

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2349

By: McNiel

4
5
6 AS INTRODUCED

7 An Act relating to professions and occupations;
8 amending 59 O.S. 2011, Sections 1750.1, 1750.2,
9 1750.2A, 1750.3, 1750.4, 1750.4a, 1750.5, 1750.6,
10 1750.7, 1750.9, 1750.10 and 1750.11, which relate to
11 the Oklahoma Security Guard and Private Investigator
12 Act; defining term; expanding to include regulation
13 of bouncers; amending 70 O.S. 2011, Sections 3311 and
14 3311.13, which relate to schools; updating title of
15 act; amending 74 O.S. 2011, Section 360.19, which
16 relates to state government; updating title of act;
17 and providing an effective date.

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

19 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1750.1, is
20 amended to read as follows:

21 Section 1750.1 This act shall be known and may be cited as the
22 "Oklahoma Security Guard ~~and,~~ Private Investigator and Bouncer Act".

23 SECTION 2. AMENDATORY 59 O.S. 2011, Section 1750.2, is
24 amended to read as follows:

Section 1750.2 As used in the Oklahoma Security Guard ~~and,~~
Private Investigator and Bouncer Act:

1 1. "Bouncer" means a person who is employed by an agency,
2 private business or person to work in a bar, nightclub or similar
3 establishment to provide security and eject disorderly persons;

4 2. "Client" means any person or legal entity having a contract
5 with a person or entity licensed pursuant to the Oklahoma Security
6 Guard ~~and~~, Private Investigator and Bouncer Act, which contract
7 authorizes services to be performed in return for financial or other
8 considerations;

9 ~~2.~~ 3. "Council" means the Council on Law Enforcement Education
10 and Training;

11 ~~3.~~ 4. "License" means authorization issued by the Council
12 pursuant to the Oklahoma Security Guard ~~and~~, Private Investigator
13 and Bouncer Act permitting the holder to perform the functions of a
14 bouncer, security guard, armed security guard, private investigator,
15 investigative agency, or security agency;

16 ~~4.~~ 5. "Private investigator" means a person who is self-
17 employed, or contracts with, or is employed by an investigative
18 agency for the purpose of conducting a private investigation and
19 reporting the results to the employer or client of the employer
20 relating to:

- 21 a. potential or pending litigation, civil, or criminal,
- 22 b. divorce or other domestic investigations,
- 23 c. missing persons or missing property, or
- 24 d. other lawful investigations, but shall not include:

- 1 (1) a person authorized or employed by the United
2 States Government, any state government, or any
3 agency, department, or political subdivision
4 thereof while engaged in the performance of
5 official duties,
- 6 (2) a person or employee of a firm, corporation or
7 other legal entity engaged exclusively in a
8 profession licensed by any board, commission,
9 department or court of this state, or
- 10 (3) a bona fide, salaried, full-time employee of a
11 firm, corporation or other legal entity not in
12 the primary business of soliciting and providing
13 private investigations, who conducts
14 investigations that are exclusive to and
15 incidental to the primary business of said firm,
16 corporation or entity, and when the costs of such
17 investigations are not charged directly back to
18 the particular client or customer who directly
19 benefits from the investigation;

20 ~~5.~~ 6. "Armed private investigator" means a private investigator
21 authorized to carry a firearm;

22 ~~6.~~ 7. "Security agency" means a person, firm, corporation, or
23 other private legal entity in the business of bouncer services,
24 security guard services or armed security guards for hire;

1 ~~7.~~ 8. "Security guard" means an individual contracting with or
2 employed by a security agency, private business or person to prevent
3 trespass, theft, misappropriation, wrongful concealment of
4 merchandise, goods, money or other tangible items, or engaged as a
5 bodyguard or as a private watchman to protect persons or property,
6 but shall not include:

7 a. for individuals operating unarmed, any person employed
8 as a private watchman or security guard by one
9 employer only in connection with the affairs of such
10 employer where there exists an employer-employee
11 relationship,

12 b. a full-time certified peace officer of the United
13 States, this state, or any political subdivision of
14 either,

15 (1) while such peace officer is engaged in the
16 performance of his or her official duties within
17 the course and scope of his or her employment
18 with the United States, this state, or any
19 political subdivision of either,

20 (2) while such peace officer is engaged in the
21 performance of his or her duties as a railroad
22 police officer,

23 (3) who receives compensation for private employment
24 on an individual or an individual independent

1 contractual basis as a patrolman, guard, or
2 watchman if such person is employed in an
3 employer-employee relationship or is employed on
4 an individual contractual basis, or

5 (4) who receives compensation from an employer-
6 employee relationship or an individual
7 independent contractor basis with any licensed
8 security agency as defined in this section or any
9 private business or person to perform security or
10 investigative services,

11 c. any person whose terms of employment as a security
12 guard are governed by a collective bargaining
13 agreement on May 9, 1989, and

14 d. any person who is employed as a full-time security
15 guard by a financial institution on May 9, 1989;

16 ~~8.~~ 9. "Armed security guard" means a security guard authorized
17 to carry a firearm;

18 ~~9.~~ 10. "Investigative agency" means a self-employed private
19 investigator, a firm, a corporation, or other private legal entity
20 in the business of soliciting the business of private investigation
21 and/or providing private investigations and investigators;

22 ~~10.~~ 11. "Special event" means a public activity in the form of
23 an athletic contest, charity event, exposition or similar event that
24 occurs only on an annual or noncontinuing basis; and

1 ~~11.~~ 12. "Special event license" means a temporary license
2 issued pursuant to the Oklahoma Security Guard ~~and,~~ Private
3 Investigator and Bouncer Act which restricts the license holder to
4 employment as a security guard only for the duration of a particular
5 event.

6 SECTION 3. AMENDATORY 59 O.S. 2011, Section 1750.2A, is
7 amended to read as follows:

8 Section 1750.2A Any person violating or failing to comply with
9 the provisions of the Oklahoma Security Guard ~~and,~~ Private
10 Investigator and Bouncer Act may be enjoined from such violations or
11 required to comply with such provisions by any district court of
12 competent jurisdiction. The Council on Law Enforcement Education
13 and Training or the Attorney General may apply for an order
14 enjoining such violation or enforcing compliance with this act.
15 Upon the filing of a verified petition with the court, the court, if
16 satisfied by the affidavit or otherwise that the person has violated
17 this act, may issue a temporary injunction enjoining such continued
18 violation. In case of violation of any order or decree issued by
19 court, the offender may be held in contempt of court. Proceedings
20 under this section shall be in addition to all other remedies and
21 penalties provided by law.

22 SECTION 4. AMENDATORY 59 O.S. 2011, Section 1750.3, is
23 amended to read as follows:

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1 Section 1750.3 A. The director of the Council on Law
2 Enforcement Education and Training, and any staff member designated
3 by the director, shall have all the powers and authority of peace
4 officers of this state for the purposes of enforcing the provisions
5 of the Oklahoma Security Guard ~~and~~, Private Investigator and Bouncer
6 Act, and all other duties which are or may be conferred upon the
7 Council by the Oklahoma Security Guard ~~and~~, Private Investigator and
8 Bouncer Act. The powers and duties conferred on the director or any
9 staff member appointed by the director as a peace officer shall not
10 limit the powers and duties of other peace officers of this state or
11 any political subdivision thereof. The director, or any staff
12 member appointed by the director as a peace officer shall, upon
13 request, assist any federal, state, county, or municipal law
14 enforcement agency.

