonable person'.

Amends 21 O.S. 1290.7 to remove 'intentionally display the pistol' from the list of prohibited acts.

Amends 21 O.S. § 1290.8 to remove the administrative fine from the punishments for failure to have the handgun license in possession. (Is to be considered unlawful carry under § 1272.)

Amends 21 O.S. § 1290.12 ('procedure for application') to provide that a 'person who has been granted a permanent victim's protective order' may be issued a 'temporary handgun license' which is valid for no more than 6 months. The applicant must have 'passed the required weapons course, completed the application process of the person by the sheriff and court clerk, and provided the sheriff proof of a certified permanent victim protection order' and valid Oklahoma photo I.D.

The sheriff issues the temporary handgun license at no cost; to the applicant (on a form approved by OSBI). The person must have the temporary handgun license and I.D. on their

person whenever armed. If the VPO is 'no longer enforceable' the temporary handgun license 'shall cease to be valid'.

Amends 21 O.S. § 1290.22 ('Business Owner's Rights') to specifically include a 'place of worship'. This amendment also requires the business owner to 'post signs on or about the property' stating the prohibition against firearms if the business is 'open to the public'.

Violation 'shall not be deemed a criminal act' but the person carrying the weapon may be 'denied entrance' or 'removed from the property'. If the person refuses to leave and a peace officer is summoned, the person may be 'issued a citation' for up to \$250.00.

A business which 'does or does not prohibit any individual except a convicted felon' from possessing a firearm on the premises is 'immune from any liability arising from that decision', except for acts of gross negligence or willful or wanton misconduct.

An employer who does or does not prohibit employees from carrying a firearm is also immune from liability, other than Workers Compensation claims.

HB 1314 (effective November 1, 2013) amends 21 O.S. § 1290.14 to allow the instructor to determine the charge for a SDA firearms safety and training course. The maximum class size is also determined by the instructor but 'practice shooting sessions' are limited to 10 persons at one time.

HB 1462 (effective November 1, 2013) amends 21 O.S. § 1290.14 and 21 O.S. § 1290.15 to provide that a 'firearms instructor' is not required to submit fingerprints 'when renewing' a firearms instructor's CLEET approval. The cost of the SDA 'training and qualification course' is determined by the instructor or entity conducting the course, as is the cost of the 'classroom portion of the training course'. This amendment allows a firearms instructor to obtain a registration certificate for five years (\$100.00) or for ten years (\$200.00).

SB 977 (EMERGENCY! - effective immediately) repeals several duplicate sections, cleans up some language, and amends others. One of interest is:

-21 O.S. § 1290.26, which concerns reciprocity for out of state firearms permits, is amended to provide that a person who is authorized by another state to carry a concealed or unconcealed firearm in that state, is authorized to carry concealed or unconcealed in this state. The amendment also clarifies that the person must provide proper identification to show that the person is a resident in the other state.

HB 1871 (effective November 1, 2013) amends 21 O.S. § 99, the definition of 'peace officer'. Any law enforcement officer whose duty is to 'enforce and preserve the public peace' is a 'peace officer'. This definition now includes a 'tribal law enforcement officer'. In addition, any U.S. Marshal, Marshals Service deputy or 'other federal law enforcement officer' who is 'acting under the authority of a Federal Bureau of Indian Affairs Commission and has been certified' by CLEET may render assistance to any law enforcement officer 'in an emergency, or at the request of any officer' and further has authority to 'arrest any person committing any offense in violation of the laws of this state'.

Also amends 21 O.S. § 99a to allow a 'Bureau of Indian Affairs law enforcement officer' or a 'tribal law enforcement officer of a federally recognized Indian tribe', if 'commissioned by the Federal Bureau of Indian Affairs' and 'certified' by CLEET to have 'state police powers to enforce state laws' if the location of the crime is 'held by the United States in trust'. This bill is

not intended to 'limit or prohibit jurisdiction' of tribal officers pursuant to a cross-deputization agreement between a state or local governmental agency or another state or federal law'.

HB 1241 (Effective November 1, 2013) amends 21 O.S. § 1401 to provide that Arson First Degree includes 'manufacturing, attempting to manufacture or endeavoring to manufacture' CDS that results in the burning of any building 'or contents thereof' of an inhabited or occupied building. Punishment is up to 35 years and a fine of up to \$25,000.

HB 1522 (Effective November 1, 2013) repeals 21 O.S. § 1763, which concerned 'running recklessly any horse race in, along, on or across any public square, street, or alley'.

SB 708 (EMERGENCY! - Effective July 1, 2013) enacts a new law to be codified at 21 O.S. § 1791 which makes it a crime to 'maliciously and knowingly' cut or damage a fence 'used for the production or containment' of animals 'such that there is a loss or damage to the property. A first offense is a misdemeanor. Second and subsequent offenses are felonies, punishable by up to 2 years and/or a fine up to \$1,000. This statute does not apply to activities pursuant to the Seismic Exploration Regulation Act, or actions governed by the Corporation Commission or Federal Energy Regulatory Commission, or otherwise approved by Oklahoma law.

