

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2360

6 By: Burns

7 COMMITTEE SUBSTITUTE

8 An Act relating to counties and county officers;
9 amending 19 O.S. 2011, Section 130.7, as amended by
10 Section 1, Chapter 103, O.S.L. 2015 (19 O.S. Supp.
11 2020, Section 130.7), which relates to county
12 government personnel education and training;
13 requiring certain hours of training for county
14 officers; requiring certain training for county
15 officers elected after certain date; requiring
16 certain training for current county officers;
17 requiring certain continuing education; requiring
18 training for county deputies; amending 19 O.S. 2011,
19 Section 166, which relates to forfeiture of travel
20 allowance; providing for forfeiture of monthly travel
21 allowance for failure to complete training
22 requirements; requiring written notification;
23 providing an effective date; and declaring an
24 emergency.

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

SECTION 1. AMENDATORY 19 O.S. 2011, Section 130.7, as
amended by Section 1, Chapter 103, O.S.L. 2015 (19 O.S. Supp. 2020,
Section 130.7), is amended to read as follows:

Section 130.7 A. Each county commissioner, county clerk,
county treasurer, and court clerk ~~holding office on May 11, 1982~~

1 ~~elected or appointed after November 1, 2021, and those elected~~
2 ~~thereafter and the deputies of such elected county officers shall be~~
3 ~~required to participate in the appropriate training programs, as~~
4 ~~defined in subsection B of this section, and educational seminars~~
5 ~~relevant to their positions and duties conducted pursuant to~~
6 ~~Sections 130.1 through 130.7 of this title. In addition, county~~
7 ~~sheriffs and county assessors may attend the training programs~~
8 ~~specified in this section, within ninety (90) days after the general~~
9 ~~election of his or her first term of office, to attend and complete~~
10 ~~the orientation training provided through or approved by the County~~
11 ~~Training Program of the Cooperative Extension Service at Oklahoma~~
12 ~~State University.~~

13 B. ~~Appropriate training programs shall include those programs~~
14 ~~provided by the Cooperative Extension Service at Oklahoma State~~
15 ~~University~~ 1. Each county commissioner, county clerk and county
16 treasurer elected or appointed after November 1, 2021, shall be
17 required to obtain a Basic Certification by the end of his or her
18 first term, an Advanced I Certification by the end of his or her
19 second term, and an Advanced II Certification by the end of his or
20 her third term prescribed by and provided through the County
21 Training Program of the Cooperative Extension Service at Oklahoma
22 State University.

23 2. Each county commissioner, county clerk and county treasurer
24 holding office on November 1, 2021, shall obtain:

- 1 a. Basic Certification by November 1, 2025, if still
2 holding the same office,
- 3 b. Advanced I Certification by November 1, 2029, if still
4 holding the same office, and
- 5 c. Advanced II Certification by November 1, 2033, if
6 still holding the same office.

7 C. At the discretion of the County Training Program of the
8 Cooperative Extension Service at Oklahoma State University, current,
9 approved training hours accumulated through previous terms shall
10 apply toward Basic, Advanced I and Advanced II certifications.

11 D. 1. Each court clerk elected or appointed after November 1,
12 2021, shall complete the required hours to obtain his or her
13 certificate through the County Training Program of the Cooperative
14 Extension Service at Oklahoma State University by the end of his or
15 her first term. Each county assessor and county sheriff elected or
16 appointed after November 1, 2021, shall obtain his or her
17 certificate through the County Training Program of the Cooperative
18 Extension Service at Oklahoma State University by the end of his or
19 her second term. By discretion of the County Training Program of
20 the Cooperative Extension Service at Oklahoma State University,
21 current, approved training hours accumulated through previous terms
22 shall apply toward certificate hours.

23 2. Court clerks holding office November 1, 2021, shall complete
24 the required hours to obtain their certificate through the County

1 Training Program of the Cooperative Extension Service at Oklahoma
2 State University by November 1, 2025, if still holding the same
3 office. Each county assessor and county sheriff holding office on
4 November 1, 2021, shall obtain his or her certificate through the
5 County Training Program of the Cooperative Extension Service at
6 Oklahoma State University by November 1, 2029, if still holding the
7 same office. By discretion of the County Training Program of the
8 Cooperative Extension Service at Oklahoma State University, current,
9 approved training hours accumulated through previous terms shall
10 apply toward certificate hours.

11 E. Upon completion of the requirements in subsections A through
12 D of this section, each county commissioner, county clerk, county
13 treasurer and county court clerk shall be required to attend six (6)
14 hours of continuing education per calendar year through or approved
15 by the County Training Program of the Cooperative Extension Service
16 at Oklahoma State University.

17 F. The deputies of each elected county officer shall
18 participate in the training and educational seminars relevant to
19 their positions and duties.

20 SECTION 2. AMENDATORY 19 O.S. 2011, Section 166, is
21 amended to read as follows:

22 Section 166. A. Failure of a county officer to attend any
23 school, conference or meeting unless excused prior thereto shall
24 cause the county officer to forfeit his or her right to the monthly

1 travel allowance provided by Section 165 of this title for the month
2 in which such school, conference or meeting is held. The directing
3 state officer or agency head shall notify the county clerk of the
4 county of the forfeiture of such county officer.

5 B. Any county commissioner, county treasurer, county clerk,
6 county sheriff or county court clerk who fails to complete the
7 training requirements as outlined in Section 130.7 of this title
8 shall, but not limited to, forfeit his or her right to receive the
9 monthly travel allowance provided by Section 165 of this title or
10 any other penalties authorized by law.

11 C. The County Training Program Director of the Cooperative
12 Extension Service at Oklahoma State University shall send written
13 notification of noncompliance to the county clerk of the county, the
14 board of county commissioners and the State Auditor and Inspector.
15 Upon such notification, the board of county commissioners shall not
16 approve payment of the monthly travel allowance for said county
17 officer. The monthly travel allowance may be reinstated the
18 following month once the county officer becomes compliant with the
19 training requirements. The County Training Program Director of the
20 Cooperative Extension Service shall send written notification to the
21 county clerk of the county, the board of county commissioners and
22 the State Auditor and Inspector when a county officer reestablishes
23 compliance with the training requirements.

1 D. Any county, county officer or deputy may join his or her
2 respective state, national or international association, including
3 but not limited to, the National Association of Counties, the
4 International Association of Assessors and the International
5 Association of Clerks, Recorders, Election Officials and Treasurers.
6 It shall not be mandatory for a county officer or his or her deputy
7 to attend any meeting, school, institute or conference sponsored or
8 held by anyone other than a state officer or agency head, but if
9 funds are available for travel to such meeting, school, institute or
10 conference, either within or outside this state, from funds
11 appropriated for traveling expenses in addition to the monthly
12 travel allowance provided by Section 165 of this title, then it
13 shall be lawful for such traveling expenses to be paid from such
14 travel funds so appropriated to the county officer or his or her
15 deputies.

16 SECTION 3. This act shall become effective July 1, 2021.

17 SECTION 4. It being immediately necessary for the preservation
18 of the public peace, health or safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

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