15 B. The Council on Law Enforcement Education and Training shall
16 have the following powers and duties:

17 1. To promulgate rules to carry out the purposes of the
18 Oklahoma Security Guard ~~and~~, Private Investigator and Bouncer Act;

19 2. To establish and enforce standards governing the training of
20 persons required to be licensed pursuant to the Oklahoma Security
21 Guard ~~and~~, Private Investigator and Bouncer Act with respect to:

22 a. issuing, denying, or revoking certificates of approval
23 to security training schools, and programs
24

1 administered by the state, a county, a municipality, a
2 private corporation, or an individual,

3 b. certifying instructors at approved security training
4 schools,

5 c. establishing minimum requirements for security
6 training schools and periodically reviewing these
7 standards, and

8 d. providing for periodic inspection of all security
9 training schools or programs;

10 3. To establish minimum curriculum requirements for training as
11 the Council may require for bouncers, security guards, armed
12 security guards, and private investigators. Training requirements
13 for bouncers and unarmed security guards shall not exceed forty (40)
14 hours of instruction;

15 4. To establish minimum requirements for a mandatory continuing
16 education program for all licensed bouncers, private investigators
17 and security guards which shall include, but not be limited to:

18 a. establishing a designated minimum number of clock
19 hours of required attendance, not to exceed twenty-
20 four (24) clock hours during the licensing period, at
21 accredited educational functions,

22 b. establishing the penalties to be imposed upon a
23 licensee for failure to comply with the continuing
24 education requirements,

1 c. designating the Private Security Advisory Committee to
2 assist the Council in establishing the criteria for
3 determining the qualifications of proposed continuing
4 education programs that would be submitted to the
5 Council for accreditation to meet this requirement,
6 and

7 d. providing that the expense of such continuing
8 education shall be paid by the licensee participating
9 therein;

10 5. To grant a waiver of any training requirement, except
11 firearms training which shall be required for an armed security
12 guard license, if the applicant has completed not less than one (1)
13 year of full-time employment as a bouncer, security guard, armed
14 security guard, private investigator, or law enforcement officer
15 within a three-year period immediately preceding the date of
16 application and the applicant provides sufficient documentation
17 thereof as may be required by the Council;

18 6. To grant an applicant credit for fulfilling any prescribed
19 course or courses of training, including firearms training, upon
20 submission of acceptable documentation of comparable training. The
21 Council may grant or refuse any such credit at its discretion;

22 7. To issue the licenses and identification cards provided for
23 in the Oklahoma Security Guard ~~and~~, Private Investigator and Bouncer
24 Act;

1 8. To investigate alleged violations of the Oklahoma Security
2 Guard ~~and~~, Private Investigator and Bouncer Act or rules relating
3 thereto and to deny, suspend, or revoke licenses and identification
4 cards if necessary, or to issue notices of reprimand to licensees
5 with or without probation under rules to be prescribed by the
6 Council;

7 9. To investigate alleged violations of the Oklahoma Security
8 Guard ~~and~~, Private Investigator and Bouncer Act by persons not
9 licensed pursuant to such act and to impose administrative sanctions
10 pursuant to rules or to seek an injunction pursuant to Section
11 1750.2A of this title;

12 10. To provide all forms for applications, identification
13 cards, and licenses required by the Oklahoma Security Guard ~~and~~,
14 Private Investigator and Bouncer Act;

15 11. To enter into reciprocal agreements with officials of other
16 states;

17 12. To immediately suspend a license if a licensee's actions
18 present a danger to the licensee or to the public; and

19 13. To require additional testing for continuation or
20 reinstatement of a license if a licensee exhibits an inability to
21 exercise reasonable judgment, skill, or safety.

22 SECTION 5. AMENDATORY 59 O.S. 2011, Section 1750.4, is
23 amended to read as follows:

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1 Section 1750.4 ~~On and after January 1, 1988, no~~ No person may
2 be employed or operate as a bouncer, security guard, private
3 investigator, security agency, or investigative agency until a
4 license therefor has been issued by the Council on Law Enforcement
5 Education and Training pursuant to the Oklahoma Security Guard ~~and,~~
6 Private Investigator and Bouncer Act.

7 SECTION 6. AMENDATORY 59 O.S. 2011, Section 1750.4a, is
8 amended to read as follows:

9 Section 1750.4a ~~On and after July 1, 1988, no~~ No person may be
10 employed or operate as an armed security guard until a license
11 therefor has been issued by the Council on Law Enforcement Education
12 and Training pursuant to the Oklahoma Security Guard ~~and,~~ Private
13 Investigator and Bouncer Act.

14 SECTION 7. AMENDATORY 59 O.S. 2011, Section 1750.5, is
15 amended to read as follows:

16 Section 1750.5 A. Licenses authorized to be issued by the
17 Council on Law Enforcement Education and Training (CLEET) shall be
18 as follows:

- 19 1. Security Agency License;
- 20 2. Investigative Agency License;
- 21 3. Private Investigator License (unarmed);
- 22 4. Security Guard License (unarmed);
- 23 5. Armed Security Guard License;
- 24 6. Special Event License (unarmed); ~~and~~

1 7. Armed Private Investigator License; and

2 8. Bouncer License.

3 B. Any qualified applicant meeting the requirements for more
4 than one of the positions of bouncer, private investigator, security
5 guard, or armed security guard may be issued a separate license for
6 each position for which qualified, or in the discretion of the
7 Council, a combination license provided the required license fees
8 are paid.

9 C. 1. A private investigator may carry a firearm, if the
10 private investigator also performs the functions of an armed
11 security guard, under the authority of the armed security guard
12 license.

13 2. If the private investigator performs no functions of an
14 armed security guard, the Council may issue an armed private
15 investigator license. The applicant for an armed private
16 investigator license must complete Phase I, III and IV training and
17 pass the psychological examination and state test; provided however,
18 active certified peace officers and retired certified peace officers
19 shall be exempt from the psychological examination as provided in
20 Section 1750.3A of this title, and active certified peace officers
21 of any state, county or municipal law enforcement agency in this
22 state shall be exempt from the Phase I, III and IV training and
23 state test for an armed private investigator. The Council will
24 charge the same fee for the armed private investigators license as

1 the cost of the armed security guard license; provided however, an
2 active certified peace officer who is an applicant for a armed
3 private investigator or armed security guard shall be charged only
4 twenty percent (20%) of the required fee.

5 3. Any person issued an armed private investigator license may
6 carry a concealed firearm when on and off duty, provided the person
7 keeps the firearm concealed from view and is in possession of a
8 valid driver license and a valid armed private investigator license.

9 D. Any identification card issued to a person meeting the
10 license requirements for an armed security guard or an armed private
11 investigator shall be distinct and shall explicitly state that the
12 person is authorized to carry a firearm pursuant to the provisions
13 of the Oklahoma Security Guard and, Private Investigator and Bouncer
14 Act. Upon receipt of the license and identification card, the armed
15 security guard or armed private investigator is authorized to carry
16 a firearm in the performance of his or her duties subject to the
17 provisions of the Oklahoma Security Guard and, Private Investigator
18 and Bouncer Act and the rules promulgated by the Council.