HB 2045 (Effective November 1, 2013) amends 21 O.S. § 1953 to permit a child's 'parent, legal guardian, legal custodian, or foster parent' to monitor the child's computer usage, or to deny computer access or internet access to the child.

Title 22 - Criminal procedure

HB 1912 (Effective November 1, 2013) amends 22 O.S. § 60.2 and other statutes affecting Victim Protective Orders. A court may not require a victim to 'seek legal sanctions' against the defendant such as 'divorce, separation, paternity or criminal proceedings' prior to hearing a petition for a VPO.

22 O.S. § 60.4 is amended to require that a hearing be scheduled within 14 days of the filing of the petition, shortened from 20 days. Also, the court is prohibited from imposing any term or condition that 'may compromise the safety of the victim'. Examples include 'mediation, couples counseling, family counseling, parenting classes or joint victim-offender counseling'.

22 O.S. § 60.9 is amended to state that the peace officer 'shall arrest' under certain conditions outlined in the statute, instead of 'may arrest'.

HB 1449 and SB 450 (Effective November 1, 2013) amends 22 O.S. § 1115.1a to allow a person to enter a plea for a traffic violation by electronic means, if offered by the court.

HB 1068 (effective November 1, 2013) enacts a new law to be codified at 22 O.S. § 1273 et seq., to be called the 'Postconviction DNA Act'. Under this law, a person 'convicted of a violent felony crime' or a person sentenced to 25 years or more and 'who asserts that he or she did not commit such crime' may file a motion for 'forensic DNA testing'. The sentencing court may order DNA testing if there is a 'reasonable probability' that the person would not have been convicted 'if favorable results had been obtained through DNA testing at the time of the original prosecution'. If the DNA testing results are 'favorable to the petitioner' the court may make necessary orders for a new trial or other actions as the court deems reasonable.

HB 1058 (effective November 1, 2013) enacts a new section of law to be codified at 22 O.S. Section 19c which allows the court, to enter an order for expungement of law enforcement and court records relating to a charge for a prostitution-related offense committed as a result of the defendant having been a victim of human trafficking. These expunged Records 'shall be sealed' to the public but not to law enforcement agencies for 'law enforcement purposes'.

HB 1328 (Effective November 1, 2013) amends 22 O.S. 991C to clarify the rules for District Attorney supervision of people convicted of crimes.

Title 25 - Definitions and General Provisions

SB 88 (EMERGENCY! - Effective immediately) enacts a new law to be codified at 25 O.S. § 98.16 proclaiming the fourth Saturday of July of each year the 'National Day of the Cowboy' to celebrate the 'contribution of the Cowboy and Cowgirl to this state and all of America's culture and heritage'. You are encouraged to 'recognize and celebrate' with 'appropriate ceremonies, events, and activities'.

Title 26 - Elections

HB 1741 (Effective November 1, 2013) amends 26 O.S. § 5-111 A candidate for public office must supply the name of the candidate 'as it shall appear on the ballot' and the 'legal name of the candidate'.

Title 29 - Game and Fish

SB 780 (Effective November 1, 2013) amends 29 O.S. § 7-205 to remove 'furbearers and coyotes' from the prohibition from leaving body parts with the 'intent to abandon the body' and from the prohibition from 'removing the claws, teeth, hide, antlers, or horns' from living wildlife.

SB 819 (Effective November 1, 2013) enacts a new law to be codified at 29 O.S. § 5-203.2. No person is allowed to use a 'laser sighting device as a hunting aid'. Violation is a misdemeanor. This law does not apply to persons who are '100% disabled' or who are certified as being legally blind if on 'private property' and 'accompanied by a licensed hunter'. This bill does not prohibit the use of a 'battery-powered scoping' device that projects a 'light or dot inside the scope' and does not prevent a person from using a '.22 caliber rimfire rifle or pistol' with a laser sight while hunting or taking furbearers with hounds during the legal, open furbearer season, with a valid license.

SB 324 (Effective November 1, 2013) amends 29 O.S. § 6-302 to add 'blue and channel catfish' to the list of fish which may be taken by 'noodling'.

Title 37 - Intoxicating Liquors

SB 1 (Effective November 1, 2013) enacts a new law to be codified at 37 O.S. § 8a (although the effect is to amend 37 O.S. § 8, public intoxication). With this change, a peace officer 'may not take a person into custody' if the officer 'reasonably believes' that all of the following apply:

1. The officer has contact with the person because the person 'requested emergency medical assistance' for someone who 'reasonably appeared to be in need of medical assistance due to alcohol consumption' AND
2. The person provided their full name and 'any other relevant information requested' AND
3. The person remained at the scene with the person who required assistance AND
4. The person 'cooperated' with EMT's and Police

A person may not 'initiate or maintain' and action against a peace officer based on the 'officer's compliance or failure to comply with this section'.

