

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2360

By: Burns of the House

and

Hall of the Senate

7
8
9 COMMITTEE SUBSTITUTE

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

1 Section 130.7 A. Each county commissioner, county clerk,
2 county treasurer, and court clerk ~~holding office on May 11, 1982~~
3 elected or appointed after November 1, 2021, and those elected
4 ~~thereafter and the deputies of such elected county officers shall be~~
5 ~~required to participate in the appropriate training programs, as~~
6 ~~defined in subsection B of this section, and educational seminars~~
7 ~~relevant to their positions and duties conducted pursuant to~~
8 ~~Sections 130.1 through 130.7 of this title. In addition, county~~
9 ~~sheriffs and county assessors may attend the training programs~~
10 specified in this section, within ninety (90) days after the general
11 election of his or her first term of office, to attend and complete
12 the orientation training provided through or approved by the County
13 Training Program of the Cooperative Extension Service at Oklahoma
14 State University.

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

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

3 a. Basic Certification by November 1, 2025, if still
4 holding the same office,

5 b. Advanced I Certification by November 1, 2029, if still
6 holding the same office, and

7 c. Advanced II Certification by November 1, 2033, if
8 still holding the same office.

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

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

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

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

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

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

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1 Section 166. A. Failure of a county officer to attend any
2 school, conference or meeting unless excused prior thereto shall
3 cause the county officer to forfeit his or her right to the monthly
4 travel allowance provided by Section 165 of this title for the month
5 in which such school, conference or meeting is held. The directing
6 state officer or agency head shall notify the county clerk of the
7 county of the forfeiture of such county officer.

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

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

1 the State Auditor and Inspector when a county officer reestablishes
2 compliance with the training requirements.

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

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

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

23 COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT,
24 dated 02/23/2021 - DO PASS, As Amended and Coauthored.