19 E. The Council may issue a conditional license to a person
20 employed by a security or investigative agency as a trainee for a
21 bouncer, security guard, armed security guard, or private
22 investigator position, when the person has submitted a properly
23 completed application, made under oath, subject to the following
24 conditions:

1 1. A conditional license shall authorize employees to perform
2 the same functions that regular licensees perform, but subject to
3 supervision by the employing agency as the Council may prescribe;

4 2. The holder of a conditional license shall complete the
5 necessary training requirements within one hundred eighty (180) days
6 from the effective date of the conditional license, after which the
7 conditional license shall expire;

8 3. The holder of a conditional license as an armed security
9 guard shall not carry a firearm in the performance of duties until
10 after completing a course of firearms training as prescribed by the
11 Council, and having been issued a regular license by the Council;

12 4. A conditional license may be renewed at the discretion of
13 the Council, if necessary to allow an applicant to complete any
14 training required for a regular license; and

15 5. When the Council finds that a conditional license holder has
16 completed the required training and is otherwise qualified for a
17 license pursuant to the provisions of the Oklahoma Security Guard
18 ~~and~~, Private Investigator and Bouncer Act, the Council shall issue a
19 regular license.

20 F. A Security Agency License may be issued to an individual,
21 corporation, or other legal entity meeting the following
22 qualifications:

23 1. If the license is to be issued in the name of a legal entity
24 other than a natural person, the applicant must furnish proof that

1 the entity is legally recognized, such as the issuance of a
2 corporate charter; and

3 2. The executive officer, manager, or other person in charge of
4 supervising security guards in the performance of their duties shall
5 be a licensed security guard.

6 G. An Investigative Agency License may be issued to an
7 individual, corporation, or other legal entity meeting the following
8 qualifications:

9 1. If the license is to be issued in the name of a legal entity
10 other than a natural person, the applicant must furnish proof that
11 the entity is legally recognized, such as the issuance of a
12 corporate charter;

13 2. Any person, otherwise qualified, may own a private
14 investigation agency; and

15 3. A self-employed private investigator who employs no other
16 investigators shall also be licensed as an investigative agency, but
17 shall only be required to be insured or bonded as a self-employed
18 private investigator.

19 H. A Bouncer License, Security Guard License, Armed Security
20 Guard License, Private Investigator License, Armed Private
21 Investigator License, or combination thereof may be issued to an
22 applicant meeting the following qualifications. The applicant
23 shall:

24

- 1 1. Be a citizen of the United States or an alien legally
2 residing in the United States;
- 3 2. Be at least eighteen (18) years of age, except that an
4 applicant for an Armed Security Guard License shall be at least
5 twenty-one (21) years of age;
- 6 3. Have successfully completed training requirements for the
7 license applied for, as prescribed by the Council;
- 8 4. Be of good moral character;
- 9 5. Not have a record of a felony conviction;
- 10 6. Not have a record of conviction for larceny, theft, false
11 pretense, fraud, embezzlement, false personation of an officer, any
12 offense involving moral turpitude, any offense involving a minor as
13 a victim, any nonconsensual sex offense, any offense involving the
14 possession, use, distribution, or sale of a controlled dangerous
15 substance, any offense involving a firearm, or any other offense as
16 prescribed by the Council, as provided herein.
 - 17 a. If any conviction which disqualifies an applicant
18 occurred more than five (5) years prior to the
19 application date and the Council is convinced the
20 offense constituted an isolated incident and the
21 applicant has been rehabilitated, the Council may, in
22 its discretion, waive the conviction disqualification
23 as provided for in this paragraph and issue ~~an~~ a
24 bouncer license, unarmed security guard license or a

1 private investigator license, but shall not issue an
2 armed guard license, to the applicant if the applicant
3 is otherwise qualified, unless the felony involved the
4 use of a firearm or was violent in nature.

5 b. If an Oklahoma State Bureau of Investigation records
6 check and a local records check reveal that there are
7 no felony convictions, criminal convictions involving
8 moral turpitude, or any other disqualifying
9 convictions as specified in the Oklahoma Security
10 Guard ~~and~~, Private Investigator and Bouncer Act or
11 prescribed by the Council, then the Council may
12 conditionally issue an armed security guard license
13 pending completion of the criminal history and
14 background check.

15 c. Under oath, the applicant shall certify that he or she
16 has no disqualifying convictions as specified in the
17 Oklahoma Security Guard ~~and~~, Private Investigator and
18 Bouncer Act or by the Council.

19 d. The applicant shall further meet all other
20 qualifications.

21 e. If upon completion of the required background
22 investigation it is discovered that a disqualifying
23 conviction exists, the Council shall immediately
24 revoke the armed guard license of the applicant;

1 7. Make a statement that the applicant is not currently
2 undergoing treatment for mental illness, condition, or disorder,
3 make a statement whether the applicant has ever been adjudicated
4 incompetent or committed to a mental institution, and make a
5 statement regarding any history of illegal drug use or alcohol
6 abuse. Upon presentation by the Council on Law Enforcement
7 Education and Training of the name, gender, date of birth, and
8 address of the applicant to the Department of Mental Health and
9 Substance Abuse Services, the Department of Mental Health and
10 Substance Abuse Services shall notify the Council within ten (10)
11 days whether the computerized records of the Department indicate the
12 applicant has ever been involuntarily committed to an Oklahoma state
13 mental institution. For purposes of this subsection, "currently
14 undergoing treatment for a mental illness, condition, or disorder"
15 means the person has been diagnosed by a licensed physician or
16 psychologist, as being afflicted with a substantial disorder of
17 thought, mood, perception, psychological orientation, or memory that
18 significantly impairs judgment, behavior, capacity to recognize
19 reality, or ability to meet the ordinary demands of life and such
20 condition continues to exist; and

21 8. Make a statement regarding misdemeanor domestic violence
22 charges.

23 I. A special event license may be issued to an employee of a
24 security agency who is hired on a temporary basis as an unarmed

1 security guard for a particular event. An application for a special
2 event license shall be made by the agency employing the applicant.
3 The agency shall certify to the Council that the applicant meets the
4 qualifications for security guards, pursuant to subsection H of this
5 section.

6 J. 1. All persons and agencies shall obtain and maintain
7 liability coverage in accordance with the following minimum
8 standards:

- 9 a. general liability insurance coverage for bodily
10 injury, personal injury, and property damage, with
11 endorsements for personal injury including false
12 arrest, libel, slander, and invasion of privacy, or
- 13 b. a surety bond that allows persons to recover for
14 actionable injuries, loss, or damage as a result of
15 the willful, or wrongful acts or omissions of the
16 principal and protects this state, its agents,
17 officers and employees from judgments against the
18 principal or insured licensee, and is further
19 conditioned upon the faithful and honest conduct of
20 the principal's business.

21 2. Liability coverages and bonds outlined in this section shall
22 be in the minimum amounts of One Hundred Thousand Dollars
23 (\$100,000.00) for agencies, Ten Thousand Dollars (\$10,000.00) for
24 armed security guards and armed private investigators, or

1 combination armed license; and Five Thousand Dollars (\$5,000.00) for
2 bouncers, unarmed security guards and self-employed unarmed private
3 investigators who employ no other investigators.

4 3. Security agencies and investigative agencies shall ensure
5 that all employees of these agencies have met the minimum liability
6 coverages as prescribed in this section.

7 4. Insurance policies and bonds issued pursuant to this section
8 shall not be modified or canceled unless ten (10) days' prior
9 written notice is given to the Council. All persons and agencies
10 insured or bonded pursuant to this section shall be insured or
11 bonded by an insurance carrier or a surety company licensed in the
12 state in which the insurance or bond was purchased, or in this
13 state.

