

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 895

By: Bullard

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6 AS INTRODUCED

7 An Act relating to the Oklahoma Highway Patrol;
8 creating the Oklahoma Highway Patrol Board;
9 establishing appointment of members; authorizing
10 certain removal; providing for certain reimbursement;
11 requiring certain election; stating quorum; requiring
12 first meeting within certain time frame; providing
13 for meetings as necessary; authorizing promulgation
14 of rules; amending 47 O.S. 2021, Section 2-105, as
15 amended by Section 1, Chapter 301, O.S.L. 2022 (47
16 O.S. Supp. 2024, Section 2-105), which relates to
17 personnel of Oklahoma Highway Patrol Division;
18 transferring certain duties from the Commissioner of
19 Public Safety; providing for codification; and
20 providing an effective date.

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

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 2-118.1 of Title 47, unless
24 there is created a duplication in numbering, reads as follows:

25 A. There is hereby created the Oklahoma Highway Patrol Board
26 which shall be the governing board of the Oklahoma Highway Patrol.

27 B. The Board shall consist of nine (9) members appointed as
28 follows:

29 1. Two members appointed by the Governor;

1 2. Two members appointed by the President Pro Tempore of the
2 Senate;

3 3. Two members appointed by the Speaker of the House of
4 Representatives;

5 4. One member appointed by the Oklahoma State Troopers
6 Association;

7 5. One member appointed by the Director of the Oklahoma State
8 Bureau of Investigation; and

9 6. One member appointed by the Council on Law Enforcement
10 Education and Training.

11 C. 1. Each member shall serve at the pleasure of his or her
12 appointing authority and may be removed or replaced without cause.

13 2. Members of the Board shall be reimbursed for travel
14 expenses, as provided in accordance with the State Travel
15 Reimbursement Act.

16 3. The Board shall annually elect from its members a chair,
17 vice chair, and a secretary.

18 4. A quorum shall consist of five (5) members and must be
19 established to carry out official business.

20 5. The Board shall carry out its first meeting within ninety
21 (90) days after the effective date of this act. The Board shall
22 continue to meet as often as necessary to perform necessary duties.

23 D. The Board shall promulgate rules as necessary to effectuate
24 the provisions of this section.

1 SECTION 2. AMENDATORY 47 O.S. 2021, Section 2-105, as
2 amended by Section 1, Chapter 301, O.S.L. 2022 (47 O.S. Supp. 2024,
3 Section 2-105), is amended to read as follows:

4 Section 2-105. A. ~~The Commissioner of Public Safety~~ Oklahoma
5 Highway Patrol Board, subject to the Oklahoma Personnel Act, shall
6 appoint:

7 1. A Chief of the Oklahoma Highway Patrol Division with the
8 rank of Colonel, Deputy Chiefs of the Oklahoma Highway Patrol
9 Division with the rank of Lieutenant Colonel, and subordinate
10 officers and employees of the Oklahoma Highway Patrol Division,
11 including Majors, Captains, Lieutenants, and Highway Patrolmen with
12 the rank of Trooper, who shall comprise the Oklahoma Highway Patrol
13 Division of the Department of Public Safety; provided, any officer
14 appointed to a commissioned position prescribed in this paragraph
15 which is unclassified pursuant to Section 840-5.5 of Title 74 of the
16 Oklahoma Statutes shall have a right of return to the highest
17 previously held classified commissioned position within the Oklahoma
18 Highway Patrol Division of the Department of Public Safety without
19 any loss of rights, privileges or benefits immediately upon
20 completion of the duties in the unclassified commissioned position;

21 2. A Captain, Lieutenants, and Patrolmen who shall comprise the
22 Marine Enforcement Section of the Oklahoma Highway Patrol Division
23 of the Department of Public Safety;

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1 3. A Captain, Lieutenants, and Patrolmen, who shall comprise
2 the Capitol Patrol Section of the Oklahoma Highway Patrol Division
3 of the Department of Public Safety; and

4 4. Communications Coordinators, Communications Superintendents,
5 Communications Supervisors, Communications Dispatchers, Radio
6 Technicians and Tower Maintenance Officers who shall comprise the
7 Communications Division of the Department of Public Safety.

8 B. No person shall be appointed to any position set out in
9 subsection A of this section unless the person is a citizen of the
10 United States and of good moral character. The Commissioner shall
11 determine minimum qualifications for all positions set out in
12 subsection A of this section, provided such qualifications shall
13 include, but are not limited to, the following:

14 1. For commissioned officer positions:

15 a. appointees shall be selected only after examination to
16 determine physical and mental fitness for such
17 positions. The examination criteria shall be
18 prescribed by the Commissioner,

19 b. appointees shall be at least twenty-one (21) years of
20 age but less than forty-six (46) years of age,

21 c. prior to receiving a commission, all such appointees
22 shall satisfactorily complete a course of training in
23 operations and procedures as prescribed by the
24 Commissioner, and

