

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 3343

By: Christian of the House

and

Barrington of the Senate

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9 CONFERENCE COMMITTEE SUBSTITUTE

10 An Act relating to professions and occupations;
11 amending 59 O.S. 2001, Section 1750.6, as last
12 amended by Section 4, Chapter 360, O.S.L. 2007 (59
13 O.S. Supp. 2009, Section 1750.6), which relates to
14 the Oklahoma Security Guard and Private Investigator
15 Act; increasing fee amount for original, renewal and
16 duplicate licenses; increasing time period for which
17 licenses are valid; requiring portion of certain fees
18 be deposited into certain fund; creating the CLEET
19 Private Security Revolving Fund; providing for
20 funding; stating purpose of fund; providing for
21 codification; and providing an effective date.

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

23 SECTION 1. AMENDATORY 59 O.S. 2001, Section 1750.6, as
24 last amended by Section 4, Chapter 360, O.S.L. 2007 (59 O.S. Supp.
2009, Section 1750.6), is amended to read as follows:

Section 1750.6 A. 1. Application for a license shall be made
on forms provided by the Council on Law Enforcement Education and
Training and shall be submitted in writing by the applicant under

1 oath. The application shall require the applicant to furnish
2 information reasonably required by the Council to implement the
3 provisions of the Oklahoma Security Guard and Private Investigator
4 Act, including classifiable fingerprints to enable the search of
5 criminal indices for evidence of a prior criminal record, including,
6 but not limited to, a national criminal history record check as
7 defined by Section 150.9 of Title 74 of the Oklahoma Statutes.

8 2. Upon request of the Council, the Oklahoma State Bureau of
9 Investigation and other state and local law enforcement agencies
10 shall furnish a copy of any existent criminal history data relating
11 to an applicant, including investigation reports which are otherwise
12 required by law to be deemed confidential, to enable the Council to
13 determine the qualifications and fitness of such applicant for a
14 license.

15 B. 1. a. ~~The~~ Beginning November 1, 2010, the original
16 application and any license renewal shall be
17 accompanied by a fee of ~~Twenty-five Dollars (\$25.00)~~
18 Fifty Dollars (\$50.00) for each original application
19 and renewal of a private investigator or an unarmed
20 security guard, ~~Fifty Dollars (\$50.00)~~ One Hundred
21 Dollars (\$100.00) for each original application and
22 renewal of an armed security guard or an armed private
23 investigator; provided however, an active certified
24 peace officer upon application or renewal of an armed

1 security guard or armed private investigator shall be
2 charged only twenty percent (20%) of the required fee,
3 Seven Dollars (\$7.00) for each special event license,
4 and ~~Two Hundred Dollars (\$200.00)~~ Three Hundred Dollars
5 (\$300.00) for either the original application or each
6 renewal for a security agency or investigative agency.
7 If an individual or agency does not qualify for the
8 type of license or renewal license requested, CLEET
9 shall retain twenty percent (20%) of the licensing fee
10 as a processing fee and refund the remaining amount, if
11 any, to the individual or agency submitting payment.
12 The individual license fee paid by a licensed agency
13 will be refunded to the agency.

14 b. In addition to the fees provided in this subsection,
15 the original application of an unarmed private
16 investigator, unarmed security guard ~~or~~, armed
17 security guard or armed private investigator shall be
18 accompanied by a nonrefundable fee for a national
19 criminal history record with fingerprint analysis, as
20 provided in Section 150.9 of Title 74 of the Oklahoma
21 Statutes.

22 2. A licensee whose license has been suspended may apply for
23 reinstatement of license after the term of the suspension has
24 passed. Any application for reinstatement following a suspension of

1 licensure shall be accompanied by a nonrefundable fee of Twenty-five
2 Dollars (\$25.00) for the reinstatement of a private investigator or
3 unarmed security guard, Fifty Dollars (\$50.00) for the reinstatement
4 of an armed security guard or armed private investigator, and Two
5 Hundred Dollars (\$200.00) for reinstatement of a security or
6 investigative agency.