14 5. In lieu of the requirements of this subsection, the Council
15 may accept a written statement from a corporation which is
16 registered with the Oklahoma Secretary of State attesting that the
17 corporation self-insures the general operation of business for the
18 types of liability set out in paragraphs 1 and 2 of this subsection.

19 K. Upon written notice, any license may be placed on inactive
20 status.

21 L. Similar or duplicate agency names will not be issued. Each
22 agency name must be distinguishably different.

23 SECTION 8. AMENDATORY 59 O.S. 2011, Section 1750.6, is
24 amended to read as follows:

1 Section 1750.6 A. 1. Application for a license shall be made
2 on forms provided by the Council on Law Enforcement Education and
3 Training and shall be submitted in writing by the applicant under
4 oath. The application shall require the applicant to furnish
5 information reasonably required by the Council to implement the
6 provisions of the Oklahoma Security Guard ~~and~~, Private Investigator
7 and Bouncer Act, including classifiable fingerprints to enable the
8 search of criminal indices for evidence of a prior criminal record,
9 including, but not limited to, a national criminal history record
10 check as defined by Section 150.9 of Title 74 of the Oklahoma
11 Statutes.

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

19 B. 1. a. Beginning November 1, 2010, the original application
20 and any license renewal shall be accompanied by a fee
21 of Fifty Dollars (\$50.00) for each original
22 application and renewal of a bouncer, private
23 investigator or an unarmed security guard, One Hundred
24 Dollars (\$100.00) for each original application and

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

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

1 2. A licensee whose license has been suspended may apply for
2 reinstatement of license after the term of the suspension has
3 passed. Any application for reinstatement following a suspension of
4 licensure shall be accompanied by a nonrefundable fee of Twenty-five
5 Dollars (\$25.00) for the reinstatement of a bouncer, private
6 investigator or unarmed security guard, Fifty Dollars (\$50.00) for
7 the reinstatement of an armed security guard or armed private
8 investigator, and Two Hundred Dollars (\$200.00) for reinstatement of
9 a security or investigative agency.

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

14 4. The fees charged and collected pursuant to the provisions of
15 paragraph 1 of this subsection shall be apportioned and deposited to
16 the credit of the CLEET Private Security Revolving Fund created
17 pursuant to Section ~~2~~ 3311.13 of ~~this act~~ Title 70 of the Oklahoma
18 Statutes, as follows:

- 19 a. Twenty-five Dollars (\$25.00) of the fee charged for an
20 original application or license renewal of a bouncer,
21 private investigator or an unarmed security guard,
22 b. Fifty Dollars (\$50.00) of the fee charged for an
23 original application or license renewal of an armed
24 security guard or an armed private investigator, and

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

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

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

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

23 E. Pursuant to its rules, the Council may issue a duplicate
24 license to a person licensed pursuant to the provisions of the

1 Oklahoma Security Guard ~~and~~, Private Investigator and Bouncer Act.
2 Beginning November 1, 2010, the Council may assess a fee of Eight
3 Dollars (\$8.00) for the issuance of a duplicate license. The fee
4 must accompany the request for a duplicate license. Four Dollars
5 (\$4.00) of the fee collected for the issuance of a duplicate license
6 shall be deposited to the credit of the CLEET Private Security
7 Revolving Fund created pursuant to Section ~~2~~ 3311.13 of ~~this act~~
8 Title 70 of the Oklahoma Statutes.

9 SECTION 9. AMENDATORY 59 O.S. 2011, Section 1750.7, is
10 amended to read as follows:

11 Section 1750.7 A. A Bouncer License, Security Guard License,
12 Armed Security Guard License, Private Investigator License, and any
13 conditional license shall be subject to denial, suspension, or
14 revocation and/or disciplinary penalty or fine by the Council on Law
15 Enforcement Education and Training subject to the Administrative
16 Procedures Act for, but not limited to, the following reasons by
17 clear and convincing evidence:

18 1. Any erroneous or false statement in an application for a
19 license submitted pursuant to Section 1750.1 et seq. of this title;

20 2. Failure to successfully complete any prescribed course of
21 training as required by the Council;

22 3. Violation of a provision of the Oklahoma Security Guard ~~and~~,
23 Private Investigator and Bouncer Act or a rule promulgated pursuant
24 to the act;

1 4. A conviction for larceny, theft, embezzlement, false
2 pretense, fraud, an offense involving moral turpitude, any
3 nonconsensual sex offense, any offense involving a minor as a
4 victim, any offense involving the possession, use, distribution or
5 sale of a controlled dangerous substance, any offense involving a
6 firearm, or any felony;

7 5. Use of beverages containing alcohol while armed with a
8 firearm;

9 6. Knowingly impersonating a law enforcement officer; or

10 7. Failure to obtain or maintain liability insurance coverage
11 or a surety bond pursuant to subsection J of Section 1750.5 of this
12 title.

13 B. A Security Agency License or Investigative Agency License
14 shall be subject to denial, suspension, or revocation and/or
15 disciplinary penalty or fine by the Council subject to the
16 Administrative Procedures Act for, but not limited to, the following
17 reasons by clear and convincing evidence:

18 1. A false statement in a license application;

19 2. Violation of any provision of the Oklahoma Security Guard
20 ~~and~~, Private Investigator and Bouncer Act or a rule adopted pursuant
21 thereto;

22 3. Employing, authorizing, or permitting an unlicensed,
23 uninsured or unbonded person to perform a bouncer, security guard,
24 armed security guard or private investigator function; or

1 4. Permitting a person to perform a bouncer, security guard,
2 armed security guard or private investigator function, knowing the
3 person has committed any offense enumerated in subsection A of this
4 section.

5 C. Upon the effective date of suspension or revocation of any
6 license, the licensee shall have the duty to surrender the license
7 and any identification card issued pursuant thereto to the Council.

8 SECTION 10. AMENDATORY 59 O.S. 2011, Section 1750.9, is
9 amended to read as follows:

10 Section 1750.9 A. Each bouncer, security guard, armed security
11 guard, or private investigator licensed pursuant to this act shall
12 carry a valid driver license or state-issued photo identification
13 card and an identification card issued by the Council on Law
14 Enforcement Education and Training at all times while on duty as a
15 bouncer, security guard, armed security guard or private
16 investigator, and each security agency and investigative agency
17 shall display in its primary office in this state a valid license
18 therefor issued by the Council.

19 B. No licensee or officer, director, partner, or employee of a
20 licensee, may wear a uniform, or use a title, an insignia, badge, or
21 an identification card, or make any statements that would lead a
22 person to believe that he is connected in any way with the federal
23 government, a state government, or any political subdivision of a
24

1 state government, unless he is authorized by proper authorities to
2 do so.

3 C. Each discharge of a firearm in the performance of his
4 employment by any licensee authorized by this act to carry a
5 firearm, other than for training purposes, shall be reported
6 immediately to the Council by said licensee.

7 SECTION 11. AMENDATORY 59 O.S. 2011, Section 1750.10, is
8 amended to read as follows:

9 Section 1750.10 A. The words "police", "deputy", or
10 "patrolman" shall not be displayed upon any bouncer or security
11 guard badge, or uniform, or security vehicle. The words "Bouncer",
12 "Security", "Security Officer", or "Security Guard" in conjunction
13 with the agencies' name shall be displayed on any badge or uniform
14 in bold letters.