The obvious question: 'what is the officer to do with the person who requested emergency medical assistance?' is not answered.

HB 1341 (Effective November 1, 2013) amends 37 O.S. § 2011. A holder of a 'brewer license' may serve free samples of beer 'produced by the licensee' to visitors 21 years old or older. The licensee must designate a sampling area (the floor plan is to be sent to ABLE) and may not give anyone more than 12 ounces of beer per day. Samples may be provided between ten a.m. and nine p.m.

Title 38 - Jurors

SB 484 (Effective November 1, 2013) amends 38 O.S. § 28 to provide that a person who has served as a juror does not have to serve on a jury again for 5 years (the previous statute specified 2 years).

Title 43A - Mental health

HB 1109 (Effective November 1, 2013) amends 43A O.S. § 3-704 to allow a person accused of a felony to submit to an 'approved risk, mental health and substance assessment and evaluation' after an initial appearance. This assessment is not normally admissible at trial except for sentencing.

SB 369 (Effective November 1, 2013) amends 43A O.S. § 5-414 and related statutes concerning records of persons requiring mental health treatment. With these changes:

-powers of attorney and advanced health care directives may be used in an evaluation and are to accompany the person to the place of evaluation.

-the person's 'treatment advocate' is entitled to review records of mental health proceedings.

SB 725 (Effective November 1, 2013) amends 43A O.S. 1-103 to include a 'licensed drug and alcohol counselor / mental health ('LADC/MH') on the list of persons who may perform an evaluation of a person requiring treatment.

Also amends 43A O.S. § 1-109 to change the statutory privilege from ‘psychotherapist’ to ‘licensed mental health professional’.

Title 47 – Motor vehicles

HB 2198 (Effective November 1, 2013) enacts a new law to be codified at 47 O.S. § 6-102.1. Any person who has an ‘agricultural exemption permit’ may, ‘while in the course of an agricultural or ranching operation owned by the person’ may operate a ‘Class A, B, or C commercial motor vehicle’ if the person has any valid Oklahoma driver license. This does not apply to operation of any vehicle used to transport property ‘for hire’.

HB 1082 (Effective November 1, 2013) amends the drivers license rules in 47 O.S. § 6-115. A drivers license is NOT the property of the licensed driver and it ‘shall be the duty of every person’ who has had the driving privilege ‘suspended, canceled, or revoked’ to ‘immediately surrender’ the license upon request to any peace officer. If the driving privilege is re-instated the driver must apply for a new license. A license that is not more than one year past the date of expiration (instead of 30 days under the current law) is presumed to be a valid form of identification for the purposes or renewing a license.

HB 1792 (Effective November 1, 2013) enacts some new laws and amends other laws related to uninsured motorists. This is a comprehensive scheme and much of it is devoted to administrative procedures. The part that affects peace officer duties is in an **Amendment of 47 O.S. § 7-606:** When an Officer makes a traffic stop of a vehicle ‘owner or operator’ who fails ‘to comply with the Compulsory Insurance Law’ or who fails ‘to produce a valid and current security verification form or equivalent’, the Officer issues a citation for the violation. The Officer may now (in addition to the existing authority to seize the vehicle)

- seize the license plate (if the vehicle is drivable). A copy of the citation serves as the ‘temporary license plate’ for up to 10 days. After 10 days, the vehicle ‘shall not be used’ until all the requirements are met.
- within 3 days of seizure, the law enforcement agency that issued the citation shall ‘deposit the license plate’ with, and give a copy of the citation to, the Sheriff of the County where the violation occurred.
- the vehicle owner or operator may retrieve the license plate upon ‘providing verification of compliance with the Compulsory Insurance Law and payment ‘in full’ of an administrative fee of \$125 to the Sheriff, and payment in full of the citation.
- The \$125 administrative fee is transferred to the ‘Plan Administrator’. The funds are to be distributed as follows:
 - \$20 to the Sheriff
 - \$70 to the law enforcement agency which issued the citation (to be used for ‘any lawful purpose’).
 - \$25 to the Temporary Insurance Premium Pool
 - \$10 to the Plan Administrator
- The Sheriff may dispose of any unclaimed license plate after 90 days.
- if the operator produces what appears to be a valid security verification form and the officer is ‘unable to confirm’, the officer shall not seize the license plate.

-a new law at 47 O.S. § 7-621 *et seq*, provides the administrative scheme for this 'minimum vehicle liability insurance coverage' when a citation is issued and a license plate seized.

Please note: As of November 26, 2013, CLEET has been informed that the Oklahoma Insurance Department and the Oklahoma Sheriff's Association have 'agreed that law enforcement should commence seizing tags no sooner than January 1', 2014

SB 652 (Effective November 1, 2013) amends 47 O.S. 6-101 to permit a person 18 years of age or older to obtain a 'commercial learner permit'. With this 'commercial learner permit' and a 'valid Oklahoma driver license' the person may operate a Class A, B, or C commercial motor vehicle for the purpose of training. This permit is good for 180 days and may be renewed once.