1 d. prior to receiving a commission, all such appointees
2 shall possess an associate's degree or a minimum of
3 sixty-two (62) successfully completed semester hours
4 from an accredited college or university as denoted in
5 the Database of Accredited Postsecondary Institutions
6 and Programs provided by the U.S. Department of
7 Education and whose hours are transferable between
8 such recognized institutions. Prior years of military
9 or law enforcement service shall qualify as a
10 substitute for the educational requirement, up to a
11 maximum of thirty (30) semester hours, for any
12 combination of the following:

13 (1) ten (10) semester hours for each year of
14 honorable service in any active military or
15 reserve military service,

16 (2) ten (10) semester hours for each year the
17 appointee worked as a paid, full-time, CLEET-
18 certified law enforcement officer of a law
19 enforcement agency within the State of Oklahoma,
20 or

21 (3) ten (10) semester hours for each year the
22 appointee worked as a paid, full-time sworn law
23 enforcement officer certified by a state peace
24 officer standards and training agency as a peace
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1 officer in another state, or any officer who has
2 been certified as a federal peace officer by a
3 CLEET-recognized law enforcement agency; and

4 2. Any person appointed to a position in the Communications
5 Division shall be at least eighteen (18) years of age and shall
6 possess a high school diploma or General Educational Development
7 equivalency certificate.

8 C. 1. Upon initial appointment to the position of Cadet
9 Highway Patrolman or Probationary Communications Dispatcher, the
10 appointed employee shall be required to serve an initial
11 probationary period of twelve (12) months. The Commissioner may
12 extend the probationary period for up to three (3) additional months
13 provided that the employee and the Office of Management and
14 Enterprise Services are notified in writing as to such action and
15 the reasons thereof. During such probationary period, the employee
16 may be terminated at any time and for any reason at the discretion
17 of the Commissioner. Retention in the service after expiration of
18 the initial probationary period shall entitle such employee to be
19 classified as a permanent employee and the employee shall be so
20 classified. No permanent employee may be discharged or removed
21 except as provided for in this section.

22 2. A commissioned officer of the Oklahoma Highway Patrol
23 Division may be promoted during the initial probationary period if
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1 such officer satisfactorily completes all training requirements
2 prescribed by the Commissioner.

3 D. 1. No commissioned officer of the Department shall be a
4 candidate for any political office or take part in or contribute any
5 money or other thing of value, directly or indirectly, to any
6 political campaign or to any candidate for public office. Anyone
7 convicted of violating the provisions of this paragraph shall be
8 guilty of a misdemeanor and shall be punished as provided by law.

9 2. No commissioned officer of the Department, while in the
10 performance of the officer's assigned duty of providing security and
11 protection, shall be considered as participating in a political
12 campaign. The provisions of this paragraph shall not be construed
13 to preclude a commissioned officer of the Oklahoma Highway Patrol
14 Division of the Department of Public Safety from being a candidate
15 for a position on a local board of education.

16 3. The Commissioner or any employee of the Department shall not
17 be a candidate for any political office, or in any way be active or
18 participate in any political contest of any Primary, General, or
19 Special Election, except to cast a ballot.

20 E. Drunkenness or being under the influence of intoxicating
21 substances shall be sufficient grounds for the removal of any
22 commissioned officer of the Department, as provided for in this
23 section.

1 F. 1. No permanent employee, as provided for in this section,
2 who is a commissioned officer of the Department, may be suspended
3 without pay or dismissed unless the employee has been notified in
4 writing by the Commissioner of such intended action and the reasons
5 thereof. No such notice shall be given by the Commissioner unless
6 sworn charges or statements have been obtained to justify the
7 action.

8 2. Whenever such charges are preferred, the Commissioner may
9 suspend the accused pending the hearing and final determination of
10 such charges. If the charges are not sustained in whole or in part,
11 the accused shall be entitled to pay during the period of such
12 suspension. If the charges are sustained in whole or in part, the
13 accused shall not receive any pay for the period of such suspension.

14 3. Commissioned officers of the Department of Public Safety are
15 not entitled to appeal intra-agency transfer to the Oklahoma Merit
16 Protection Commission pursuant to the Oklahoma Personnel Act unless
17 the transfer is in violation of Section 840-2.5 or 840-2.9 of Title
18 74 of the Oklahoma Statutes.

19 4. The Department of Public Safety shall follow the uniform
20 grievance procedure established and adopted by the Office of
21 Management and Enterprise Services for permanent classified
22 employees, except for those employees who are commissioned officers
23 of the Department. The Department of Public Safety shall establish
24 and adopt a proprietary grievance procedure for commissioned

1 officers of the Department which is otherwise in compliance with the
2 provisions of Section 840-6.2 of Title 74 of the Oklahoma Statutes.

3 G. 1. The Commissioner is hereby authorized to purchase and
4 issue uniforms and necessary equipment for all commissioned officers
5 of the Oklahoma Highway Patrol Division of the Department. All
6 uniforms and equipment shall be used only in the performance of the
7 official duties of such officers and shall remain the property of
8 the Department, except as provided in Section 2-150 of this title.