15 B. Vehicles used by security guards, armed security guards, or
16 security agencies shall display the words "Security", or "Guard", if
17 marked, or both, and the agencies' name in conspicuous letters. No
18 such vehicle shall be equipped with a siren, a lamp with a red or
19 blue lens, nor an overhead light or lights with red or blue lens.

20 SECTION 12. AMENDATORY 59 O.S. 2011, Section 1750.11, is
21 amended to read as follows:

22 Section 1750.11 A. Unless otherwise prescribed by law, any
23 person convicted of violating any provision of the Oklahoma Security
24 Guard ~~and~~, Private Investigator and Bouncer Act or a rule or

1 regulation promulgated pursuant to the Oklahoma Security Guard ~~and,~~
2 Private Investigator and Bouncer Act shall be guilty of a
3 misdemeanor punishable by imprisonment for not more than sixty (60)
4 days, or by a fine of not more than Two Thousand Dollars
5 (\$2,000.00), or by both such imprisonment and fine.

6 B. Any person who willfully makes a false statement, knowing
7 such statement is false, in any application to the Council on Law
8 Enforcement Education and Training for a license pursuant to the
9 Oklahoma Security Guard ~~and,~~ Private Investigator and Bouncer Act,
10 or who otherwise commits a fraud in connection with such
11 application, shall be guilty of a felony punishable by a term of
12 imprisonment for not less than two (2) years nor more than five (5)
13 years, or by a fine of not more than Two Thousand Dollars
14 (\$2,000.00), or by both such imprisonment and fine.

15 SECTION 13. AMENDATORY 70 O.S. 2011, Section 3311, is
16 amended to read as follows:

17 Section 3311. A. There is hereby created a Council on Law
18 Enforcement Education and Training which shall be, and is hereby
19 declared to be, a governmental law enforcement agency of the State
20 of Oklahoma, body politic and corporate, with powers of government
21 and with the authority to exercise the rights, privileges and
22 functions necessary to ensure the professional training and
23 continuing education of law enforcement officers in the State of
24 Oklahoma. These rights, privileges and functions include, but are

1 not limited to, those specified in Sections 3311 through 3311.10 of
2 this title and in the Oklahoma Security Guard ~~and~~, Private
3 Investigator and Bouncer Act. The Council shall be composed of nine
4 (9) members, the Director of the Oklahoma State Bureau of
5 Investigation, one member appointed by the Governor who may be a lay
6 person, and seven police or peace officers, one selected by each of
7 the following: the Court of Criminal Appeals, the Commissioner of
8 Public Safety, the Board of Directors of the Oklahoma Sheriffs and
9 Peace Officers Association, the Oklahoma Association of Police
10 Chiefs, the Board of Directors of the Oklahoma Sheriffs'
11 Association, the Board of Directors of the Fraternal Order of Police
12 and the Governor. All Council appointments and reappointments made
13 after November 1, 2007, shall conform to the following Council
14 composition and appointing authorities. The Council shall be
15 composed of thirteen (13) members as follows:

16 1. The Commissioner of the Department of Public Safety, or
17 designee;

18 2. The Director of the Oklahoma State Bureau of Narcotics and
19 Dangerous Drugs Control, or designee;

20 3. The Director of the Oklahoma State Bureau of Investigation,
21 or designee;

22 4. One member appointed by the Governor who shall be a law
23 enforcement administrator representing a tribal law enforcement
24 agency;

1 5. One member appointed by the Governor who shall be a chief of
2 police of a municipality with a population over one hundred thousand
3 (100,000), as determined by the latest Federal Decennial Census;

4 6. One member appointed by the Board of Directors of the
5 Oklahoma Sheriffs' and Peace Officers Association who shall be a
6 sheriff of a county with a population under fifty thousand (50,000),
7 as determined by the latest Federal Decennial Census;

8 7. One member appointed by the Oklahoma Association of Police
9 Chiefs who shall be a chief of police representing a municipality
10 with a population over ten thousand (10,000), as determined by the
11 latest Federal Decennial Census;

12 8. One member shall be appointed by the Board of Directors of
13 the Oklahoma Sheriffs' Association who shall be a sheriff of a
14 county with a population of one hundred thousand (100,000) or more,
15 as determined by the latest Federal Decennial Census;

16 9. One member appointed by the Board of Directors of the
17 Fraternal Order of Police who shall have experience as a training
18 officer;

19 10. One member appointed by the Chancellor of Higher Education
20 who shall be a representative of East Central University;

21 11. One member who is the immediate past chair of the Council
22 on Law Enforcement Education and Training;

23 12. The President Pro Tempore of the Senate shall appoint one
24 member from a list of three or more nominees submitted by a

1 statewide organization representing cities and towns that is exempt
2 from taxation under federal law and designated pursuant to the
3 provisions of the Internal Revenue Code, 26 U.S.C., Section 170(a);
4 and

5 13. The Speaker of the House of Representatives shall appoint
6 one member from a list of three or more nominees submitted by an
7 organization that assists in the establishment of accreditation
8 standards and training programs for law enforcement agencies
9 throughout the State of Oklahoma.

10 The Director selected by the Council shall be an ex officio
11 member of the Council and shall act as Secretary. The Council on
12 Law Enforcement Education and Training shall select a chair and
13 vice-chair from among its members. Members of the Council on Law
14 Enforcement Education and Training shall not receive a salary for
15 duties performed as members of the Council, but shall be reimbursed
16 for their actual and necessary expenses incurred in the performance
17 of Council duties pursuant to the provisions of the State Travel
18 Reimbursement Act.

19 B. The Council on Law Enforcement Education and Training is
20 hereby authorized and directed to:

21 1. Appoint a larger Advisory Council to discuss problems and
22 hear recommendations concerning necessary research, minimum
23 standards, educational needs, and other matters imperative to
24 upgrading Oklahoma law enforcement to professional status;

1 2. Promulgate rules with respect to such matters as
2 certification, revocation, suspension, withdrawal and reinstatement
3 of certification, minimum courses of study, testing and test scores,
4 attendance requirements, equipment and facilities, minimum
5 qualifications for instructors, minimum standards for basic and
6 advanced in-service courses, and seminars for Oklahoma police and
7 peace officers;

8 3. Authorize research, basic and advanced courses, and seminars
9 to assist in program planning directly and through subcommittees;

10 4. Authorize additional staff and services necessary for
11 program expansion;

12 5. Recommend legislation necessary to upgrade Oklahoma law
13 enforcement to professional status;

14 6. Establish policies and regulations concerning the number,
15 geographic and police unit distribution, and admission requirements
16 of those receiving tuition or scholarship aid available through the
17 Council. Such waiver of costs shall be limited to duly appointed
18 members of legally constituted local, county, and state law
19 enforcement agencies on the basis of educational and financial need;

20 7. Appoint a Director and an Assistant Director to direct the
21 staff, inform the Council of compliance with the provisions of this
22 section and perform such other duties imposed on the Council by law.
23 On November 1, 2007, any subsequent Director appointed by the
24 Council must qualify for the position with a bachelor or higher

1 degree in law enforcement from an accredited college or university,
2 or a bachelor or higher degree in a law-enforcement-related subject
3 area, and a minimum of five (5) years of active law enforcement
4 experience including, but not limited to, responsibility for
5 enforcement, investigation, administration, training, or curriculum
6 implementation;

7 8. Enter into contracts and agreements for the payment of
8 classroom space, food, and lodging expenses as may be necessary for
9 law enforcement officers attending any official course of
10 instruction approved or conducted by the Council. Such expenses may
11 be paid directly to the contracting agency or business
12 establishment. The food and lodging expenses for each law
13 enforcement officer shall not exceed the authorized rates as
14 provided for in the State Travel Reimbursement Act; provided,
15 however, the Council may provide food and lodging to law enforcement
16 officials attending any official course of instruction approved or
17 conducted by the Council rather than paying for the provision of
18 such food and lodging by an outside contracting agency or business
19 establishment;

20 9. a. Certify canine teams, consisting of a dog and a
21 handler working together as a team, trained to detect:
22 (1) controlled dangerous substances, or
23
24

1 (2) explosives, explosive materials, explosive
2 devices, or materials which could be used to
3 construct an explosive device;

4 provided, the dog of a certified canine team shall not
5 be certified at any time as both a drug dog and a bomb
6 dog, and any dog of a certified canine team who has
7 been previously certified as either a drug dog or a
8 bomb dog shall not be eligible at any time to be
9 certified in the other category.