HB 1247 (Effective November 1, 2013) amends 47 O.S. § 954A to limit towing of 'abandoned vehicles' (as defined in the statute) to 'licensed Class AA' wreckers or towing services.

SB 886 (Effective November 1, 2013) amends 47 O.S. § 955 in several ways:

-wrecker operators are to release personal property within the vehicle to the owner of the vehicle or to an insurer who 'has accepted liability for the vehicle'.

-A vehicle may be impounded from 'public roads, highways, streets, turnpikes, private parking lots accessible to the public, other public places or upon any private road, street, alley, or lane which provides access to one or more' dwellings if other conditions are met, including the 'vehicle is involved in a fatal' collision and is needed for evidence.

-no vehicle may be released from impoundment unless the owner provides proof of valid insurance or an affidavit of nonuse' unless it is released to an insurer

HB 1098 (Effective November 1, 2013) amends 47 O.S. § 11-1116 to allow the use of a 'golf cart' or a 'utility vehicle' on city streets (even during 'non-daylight' hours) if the municipality has adopted an ordinance which allows their use and includes 'necessary vehicle lighting and safety requirements'.

-Also amends 47 O.S. § 11-1116 to allow the use of 'all-terrain vehicles' on roadways in an unincorporated area if the county commissioners have approved their use and the vehicle is 'only used as an instrument of husbandry'.

HB 1069 (Effective November 1, 2013) amends 47 O.S. § 11-902 and 43 O.S. § 3-452 to provide that the costs of an alcohol and drug substance course or treatment ordered by the court, as a result of a DUI or APC may be paid by the defendant or a third party, so long as 'no state-appropriated funds are utilized'.

HB 1441 (Effective October 1, 2013) amends 47 O.S. § 11-902 to include in the definition of DUI and APC a person who 'has any amount of a Schedule I chemical or controlled substance' in the person's 'bodily fluid' at the time of a test administered 'within 2 hours after the arrest' of the person.

SB 164 (Effective November 1, 2013) enacts a new law to be codified at 47 O.S. § 1104.23 and amends 47 O.S. § 1135.2 to authorize several new license plates. The new ones are:

- Oklahoma Association of Chiefs of Police
- Gold Star Surviving Spouse

- Legion of Merit Medal Recipient
- Sigma Gamma Rho
- BMW Car Club of America (you no longer have to be a member of the BMW Car Club, you can simply be a 'person wishing to demonstrate support for' the Club).
- Oklahomans for the Arts
- Oklahoma City Barons
- Oklahoma City Redhawks
- Tulsa Shock
- Tulsa Oilers
- Tulsa Drillers
- Millwood School District
- Booker T. Washington High School
- Oklahoma Current State Flag
- Oklahoma original State Flag
- Tulsa 66ers
- Crossings Christian School

Title 51 - Officers

HB 1594 (EMERGENCY! - Effective immediately) amends 51 O.S. 6 (dual offices) to provide that a 'game warden or reserve game warden employed by the Department of Wildlife Conservation' may be appointed to a municipal governing body.

SB 977 (EMERGENCY - effective immediately) amends 51 O.S. § 155 (The Governmental Tort Claims Act) to preclude tort liability for 'use of a public facility opened to the general public during an emergency'.

Title 56 - Poor Persons

HB 1418 (EMERGENCY! - effective immediately) enacts a new law to be codified at 56 O.S. § 163.2 et seq., to be known as the 'Josephine Meade Anti-Hunger Act. This new law allows DHS to promulgate rules to authorize 'patrons of senior nutrition project sites to take home leftover food'. Also allows the State Department of Education to develop policies to 'prevent food waste' in school cafeterias and to redistribute 'leftover foods to students in need'.

SB 667 (EMERGENCY! - Effective July 1, 2013) enacts a new law to be codified at 56 O.S. 241.4. This prohibits the use of 'debit or electronic benefit transfer cards' from state or federal programs (like 'TANF') from being used in any transaction in:

- liquor stores
- casino's or gaming establishments
- 'adult-oriented' establishments in which performers 'disrobe or perform in an unclotted state for entertainment'
- smoke shops.
- Also **amends 76 O.S. § 5.6** to require certain information on 'options for safe food donation' on the DHS website.

HB 1909 (Effective September 1, 2013) amends 56 O.S. § 241.3, which concerns work requirements for recipients of food stamps. The current statute allows DHS to waive the work requirements under circumstances. With this amendment, DHS may NOT waive the work requirements to provide supplemental nutrition Assistance Program services to 'able-bodied adults without dependents'.

