

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2851

By: Wallace

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5
6 AS INTRODUCED

7 An Act relating to investigations; amending 74 O.S.
8 2021, Section 150.2, which relates to the powers and
9 duties of the Oklahoma State Bureau of Investigation;
10 authorizing certain requests for investigations under
11 certain conditions following certain procedures;
12 establishing procedures; authorizing certain
13 discretion; and providing an effective date.

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

15 SECTION 1. AMENDATORY 74 O.S. 2021, Section 150.2, is
16 amended to read as follows:

17 Section 150.2 A. The Oklahoma State Bureau of Investigation
18 shall have the power and duty to:

19 1. Maintain a nationally accredited scientific laboratory to
20 assist all law enforcement agencies in the discovery and detection
21 of criminal activity;

22 2. Maintain fingerprint and other identification files
23 including criminal history records, juvenile identification files,
24 and DNA profiles;

- 1 3. Establish, coordinate and maintain the automated fingerprint
2 identification system (AFIS) and the deoxyribonucleic acid (DNA)
3 laboratory;
- 4 4. Operate teletype, mobile and fixed radio or other
5 communications systems;
- 6 5. Conduct schools and training programs for the agents, peace
7 officers, and technicians of this state charged with the enforcement
8 of law and order and the investigation and detection of crime;
- 9 6. Assist the Director of the Oklahoma State Bureau of
10 Narcotics and Dangerous Drugs Control, the Chief Medical Examiner,
11 and all law enforcement officers and district attorneys when such
12 assistance is requested, in accordance with the policy determined by
13 the Oklahoma State Bureau of Investigation Commission established in
14 Section 150.3 of this title;
- 15 7. Investigate and detect criminal activity when directed to do
16 so by the Governor;
- 17 8. Investigate, detect, institute and maintain actions
18 involving vehicle theft pursuant to Section 150.7a of this title or
19 oil, gas or oil field equipment theft pursuant to Sections 152.2
20 through 152.9 of this title;
- 21 9. Investigate any criminal threat made to the physical safety
22 of elected or appointed officials of this state or any political
23 subdivision of the state and forward the results of that
24 investigation to the Department of Public Safety, and provide

1 security to foreign elected or appointed officials while they are in
2 this state on official business;

3 10. Investigate and detect violations of the Oklahoma Computer
4 Crimes Act;

5 11. Investigate and enforce all laws relating to any crime
6 listed in Section 571 of Title 57 of the Oklahoma Statutes that
7 occurs on the turnpikes;

8 12. Investigate and detect criminal activity involving files,
9 records, assets, properties, buildings or employees of the Oklahoma
10 State Bureau of Investigation. Nothing in this paragraph shall
11 limit or prevent any criminal investigation of the matter by the
12 sheriff of the county or any law enforcement agency of competent
13 jurisdiction; and

14 13. Contract with municipal or county law enforcement agencies
15 to conduct administrative reviews of law enforcement use-of-force
16 investigations for compliance with current investigative procedures,
17 standards and law. All funds received as a result of the contract
18 will be deposited in the OSBI Revolving Fund. Any review of use-of-
19 force investigation shall be done by a certified police officer.

20 B. The Oklahoma State Bureau of Investigation may be requested
21 to investigate homicides in which there is a suspicion of foul play.
22 Any such request shall come directly from law enforcement or others
23 authorized by law to request investigations conducted by the
24 Oklahoma State Bureau of Investigation. If a person having

1 knowledge of the circumstances surrounding the death has a
2 reasonable basis to believe that the death is suspicious in nature,
3 such person may request law enforcement seek assistance from the
4 Oklahoma State Bureau of Investigation. All such requests shall be
5 forwarded to the Oklahoma State Bureau of Investigation at the
6 discretion of the entity who has received such a request.

7 SECTION 2. This act shall become effective November 1, 2023.

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