10 b. Upon retiring the dog from the service it was
11 certified to perform, the law enforcement department
12 that handled the dog shall retain possession of the
13 dog. The handler shall have first option of adopting
14 the dog. If that option is not exercised, the law
15 enforcement department shall provide for its adoption.
16 Once adopted the dog shall not be placed back into
17 active service;

18 10. Enter into a lease, loan or other agreement with the
19 Oklahoma Development Finance Authority or a local public trust for
20 the purpose of facilitating the financing of a new facility for its
21 operations and use and pledge, to the extent authorized by law, all
22 or a portion of its receipts of the assessment penalty herein
23 referenced for the payment of its obligations under such lease, loan
24 or other agreement. It is the intent of the Legislature to increase

1 the assessment penalty to such a level or appropriate sufficient
2 monies to the Council on Law Enforcement Education and Training to
3 make payments on the lease, loan or other agreement for the purpose
4 of retiring the bonds to be issued by the Oklahoma Development
5 Finance Authority or local public trust. Such lease, loan or other
6 agreement and the bonds issued to finance such facilities shall not
7 constitute an indebtedness of the State of Oklahoma or be backed by
8 the full faith and credit of the State of Oklahoma, and the lease,
9 loan or other agreement and the bonds shall contain a statement to
10 such effect;

11 11. Accept gifts, bequests, devises, contributions and grants,
12 public or private, of real or personal property;

13 12. Appoint an advisory committee composed of representatives
14 from security guard and private investigative agencies to advise the
15 Council concerning necessary research, minimum standards for
16 licensure, education, and other matters related to licensure of
17 security guards, security guard agencies, private investigators, and
18 private investigative agencies;

19 13. Enter into agreements with individuals, educational
20 institutions, agencies, and business and tribal entities for
21 professional services, the use of facilities and supplies, and staff
22 overtime costs incurred as a result of the user's requests to
23 schedule functions after-hours, on weekends, or anytime such
24 requests extend staff beyond its normal capacity, whereby

1 contracting individuals, educational institutions, agencies, and
2 business and tribal entities shall pay a fee to be determined by the
3 Council by rule. All fees collected pursuant to these agreements
4 shall be deposited to the credit of the C.L.E.E.T. Training Center
5 Revolving Fund created pursuant to Section 3311.6 of this title.
6 The Council is authorized to promulgate emergency rules to
7 effectuate the provisions of this paragraph;

8 14. Promulgate rules to establish a state firearms
9 requalification standard for active peace officers and meet any
10 requirements of the federal Law Enforcement Officers Safety Act of
11 2004 for peace officers to carry concealed weapons nationwide;

12 15. Set minimal criteria relating to qualifications for chief
13 of police administrative training pursuant to Section 34-102 of
14 Title 11 of the Oklahoma Statutes, assist in developing a course of
15 training for a Police Chief Administrative School, and approve all
16 police chief administrative training offered in this state;

17 16. Appoint a Curriculum Review Board to be composed of six (6)
18 members as follows:

19 a. one member shall be selected by the Chancellor for
20 Higher Education, who possesses a background of
21 creation and review of curriculum and experience
22 teaching criminal justice or law enforcement courses,
23 who shall serve an initial term of one (1) year,
24

- 1 b. one member shall represent a municipal jurisdiction
2 with a population of fifty thousand (50,000) or more
3 and who shall be a management-level CLEET-certified
4 training officer, who shall serve an initial term of
5 two (2) years,
- 6 c. one member shall represent a county jurisdiction with
7 a population of fifty thousand (50,000) or more and
8 who shall be a management-level CLEET-certified
9 training officer, who shall serve an initial term of
10 three (3) years,
- 11 d. one member shall represent a municipal jurisdiction
12 with a population of less than fifty thousand (50,000)
13 and who shall be a CLEET-certified training officer,
14 who shall serve an initial term of two (2) years,
- 15 e. one member shall represent a county jurisdiction with
16 a population of less than fifty thousand (50,000) and
17 who shall be a CLEET-certified training officer, who
18 shall serve an initial term of one (1) year, and
- 19 f. one member selected by the Oklahoma Department of
20 Career and Technology Education from the Curriculum
21 Material and Instructional Material Center, who shall
22 serve an initial term of three (3) years.

23 After the initial terms of office, all members shall be
24 appointed to serve three-year terms. Any member may be reappointed

1 to serve consecutive terms. Members shall serve without
2 compensation, but may be reimbursed for travel expenses pursuant to
3 the State Travel Reimbursement Act. The Board shall review and
4 establish curriculum for all CLEET academies and training courses
5 pursuant to procedures established by the Council on Law Enforcement
6 Education and Training;

7 17. Conduct review and verification of any records relating to
8 the statutory duties of CLEET;

9 18. Receive requested reports including investigative reports,
10 court documents, statements, or other applicable information from
11 local, county and state agencies and other agencies for use in
12 actions where a certification or license issued by CLEET may be
13 subject to disciplinary or other actions provided by law;

14 19. Summarily suspend a certification of a peace officer,
15 without prior notice but otherwise subject to administrative
16 proceedings, if CLEET finds that the actions of the certified peace
17 officer may present a danger to the peace officer, the public, a
18 family or household member, or involve a crime against a minor; and

19 20. Approve law enforcement agencies and police departments in
20 accordance with the following:

21 a. this section applies only to an entity authorized by
22 statute or by the Constitution to create a law
23 enforcement agency or police department and
24 commission, appoint, or employ officers that first

1 creates or reactivates an inactive law enforcement
2 agency or police department and first begins to
3 commission, appoint, or employ officers on or after
4 November 1, 2011,

5 b. the entity shall submit to CLEET, a minimum of sixty
6 (60) days prior to creation of the law enforcement
7 agency or police department, information regarding:

8 (1) the need for the law enforcement agency or police
9 department in the community,

10 (2) the funding sources for the law enforcement
11 agency or police department, and proof that no
12 more than fifty percent (50%) of the funding of
13 the entity will be derived from ticket revenue
14 and/or fines,

15 (3) the physical resources available to officers,

16 (4) the physical facilities that the law enforcement
17 agency or police department will operate,
18 including descriptions of the evidence room,
19 dispatch area, restroom facilities, and public
20 area,

21 (5) law enforcement policies of the law enforcement
22 agency or police department, including published
23 policies on:

24 (a) use of force,

- 1 (b) vehicle pursuit,
2 (c) mental health,
3 (d) professional conduct of officers,
4 (e) domestic abuse,
5 (f) response to missing persons,
6 (g) supervision of part-time officers, and
7 (h) impartial policing,
8 (6) the administrative structure of the law
9 enforcement agency or police department,
10 (7) liability insurance, and
11 (8) any other information CLEET requires by rule,
12 c. within sixty (60) days of receiving an entity's
13 request, CLEET will forward to the entity by certified
14 mail, return receipt requested, a letter of
15 authorization or denial to create a law enforcement
16 agency or police department and commission, appoint,
17 or employ officers, signed by the Director of CLEET,
18 d. in cases of denial, the entity may appeal the decision
19 of the Director to the full CLEET Council. The
20 Director shall ensure that the final report is
21 provided to all members of the Council. The Council
22 shall review and make recommendations concerning the
23 report at the first meeting of the Council to occur
24

1 after all members of the Council have received the
2 report. The Council may, by majority vote:

- 3 (1) order additional information be provided,
- 4 (2) order confirmation of the Director's opinion, or
- 5 (3) order authorization of the entity.