Title 57 – Prisons and Reformatories

SB 977 (EMERGENCY! - effective immediately) repeals several duplicate sections, cleans up some language, and amends others. One of interest is:

-57 O.S. § 549.1 is amended to allow the Department of Corrections to 'accept and process' agricultural products from 'the public' and may export the products to foreign markets.

Title 59 – Professions and occupations

HB 1413 (effective November 1, 2013) amends 59 O.S. § 1750.5 to allow a properly license private investigator to carry a firearm concealed or unconcealed.

SB 1013 (Effective November 1, 2013) enacts some new laws and amends others to enact the 'Bail Enforcement and Licensing Act'. Highlights include:

-Definitions:

- "Armed bail enforcer" means a bail enforcer having a valid license issued by CLEET authorizing the holder to carry an approved pistol or weapon in the recovery of a defendant;

- "Bail enforcer" means a person who acts, engages in, solicits or offers services to:

a. execute a prior to breach recovery of a defendant, or

b. execute a recovery of a defendant for failure to appear on an undertaking or bail bond contract.

-The term "bail enforcer" does not include any law enforcement officer actively employed while such officer is engaged in the lawful performance of his or her duties, a bondsman licensed in this state and acting under the authority of his or her undertaking or bail contract or a licensed bondsman appointed with regard to a defendant on a bond posted by that insurer;

- "Bail recovery contract" or "client contract" means an agreement to perform the services of a bail enforcer for a client. A bail enforcer is liable for his or her acts while executing a recovery of a defendant;

- "Client" means a bondsman or surety on an undertaking or bail bond contract issued in this state, another state or the United States that enters into a contract for the services of a bail enforcer;

- "Weapon" means taser, stun gun, baton, night stick or any other device used to subdue a defendant, or any noxious substances as defined in paragraph 10 of this subsection;

- "Noxious substance" means OC spray, pepper spray, mace or any substance used as a physiological irritant.

- **A new law at Section 1350.2 of Title 59**, reads as follows:

A. On and after July 1, 2014, no person shall act, or offer services, or represent himself or herself, as a bail enforcer without first having been issued a valid license by CLEET. Punishment is a fine of up to \$10,000.00 and/or up to 3 years.

-Violating these provisions while carrying any firearm or weapon, including under the authority of the SDA, may be punished, by an additional fine in an amount of up to \$5,000.00, and/or an additional term of imprisonment up to 3 years

-A new law to be codified at Section 1350.3 of Title 59, prohibits certain persons from being licensed as a bail enforcer.

-persons prohibited from being a bail bondsman

-A district attorney, or any employee of a district attorney

-Any employee of the Department of Corrections.

-A new law at Section 1350.5 of Title 59, concerns use of force by a bail enforcer. The use of force is prohibited when unnecessarily committed or when the force is excessive or unreasonable in manner, degree or duration. Every bail enforcer is to be trained on the use of force continuum and the rules for use of force. Any force shall be only that reasonably necessary to surrender the defendant.

-A new law to be codified at Section 1350.6 of Title 59, provides that it is unlawful for a bail enforcer to break into and enter the dwelling house of any defendant or third-party either:

1. By forcibly bursting or breaking the wall, or an outer door, window, or shutter of a window or the lock or bolts of such door, or the fastening of such window or shutter;

2. By breaking in any other manner, being armed with a weapon or being assisted or aided by one or more persons then actually present; or

3. By unlocking an outer door by means of false keys or by picking the lock thereof, or by lifting a latch or opening a window.

-A person violating the provisions of this section shall be guilty of burglary in the first degree. However, the penalty does not apply during an active attempt at recovery of a felony defendant under the following conditions:

a. the bail enforcer has first-hand or eyes-on knowledge that the defendant entered the dwelling house during an attempt to recover the defendant and the defendant after reasonable request is refusing to surrender,

b. the bail enforcer has first-hand or eyes-on knowledge that the defendant is actually within the dwelling house and after reasonable request is refusing to surrender, or

c. the bail enforcer has obtained knowledge confirming beyond a reasonable doubt that the defendant is actually within the dwelling house and after reasonable request refuses to surrender.

-A new law to be codified at Section 1350.7 of Title 59 grants CLEET the following powers:

-To promulgate rules and forms to implement, enforce and carry out the purposes of the Bail Enforcement and Licensing Act;

-To establish and enforce standards governing the training of persons;

-To establish minimum requirements for a mandatory continuing education program.

The expense is to be paid by the licensee;

-To grant a waiver of any training requirement, except firearms and weapons training

-To grant an applicant credit for comparable training at the Council's discretion;

-To issue licenses and identification cards;

-To investigate alleged violations the Act, or rules, and to deny, suspend, or revoke licenses and identification cards if necessary, or to issue notices of reprimand;

- To provide all forms;
- To require additional testing.

A new law to be codified at Section 1350.8 of Title 59, to require that each applicant be administered the MMPI, in conjunction with training in Phase I. The applicant is to pay the cost.