7 3. A licensee who fails to file a renewal application on or
8 before the expiration of a license shall pay a late fee of Twenty-
9 five Dollars (\$25.00) for an individual license and a late fee of
10 One Hundred Dollars (\$100.00) for an agency license.

11 4. ~~Except as~~ The fees charged and collected pursuant to the
12 provisions of paragraph 1 of this subsection shall be apportioned
13 and deposited to the credit of the CLEET Private Security Revolving
14 Fund created pursuant to Section 2 of this act, as follows:

15 a. Twenty-five Dollars (\$25.00) of the fee charged for an
16 original application or license renewal of a private
17 investigator or an unarmed security guard,

18 b. Fifty Dollars (\$50.00) of the fee charged for an
19 original application or license renewal of an armed
20 security guard or an armed private investigator, and

21 c. One Hundred Dollars (\$100.00) of the fee charged for
22 an original or renewal application for a security
23 agency or investigative agency.

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1 Unless otherwise provided specified in this subsection, ~~the~~ all
2 remaining fees, penalties, and fines shall be deposited in the
3 General Revenue Fund. The prevailing fingerprint processing fee for
4 the original application for a private investigator, an unarmed
5 security guard, ~~or~~ an armed security guard or an armed private
6 investigator shall be deposited in the OSBI Revolving Fund.

7 C. A Beginning November 1, 2010, a Security Guard License,
8 Armed Security Guard License, ~~or~~ Private Investigator License, or
9 Armed Private Investigator License shall be valid for a period of
10 ~~two (2)~~ three (3) years and may be renewed for additional ~~two-year~~
11 three-year terms. A Security Agency License or Investigative Agency
12 License shall be valid for a period of five (5) years and may be
13 renewed for additional five-year terms. A special event license
14 shall be valid only for the duration of the event for which it is
15 expressly issued. Any individual may be issued up to two special
16 event licenses during any calendar year.

17 D. The Council shall devise a system for issuance of licenses
18 for the purpose of evenly distributing the expiration dates of the
19 licenses.

20 E. Pursuant to its rules, the Council may issue a duplicate
21 license to a person licensed pursuant to the provisions of the
22 Oklahoma Security Guard and Private Investigator Act. The Beginning
23 November 1, 2010, the Council may assess a fee of ~~Four Dollars~~
24 ~~(\$4.00)~~ Eight Dollars (\$8.00) for the issuance of a duplicate

1 license. The fee must accompany the request for a duplicate
2 license. Four Dollars (\$4.00) of the fee collected for the issuance
3 of a duplicate license shall be deposited to the credit of the CLEET
4 Private Security Revolving Fund created pursuant to Section 2 of
5 this act.

6 SECTION 2. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 3311.12 of Title 70, unless
8 there is created a duplication in numbering, reads as follows:

9 There is hereby created in the State Treasury a revolving fund
10 for the Council on Law Enforcement Education and Training to be
11 designated the "CLEET Private Security Revolving Fund". The fund
12 shall be a continuing fund, not subject to fiscal year limitations,
13 and shall consist of all monies received by the Council on Law
14 Enforcement Education and Training from the issuance of licenses to
15 security guards, security guard agencies, private investigators and
16 private investigative agencies. All monies accruing to the credit
17 of said fund are hereby appropriated and may be budgeted and
18 expended by the Council on Law Enforcement Education and Training
19 for the purpose of fulfilling all statutory obligations pursuant to
20 the provisions of the Oklahoma Security Guard and Private
21 Investigator Act and providing training and education programs for
22 security guards, security guard agencies, private investigators and
23 private investigative agencies. Expenditures from said fund shall
24 be made upon warrants issued by the State Treasurer against claims

1 filed as prescribed by law with the Director of State Finance for
2 approval and payment.

3 SECTION 3. This act shall become effective November 1, 2010.

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