6 C. 1. Payment of any fee provided for in this section may be
7 made by a nationally recognized credit or debit card issued to the
8 applicant. The Council may publicly post and collect a fee for the
9 acceptance of the nationally recognized credit or debit card not to
10 exceed five percent (5%) of the amount of the payment. For purposes
11 of this subsection, "nationally recognized credit card" means any
12 instrument or device, whether known as a credit card, credit plate,
13 charge plate, or by any other name, issued with or without fee by an
14 issuer for the use of the cardholder in obtaining goods, services,
15 or anything else of value and which is accepted by over one thousand
16 merchants in this state. "Debit card" means an identification card
17 or device issued to a person by a business organization which
18 permits such person to obtain access to or activate a consumer
19 banking electronic facility. The Council shall determine which
20 nationally recognized credit or debit cards will be accepted as
21 payment for fees.

22 2. Payment for any fee provided for in this title may be made
23 by a business check. The Council may:

1 a. add an amount equal to the amount of the service
2 charge incurred, not to exceed three percent (3%) of
3 the amount of the check as a service charge for the
4 acceptance and verification of the check, or

5 b. add an amount of no more than Five Dollars (\$5.00) as
6 a service charge for the acceptance and verification
7 of a check. For purposes of this subsection,
8 "business check" shall not mean a money order,
9 cashier's check, or bank certified check.

10 D. Failure of the Legislature to appropriate necessary funds to
11 provide for expenses and operations of the Council on Law
12 Enforcement Education and Training shall not invalidate other
13 provisions of this section relating to the creation and duties of
14 the Council.

15 E. 1. No person shall be eligible to complete a basic police
16 course approved by the Council until the Oklahoma State Bureau of
17 Investigation and the Federal Bureau of Investigation have reported
18 to the submitting agency that such person has no felony record, and
19 the employing agency has reported to the Council that such person
20 has undergone psychological testing as provided for in paragraph 2
21 of this subsection, and the applicant has certified the completion
22 of a high school diploma or a GED equivalency certificate and that
23 the applicant is not participating in a deferred sentence agreement
24 for a felony or a crime involving moral turpitude or is not

1 currently subject to an order of the Council revoking, suspending,
2 or accepting a voluntary surrender of peace officer certification
3 and that the applicant is not currently undergoing treatment for a
4 mental illness, condition, or disorder. For purposes of this
5 subsection, "currently undergoing treatment for mental illness,
6 condition, or disorder" means the person has been diagnosed by a
7 licensed physician or psychologist as being afflicted with a
8 substantial disorder of thought, mood, perception, psychological
9 orientation, or memory that significantly impairs judgment,
10 behavior, capacity to recognize reality, or ability to meet the
11 ordinary demands of life and such condition continues to exist.

12 2. On and after November 1, 2007, no person shall be certified
13 as a police or peace officer in this state unless the employing
14 agency has reported to the Council that:

15 a. the Oklahoma State Bureau of Investigation and the
16 Federal Bureau of Investigation have reported that
17 such person has no record of a conviction of a felony,
18 a crime involving moral turpitude, or a crime of
19 domestic violence,

20 b. such person has undergone psychological evaluation by
21 the employing agency using a psychological instrument
22 approved by the Council on Law Enforcement Education
23 and Training. The employing agency shall administer
24 the psychological instrument in accordance with

standards established within the test document. To aid the evaluating psychologist in interpreting the test results, including automated scoring and interpretations, the employing agency shall provide the psychologist a statement confirming the identity of the individual taking the test as the person who is employed or seeking employment as a peace officer of the agency and attesting that it administered the psychological instrument in accordance with standards within the test document. The psychologist shall report to the employing agency the evaluation of the assessment instrument and may include any additional recommendations to assist the employing agency in determining whether to certify to the Council on Law Enforcement Education and Training that the person being evaluated is suitable to serve as a peace officer in the State of Oklahoma. No additional procedures or requirements shall be imposed for performance of the psychological evaluation. The psychological instrument utilized shall be evaluated by a psychologist licensed by the State of Oklahoma, and the employing agency shall certify to the Council that the evaluation was conducted in accordance with this provision and that the employee/applicant is

1 suitable to serve as a peace officer in the State of
2 Oklahoma. Any person found not to be suitable for
3 employment or certification by the Council shall not
4 be employed, retained in employment as a peace
5 officer, or certified by the Council for at least one
6 (1) year, at which time the employee/applicant may be
7 reevaluated by a psychologist licensed by the State of
8 Oklahoma. This section shall also be applicable to
9 all reserve peace officers in the State of Oklahoma.
10 Any person who is certified by CLEET and has undergone
11 the psychological evaluation required by this
12 subparagraph and has been found to be suitable as a
13 peace officer shall not be required to be reevaluated
14 for any subsequent employment as a peace officer
15 following retirement or any break in service as a
16 peace officer, unless such break in service exceeds
17 five (5) years or the Council determines that a peace
18 officer may present a danger to himself or herself,
19 the public, or a family or household member,
20 c. such person possesses a high school diploma or a GED
21 equivalency certificate, provided this requirement
22 shall not affect those persons who are already
23 employed as a police or peace officer prior to
24 November 1, 1985,

- 1 d. such person is not participating in a deferred
2 sentence agreement for a felony, a crime involving
3 moral turpitude, or a crime of domestic violence,
4 e. such person has attained twenty-one (21) years of age
5 prior to certification as a peace officer,
6 f. such person has provided proof of United States
7 citizenship or resident alien status, pursuant to an
8 employment eligibility verification form from the
9 United States Citizenship and Immigration Services,
10 and
11 g. the name, gender, date of birth, and address of such
12 person have been presented to the Department of Mental
13 Health and Substance Abuse Services by the Council.
14 The Department of Mental Health and Substance Abuse
15 Services shall respond to the Council within ten (10)
16 days whether the computerized records of the
17 Department indicate the applicant has ever been
18 involuntarily committed to an Oklahoma state mental
19 institution. In the event that the Department of
20 Mental Health and Substance Abuse Services reports to
21 the Council that the applicant has been involuntarily
22 committed, the Council shall immediately inform the
23 employing agency,
24

1 and the Council has determined that such person has satisfactorily
2 completed a basic police course approved by the Council. All basic
3 police courses shall include a minimum of four (4) hours of
4 education and training in recognizing and managing a person
5 appearing to require mental health treatment or services. The
6 training shall include training in crime and drug prevention, crisis
7 intervention, youth and family intervention techniques, recognizing,
8 investigating and preventing abuse and exploitation of elderly
9 persons, mental health issues, and criminal jurisdiction on
10 Sovereign Indian Land.