A new law to be codified at Section 1350.9 of Title 59, sets the qualifications:

1. Be a citizen of the United States or an alien legally residing in the United States and document a minimum of 6 months legal residence in this state;
2. At least twenty-one (21) years of age;
3. Have a high school diploma or GED;
4. Be of good moral character;
5. Have no final victim protection orders as a defendant;
6. Have no record of a felony conviction unless at least 15 years has passed. No person convicted of a felony offense shall be eligible for an armed bail enforcer license;
7. Have no record of conviction for assault or battery, aggravated assault or battery, larceny, theft, false pretense, fraud, embezzlement, false personation of an officer, any offense involving moral turpitude, any offense involving a minor as a victim, any nonconsensual sex offense, any offense involving the possession, use, distribution, or sale of a controlled dangerous substance, any offense of driving while intoxicated or driving under the influence of intoxicating substance, any offense involving a firearm, or any other offense as prescribed by the Council.
8. Make a statement that the applicant is not currently undergoing treatment for a mental illness, condition, or disorder, and make a statement regarding any history of illegal drug use or alcohol abuse.
9. Make a statement regarding any misdemeanor domestic violence charges;
10. Provide proof of liability insurance or an individual bond; and
11. Provide a statement of self-employment as a sole proprietor bail enforcer.

In addition, a bail enforcer must maintain a physical address and published phone number. The bail enforcer must maintain complete records, and make the records available to CLEET at any time during regular business hours.

A new law to be codified at Section 1350.11 of Title 59, lists the reasons a license may be subject to disciplinary action:

1. Any erroneous or false statement in an application;
2. Failure to successfully complete any training;
3. Violation of any provision of the Bail Enforcement and Licensing Act or any rule;
4. A conviction for assault or battery, aggravated assault or battery, larceny, theft, false pretense, fraud, embezzlement, false personation of an officer, any offense involving moral turpitude, any offense involving a minor as a victim, any nonconsensual sex offense, any offense involving the possession, use, distribution, or sale of a controlled dangerous substance, any offense of driving while intoxicated or driving under the influence of intoxicating substance, any offense involving a firearm, or any other offense as proscribed by the Council;
5. Use of beverages containing alcohol while armed;
6. Knowingly impersonating a law enforcement officer;
7. Improper use of force pursuant to the Act;
8. Failure to carry and possess proper license, identification or documents;
9. Improper apparel or vehicle;
10. Improper carry, display or use of a firearm, weapon or noxious substance;

11. Unlawful entry into a dwelling house, structure, property or vehicle or improper detention of any person;

12. Employing, authorizing, or permitting an unlicensed person to perform or engage in services as a bail enforcer; or

13. Permitting a person to perform or engage in services as a bail enforcer knowing the person has committed any offense prohibited by the Bail Enforcement and Licensing Act.

A new law to be codified at Section 1350.12 of Title 59, makes it unlawful for any person to mark any vehicle, wear any apparel, or display any badge or identification card bearing the words "police", "deputy", "detective", "officer", "agent", "investigator", "fugitive agent", "recovery agent", "enforcement officer", "bounty hunter", "bail agent", or "recovery detective" or use any other words that imply the person is associated with law enforcement.

A new law to be codified at Section 1350.13 of Title 59 sets out other prohibited acts: No person licensed as a bail enforcer shall:

1. Invade the privacy of a defendant without lawful authority or divulge any information gained by him or her in the course of employment except as permitted by law;

2. Willfully make a false report;

3. Attempt any location, recovery or surrender without having in his or her possession a written client contract;

4. Attempt any location, recovery or surrender without having in his or her possession a certified copy of the undertaking or bail bond contract;

5. Wear any apparel, badges, shields, ballistic vest or helmet during the recovery of a defendant unless such item is clearly marked "Bail Enforcer";

6. Carry any firearm or weapon in the recovery of a defendant without a valid armed bail enforcer license, or carry any firearm or weapon when wearing bail enforcer apparel and not actively engaged in the recovery of a defendant;

7. Point, display or discharge a firearm or weapon or administer a noxious substance in the recovery of a defendant without lawful authority and training;

8. Wear any uniform or use any title, insignia, badge or identification card or make any statements that would lead a person to believe that he or she is connected in any way with the government, or law enforcement agency;

9. Unlawfully enter into the dwelling house, structure, property or vehicle of a defendant or third party;

10. Improperly use force against a defendant or third party;

11. Disobey any law, including traffic laws, in attempting to locate, recover or surrender a defendant;

12. Use a fictitious name in the recovery of a defendant;

13. Use any vehicle that resembles the markings or equipment of an authorized law enforcement agency, or that imply that the vehicle is a law enforcement vehicle

A new law to be codified at Section 1350.16 of Title 59, concerns badges and markings. The words "Bail Enforcer" shall be displayed in bold letters on all clothing and such words together with the person's license number shall be on the badge, which shall be visibly displayed during the recovery of a defendant. Vehicles used, if marked, must bear the words "Bail Enforcer". The vehicle may not be equipped with a siren, a lamp with a red or blue lens, or an overhead light or lights with red or blue lens.

