

ENROLLED HOUSE  
BILL NO. 3343

By: Christian of the House

and

Barrington of the Senate

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 1750.6, as last amended by Section 4, Chapter 360, O.S.L. 2007 (59 O.S. Supp. 2009, Section 1750.6), which relates to the Oklahoma Security Guard and Private Investigator Act; increasing fee amount for original, renewal and duplicate licenses; increasing time period for which licenses are valid; requiring portion of certain fees be deposited into certain fund; creating the CLEET Private Security Revolving Fund; providing for funding; stating purpose of fund; 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. 2001, Section 1750.6, as 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 oath. The application shall require the applicant to furnish information reasonably required by the Council to implement the provisions of the Oklahoma Security Guard and Private Investigator Act, including classifiable fingerprints to enable the search of criminal indices for evidence of a prior criminal record, including, but not limited to, a national criminal history record check as defined by Section 150.9 of Title 74 of the Oklahoma Statutes.

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

B. 1. a. ~~The Beginning~~ November 1, 2010, the original application and any license renewal shall be accompanied by a fee of ~~Twenty five Dollars (\$25.00)~~ Fifty Dollars (\$50.00) for each original application and renewal of a private investigator or an unarmed security guard, ~~Fifty Dollars (\$50.00)~~ One Hundred Dollars (\$100.00) for each original application and renewal of an armed security guard or an armed private investigator; provided however, an active certified peace officer upon application or renewal of an armed security guard or armed private investigator shall be charged only twenty percent (20%) of the required fee, Seven Dollars (\$7.00) for each special event license, and ~~Two Hundred Dollars (\$200.00)~~ Three Hundred Dollars (\$300.00) for either the original application or each renewal for a security agency or investigative agency. If an individual or agency does not qualify for the type of license or renewal license requested, CLEET shall retain twenty percent (20%) of the licensing fee as a processing fee and refund the remaining amount, if any, to the individual or agency submitting payment. The individual license fee paid by a licensed agency will be refunded to the agency.

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

2. A licensee whose license has been suspended may apply for reinstatement of license after the term of the suspension has passed. Any application for reinstatement following a suspension of licensure shall be accompanied by a nonrefundable fee of Twenty-five

Dollars (\$25.00) for the reinstatement of a private investigator or unarmed security guard, Fifty Dollars (\$50.00) for the reinstatement of an armed security guard or armed private investigator, and Two Hundred Dollars (\$200.00) for reinstatement of a security or investigative agency.

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

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

- a. Twenty-five Dollars (\$25.00) of the fee charged for an original application or license renewal of a private investigator or an unarmed security guard,
- b. Fifty Dollars (\$50.00) of the fee charged for an original application or license renewal of an armed security guard or an armed private investigator, and
- c. One Hundred Dollars (\$100.00) of the fee charged for an original or renewal application for a security agency or investigative agency.

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

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

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

E. Pursuant to its rules, the Council may issue a duplicate license to a person licensed pursuant to the provisions of the Oklahoma Security Guard and Private Investigator Act. The Beginning November 1, 2010, the Council may assess a fee of ~~Four Dollars~~ ~~(\$4.00)~~ Eight Dollars (\$8.00) for the issuance of a duplicate license. The fee must accompany the request for a duplicate license. Four Dollars (\$4.00) of the fee collected for the issuance of a duplicate license shall be deposited to the credit of the CLEET Private Security Revolving Fund created pursuant to Section 2 of this act.

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

There is hereby created in the State Treasury a revolving fund for the Council on Law Enforcement Education and Training to be designated the "CLEET Private Security Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Council on Law Enforcement Education and Training from the issuance of licenses to security guards, security guard agencies, private investigators and private investigative agencies. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Council on Law Enforcement Education and Training for the purpose of fulfilling all statutory obligations pursuant to the provisions of the Oklahoma Security Guard and Private Investigator Act and providing training and education programs for security guards, security guard agencies, private investigators and private investigative agencies. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

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

Passed the House of Representatives the 28th day of May, 2010.

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Presiding Officer of the House of  
Representatives

Passed the Senate the 28th day of May, 2010.

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Presiding Officer of the Senate