ENGROSSED SENATE
BILL NO. 947

By: Leftwich of the Senate

and

Paulk of the House

An Act relating to the alarm industry; amending 59 O.S. 1991, Section 1800.16, which relates to penalties for violation of the Alarm Industry Act; deleting provisions relating to rules; providing for administrative fine; requiring hearing and setting maximum amounts; requiring deposit of fines in Alarm Industry Revolving Fund; granting certain rule-making authority; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 1991, Section 1800.16, is amended to read as follows:

Section 1800.16 A. Any individual or person who is found to be in violation of the provisions of the Alarm Industry Act ~~or of the rules and regulations adopted by the State Board of Health in administration of the Alarm Industry Act~~, upon conviction, shall be guilty of a misdemeanor and shall be punished by confinement in the county jail for a period not to exceed one (1) year or by the imposition of a fine not to exceed Five Hundred Dollars ($500.00), or by both such imprisonment and fine.

B. 1. In addition to any other penalties provided by law, if after a hearing in accordance with Article II of the Administrative Procedures Act, the Commissioner of Health finds any person to be in violation of any of the provisions of the Alarm Industry Act or the rules promulgated pursuant thereto, the person may be subject to an administrative fine of not more than Five Hundred Dollars ($500.00) for each violation. Each day a person is in violation may constitute a separate violation. The maximum fine shall not exceed One Thousand Dollars ($1,000.00).

2. All administrative fines collected pursuant to the provisions of this subsection shall be deposited in the Alarm Industry Revolving Fund.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1800.17 of Title 59, unless there is created a duplication in numbering, reads as follows:

The State Board of Health is hereby authorized to promulgate, adopt, amend, and repeal rules consistent with the provisions of the Alarm Industry Act for the purpose of governing the establishment and levying of administrative fines and the examination and licensure of alarm companies, managers, technicians, and salespersons.

SECTION 3. This act shall become effective November 1, 1996.

Passed the Senate the 26th day of February, 1996.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1996.

Speaker of the House of Representatives