-Amends 59 O.S. Section 1328, to require that a bail enforcer desiring to surrender the defendant shall deliver a certified copy of the undertakings to the official in whose custody the

defendant was at the time bail was taken, who shall detain the defendant in his or her custody and acknowledge the surrender in writing.

Title 63 – Public Health and Safety

SB 258 (EMERGENCY! - effective July 1, 2013) amends 63 O.S. § 681 to require local schools to give copies of their ‘written plans and procedures’ for protecting students during emergencies to local police, sheriffs, fire, and emergency medical services. This is to be done by November 1 of each year.

SB 587 (Effective November 1, 2013) enacts a new law to be codified at 63 O.S. 1-1953.1 et seq. to allow electronic monitoring in nursing facilities. An electronic monitoring device may be used in common areas and rooms, but use in rooms is not ‘compulsory’ and may only be conducted with the written consent of the resident or the resident’s representative.

A nursing facility may not refuse ‘admit an individual to residency’ or ‘remove a resident’ because of authorized monitoring of a room. Hampering or interception of communications of such devices may not be done without written consent.

The resident who seeks to use the monitoring device must give notice to the nursing facility and must have the consent of any other resident in the same room.

HB 1782 (Effective November 1, 2013) enacts a new law to be codified at 63 O.S. § 1-2506-1 et seq. This allows ‘first responders’ to administer, without prescription, ‘opiate antagonists’ when encountering a person ‘exhibiting signs of an opiate overdose. For purposes of this Act ‘First Responder’ includes

- law enforcement officials
- emergency medical technicians
- firefighters
- medical personnel at secondary schools and institutions of higher education

HB 1361 (Effective November 1, 2013) amends 63 O.S. § 1-740.2 to clarify who is entitled to parental notification of an abortion and the identification required. This amendment also provides that the court in the county in which the pregnant female resides has jurisdiction.

HB 1614 (Effective November 1, 2013) amends 63 O.S. § 1-319, which concerns disinterment. An application for disinterment must now include proof of notice to the owner of the burial space (if other than the applicant) and proof of notice to all surviving adult children of the decedent, if other than the applicant.

HB 1094 (Effective November 1, 2013) enacts a new law to be codified at 63 O.S. § 1-1440 et seq. This law, known as the “Home Bakery Act of 2013) provides that a person operating a ‘home food establishment’ does not have to meet the licensing requirements of the State Health Department. A ‘home food establishment’ may not have gross sales in excess of \$20,000 per year and its ‘prepared food’ may not contain meat products or fresh fruit. The preparer must affix a label with information on the preparer and the statement ‘Made in a home food establishment that is not licensed by the State Department of Health’. Violation is punishable by a fine of up to \$100. The Health Department is allowed to request documents to show

compliance with the provisions of the law, and the law is not intended to affect the ability of counties to enact ordinances which do not conflict with the Act.

HB 1508 (Effective November 1, 2013) amends 63 O.S. § 2-103.1 to expand the ability of OBNDD to issue subpoena's in investigations of 'money laundering and human trafficking' in addition to the already existing authority to issue such subpoena's in investigations of controlled dangerous substances.

Title 65 - Public Libraries

HB 1511 (EMERGENCY! - effective immediately) amends 65 O.S. § 1-105 to further limit access to records of a library 'supported by public funds'. Any such records concerning minors may only be released to persons within the scope of their duties in the administration of the library; persons authorized in writing by the individual to inspect these records; and by order of a court. Any 'suspicious requests for records of minors that may be indicative of criminal intent' shall be reported to law enforcement.

Title 68 - Revenue and Taxation

SB 64 (effective November 1, 2013) enacts a new law to be codified at 68 O.S. § 1624.1. It is unlawful to sell, distribute, ignite, or 'otherwise use' a device known as an 'aerial luminary', which is defined as a 'paper lantern containing a small candle, or other device for fuel, that heats air from inside the lantern causing the lantern to rise into the air and remain airborne until the candle or other device extinguishes'. Violation is punishable under **68 O.S. § 1628** by up to 90 days in jail and/or fine of up to \$1,000. The Act is enforceable by fire marshals, sheriffs, or police.

SB 66 (EMERGENCY! - Effective immediately) amends 68 O.S. § 1623 to allow a 'local governing authority' to inspect fireworks stands.