9 2. Each commissioned officer of the Highway Patrol Division of
10 the Department of Public Safety shall be entitled to reimbursement
11 of expenses pursuant to the State Travel Reimbursement Act while
12 away from the assigned area of the officer as designated by the
13 Chief of the Oklahoma Highway Patrol Division, when such expense is
14 incurred in the service of the state.

15 H. 1. The positions with the rank of Colonel and Lieutenant
16 Colonel of the Oklahoma Highway Patrol Division shall be filled from
17 the body of commissioned officers of the Oklahoma Highway Patrol
18 Division and appointment to said positions shall be based on
19 qualifications, previous record as a commissioned officer of the
20 Oklahoma Highway Patrol Division, length of service, years of
21 experience within the Oklahoma Highway Patrol Division or other
22 service as prescribed in this subsection, and efficiency of service
23 performed.

1 2. In addition to the requirements of paragraph 1 of this
2 subsection, the position of Chief of the Oklahoma Highway Patrol
3 Division shall be based on one of the following:

4 a. one (1) year of experience in any combination:

5 (1) as Commissioner of Public Safety,

6 (2) as Assistant Commissioner of Public Safety, or

7 (3) as Assistant Chief,

8 b. two (2) years of experience in any combination:

9 (1) as Deputy Chief or higher rank, or

10 (2) if the experience was prior to April 21, 2006, as
11 Major or higher rank,

12 c. four (4) years of experience in any combination:

13 (1) as Major or higher rank, or

14 (2) if the experience was prior to April 21, 2006, as
15 Captain or higher rank, or

16 d. six (6) years of experience in any combination:

17 (1) as Captain or higher rank, or

18 (2) if the experience was prior to April 21, 2006, as
19 First Lieutenant or higher rank.

20 3. In addition to the requirements of paragraph 1 of this
21 subsection, the position of Deputy Chief of the Oklahoma Highway
22 Patrol Division shall be based on one of the following:

23 a. one (1) year of experience in any combination:

24 (1) as Commissioner of Public Safety,

1 (2) as Assistant Commissioner of Public Safety, or

2 (3) as Colonel,

3 b. two (2) years of experience in any combination:

4 (1) as Major or higher rank, or

5 (2) if the experience was prior to April 21, 2006, as
6 Captain or higher rank, or

7 c. four (4) years of experience in any combination:

8 (1) as Captain or higher rank, or

9 (2) if the experience was prior to April 21, 2006, as
10 Highway Patrol First Lieutenant or higher rank.

11 I. The Commissioner of Public Safety is hereby authorized to
12 send employees of the Department of Public Safety to schools such as
13 Northwestern University Center for Public Safety, Southern Police
14 Institute, the FBI National Academy, the Institute of Police
15 Technology and Management, or to any other schools of similar
16 training which would be conducive to improving the efficiency of the
17 Oklahoma Highway Patrol Division and the Department of Public
18 Safety. While an employee is attending a school, the Commissioner
19 is authorized to permit the employee to use a state-owned vehicle
20 and to use a fuel-purchasing card for any expenses related to the
21 operation of the vehicle. In addition, while an employee is
22 attending the FBI National Academy, a one-time expense allowance of
23 Two Thousand Dollars (\$2,000.00) for uniforms, fees, travel, room
24 and board, and other related expenses shall be paid to the employee

1 by the Department; provided, the employee shall not be further
2 compensated through the State Travel Reimbursement Act, and, if any
3 other agency reimburses the employee for any expenses, the
4 reimbursement shall be given to the Department. All purchases made
5 by the employee with the expense allowance shall be considered
6 property of the employee.

7 J. 1. Any former commissioned officer of the Department whose
8 separation from the Department was at such officer's own request and
9 not a result of such officer's own actions contrary to the policy of
10 the Department or was not as a result of the retirement of that
11 officer from the Department may make application for reinstatement
12 as a commissioned officer of the division or section of the
13 Department in which such officer was previously employed, provided
14 such reinstated officer will be able to complete twenty (20) years
15 of credited service by the time the reinstated officer reaches
16 sixty-two (62) years of age. The Commissioner may waive the
17 requirements of possessing the number of semester hours or degree as
18 required in subsection B of this section for any former commissioned
19 officer making application for reinstatement as a commissioned
20 officer of the Department. The Commissioner may require the
21 applicant for reinstatement to attend selected courses of
22 instruction, as prescribed by the Commissioner.

23 2. In the event of future hostilities wherein the Congress of
24 the United States declares this nation in a state of war with a

1 foreign nation, including military service brought about by the
2 Vietnam War, any period of military service served by a commissioned
3 officer of the Department shall be considered as continued service
4 with such Department, provided such commissioned officer returns to
5 duty with the Department within sixty (60) days after release from
6 military service.

7 SECTION 3. This act shall become effective November 1, 2025.

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