Title 69 - Roads, Bridges, and Ferries

HB 1759 (Effective November 1, 2013) enacts several new laws containing bridge and road dedications. Those being honored include:

- Maestro Kenneth Kilgore
- LCpl Hatak-Yuka-Keyu Martin Yearby USMC
- Wayne Crusoe
- Director Steven Stokes
- Milton Irwin
- Senator Ed Berrong
- the Great Western Cattle Trail
- Sergeant Bret Daniel Isenhower
- Larry Tomlinson
- Phil Tomlinson

- WWI Choctaw Code Talkers
- Specialist Joshua M. 'Bubba' Seals
- PFC Albert E. Schwab
- Rev. W.T. 'Tommy' Roberts
- Mayor Jon Gumerson
- Bobby D. 'Dirt Dobber' Smith
- Ret. Air Force Major General Albert Lee Logan
- Veterans
- Cost of Freedom
- Coach Rick Gandy
- Tribal Officer Defford Thomas Oyebi, Jr.
- Edna Hennessee
- Colonel Aaron C. Burley

This bill also repeals 69 O.S. 1673, which named the Teddy Lehman Expressway.

Title 70 - Schools

SB 244 (Effective November 1, 2013) amends 70 O.S. § 5-142, concerning background checks on school personnel. With these changes a teacher or substitute teacher applicant is not required to have a record check if the teacher produces a copy of a 'national criminal history record check' completed within the last five years and a letter from the former employer stating that the teacher left in 'good standing'.

HB 1661 (Effective November 1, 2013) makes several changes related to bullying in elementary and secondary schools, as part of the re-named 'School Safety and Bullying Prevention Act'.

-70 O.S. § 24-100.3 is amended to re-define 'bullying' as 'any pattern of harassment, intimidation, threatening behavior, physical acts, verbal or electronic communication' that is directed toward a student or group that is 'reasonably perceived' as being done to 'cause negative educational or physical results for the targeted individual or group' and is 'communicated' so as to 'disrupt or interfere' with education.

-70 O.S. § 24-100.4 is amended to detail School District policy on bullying. The phrase 'prohibit bullying' is changed to 'address' bullying. The policy must now contain a procedure to facilitate anonymous reporting. Any 'school employee' that has 'reliable' information on bullying must report it to the principal. Also contains rules on training school employees, and on publicizing the policy to various interested parties. Requires that 'documented and verified' bullying which may constitute criminal activity or 'endanger school safety' must be reported to law enforcement.

-70 O.S. § 24-100.5 is amended to clarify the membership and actions of the 'Safe School Committee' required for each 'public school site'.

SB 259 (EMERGENCY! - Effective July 1, 2013) amends 70 O.S. § 24-132.1 to require that a 'school authority' shall immediately report to a law enforcement authority the discovery on a minor of any firearm that is 'not otherwise authorized by law to be possessed'. The school is also to report the discovery of a firearm 'upon a student that is not a minor' or on 'any other

person not otherwise authorize by law to possess a firearm on school property (pursuant to **21 O.S. § 1280.1**) and to deliver that firearm or weapon to law enforcement.

SB 315 (effective November 1, 2013) amends 70 O.S. § 3311.5 to require at least 2 hours of instruction in CLEET basic academy in 'recognizing and managing a person experiencing dementia or Alzheimer's disease'.

SB 398 (Effective November 1, 2013) amends 70 O.S. § 3311 to provide that (beginning January 1, 2014) any reserve peace officer who has completed the 240 hour reserve officer certification program, AND who 'has been in active service' as a reserve for the past 2 years, is eligible to attend a 360 hour 'bridge academy' to become full time certified.

This change also requires 'every law enforcement agency employing police or peace officer in this state' to submit to CLEET a complete list of all commissioned employees, including 'a current mailing address and phone number for each employee' no later than October 1 of each year.

A duty is imposed on 'peace officers, reserve peace officers, and tribal peace officers' to maintain 'current residential addresses' with CLEET and to notify the Council, in writing, of any change of address or name. These notices must be made within 10 days of the change. Notices 'shall not be accepted over the phone'.

Also included in this bill is a provision that a peace officer certification may be denied or revoked based upon 'entry of a final order of protection' against the applicant or officer.

SB 408 (Effective November 1, 2013) amends 70 O.S. 3311.4 to change the requirements for 'over five' officers (those full time certified officers who have been inactive for 5 or more years). The 100 hour requirement is removed. Instead, the officer is to complete 'refresher training' as prescribed by CLEET. This change also allows the Director of CLEET to waive these requirements based on a review of the officer's records.

Also enacts a new law to be codified at 70 O.S. 3311.14 to allow the Attorney General (or an assistant attorney general) to carry a firearm on his or her person 'anywhere in this state' but only for 'personal protection'. An 'approved course of firearm training conducted by a certified firearms instructor' and is equal to the 'minimum requirements' as set by CLEET must be completed.

Title 76 - Torts

HB 1009 (effective November 1, 2013) amends 76 O.S. § 10.1 to limit landowner liability and encourage landowners to 'make land available to the public for outdoor recreational purposes' To accomplish this the definition of 'land' is greatly expanded, and the definition of 'outdoor recreational purposes' is expanded to included 'aviation at non-public-use airports' (primarily used by the owner with access to the public as permitted by the owner).