11 Subject to the availability of funding, for full-time salaried
12 police or peace officers a basic police course academy shall be as
13 follows: any academy graduating after July 1, 2007, but before
14 December 31, 2007, shall have three hundred seventy-five (375)
15 hours; any academy graduating after January 1, 2008, but before June
16 30, 2008, shall have five hundred five (505) hours; any academy
17 graduating after July 1, 2008, but before June 30, 2009, shall have
18 five hundred seventy-six (576) hours; and any academy graduating
19 after July 1, 2009, shall have six hundred (600) hours.

20 For reserve deputies a basic police course shall be as follows:
21 any reserve academy approved by the Council prior to December 31,
22 2007, shall have one hundred sixty (160) hours; and any reserve
23 academy approved by the Council after January 1, 2008, shall have
24 two hundred forty (240) hours.

1 3. Every person who has not been certified as a police or peace
2 officer and is duly appointed or elected as a police or peace
3 officer shall hold such position on a temporary basis only, and
4 shall, within one (1) year from the date of appointment or taking
5 office, qualify as required in this subsection or forfeit such
6 position; provided, however, effective November 1, 2004, every
7 person who has not been certified as a police or peace officer and
8 is duly appointed or elected as a police or peace officer shall hold
9 such position on a temporary basis only, and shall, within six (6)
10 months from the date of appointment or taking office, qualify as
11 required in this subsection or forfeit such position. In computing
12 the time for qualification, all service shall be cumulative from
13 date of first appointment or taking office as a police or peace
14 officer with any department in this state. The Council may extend
15 the time requirement specified in this paragraph for good cause as
16 determined by the Council. An elected police or peace officer shall
17 be eligible to enroll in a basic police course in accordance with
18 this subsection upon being elected. A duty is hereby imposed upon
19 the employing agency to withhold payment of the compensation or wage
20 of said unqualified officer. If the police or peace officer fails
21 to forfeit the position or the employing agency fails to require the
22 officer to forfeit the position, the district attorney shall file
23 the proper action to cause the forfeiting of such position. The

24

1 district court of the county where the officer is employed shall
2 have jurisdiction to hear the case.

3 4. The Council may certify officers who have completed a course
4 of study in another state deemed by the Council to meet standards
5 for Oklahoma peace officers providing the officer's certification in
6 the other state has not been revoked or voluntarily surrendered and
7 is not currently under suspension.

8 5. For purposes of this section, a police or peace officer is
9 defined as a full-time duly appointed or elected officer who is paid
10 for working more than twenty-five (25) hours per week and whose
11 duties are to preserve the public peace, protect life and property,
12 prevent crime, serve warrants, and enforce laws and ordinances of
13 this state, or any political subdivision thereof; provided, elected
14 sheriffs and their deputies and elected, appointed, or acting chiefs
15 of police shall meet the requirements of this subsection within the
16 first six (6) months after assuming the duties of the office to
17 which they are elected or appointed or for which they are an acting
18 chief; provided further, that this section shall not apply to
19 persons designated by the Director of the Department of Corrections
20 as peace officers pursuant to Section 510 of Title 57 of the
21 Oklahoma Statutes.

22 F. No person shall be certified as a police or peace officer by
23 the Council or be employed by the state, a county, a city, or any
24 political subdivision thereof, who is currently subject to an order

1 of the Council revoking, suspending, or accepting a voluntary
2 surrender of peace officer certification or who has been convicted
3 of a felony, a crime involving moral turpitude, or a crime of
4 domestic violence, unless a full pardon has been granted by the
5 proper agency; however, any person who has been trained and
6 certified by the Council on Law Enforcement Education and Training
7 and is actively employed as a full-time peace officer as of November
8 1, 1985, shall not be subject to the provisions of this subsection
9 for convictions occurring prior to November 1, 1985.

10 G. Every person employed as a police or peace officer in this
11 state shall be fingerprinted by the employing law enforcement
12 agency. One set of fingerprint impressions shall be mailed to the
13 Oklahoma State Bureau of Investigation and one set to the Federal
14 Bureau of Investigation, Washington, D.C., within ten (10) days from
15 the initial date of employment.

16 H. 1. The Council is hereby authorized to provide to any
17 employing agency the following information regarding a person who is
18 or has applied for employment as a police or peace officer of such
19 employing agency:

- 20 a. Oklahoma State Bureau of Investigation and Federal
21 Bureau of Investigation reports,
22 b. administration of the psychological tests provided for
23 herein,
24

- c. performance in the course of study or other basis of certification,
- d. previous certifications issued, and
- e. any administrative or judicial determination denying certification.

2. An employing agency shall not be liable in any action arising out of the release of contents of personnel information relevant to the qualifications or ability of a person to perform the duties of a police or peace officer when such information is released pursuant to written authorization for release of information signed by such person and is provided to another employing agency which has employed or has received an application for employment from such person.

3. As used in this subsection, "employing agency" means a political subdivision or law enforcement agency which either has employed or received an employment application from a person who, if employed, would be subject to this section.

I. 1. A law enforcement agency employing police or peace officers in this state shall report the hiring, resignation, or termination for any reason of a police or peace officer to the Council at a time established by the Council. Failure to comply with the provisions of this subsection may disqualify a law enforcement agency from participating in training programs sponsored by the Council.

1 2. A tribal law enforcement agency that has peace officers
2 commissioned by an Oklahoma law enforcement agency pursuant to a
3 cross-deputization agreement with the State of Oklahoma or any
4 political subdivision of the State of Oklahoma pursuant to the
5 provisions of Section 1221 of Title 74 of the Oklahoma Statutes
6 shall report the commissioning, resignation, or termination of
7 commission for any reason of a cross-deputized tribal police or
8 peace officer to CLEET within ten (10) days of the commissioning,
9 resignation, or termination. Failure to comply with the provisions
10 of this subsection may disqualify a tribal law enforcement agency
11 from participating in training programs sponsored by the Council.

12 J. It is unlawful for any person to willfully make any
13 statement in an application to CLEET knowing the statement is false
14 or intentionally commit fraud in any application to the Council for
15 attendance in any CLEET-conducted or CLEET-approved peace officer
16 academy or Collegiate Officer Program or for the purpose of
17 obtaining peace officer certification or reinstatement. It is
18 unlawful for any person to willfully submit false or fraudulent
19 documents relating to continuing education rosters, transcripts or
20 certificates, or any canine license application. Any person
21 convicted of a violation of this subsection shall be guilty of a
22 felony punishable by imprisonment in the Department of Corrections
23 for a term of not less than two (2) years nor more than five (5)

24

1 years, or by a fine not exceeding Two Thousand Dollars (\$2,000.00),
2 or by both such fine and imprisonment.

3 K. 1. A police or peace officer shall be subject to
4 disciplinary action to include a denial, suspension, revocation or
5 acceptance of voluntary surrender of peace officer certification
6 upon a showing of clear and convincing evidence for the following:

- 7 a. conviction of a felony or a crime of domestic
8 violence,
- 9 b. conviction of a misdemeanor involving moral turpitude;
10 provided, if the conviction is a single isolated
11 incident that occurred more than five (5) years ago
12 and the Council is satisfied that the person has been
13 sufficiently rehabilitated, the Council may certify
14 such person providing that all other statutory
15 requirements have been met,
- 16 c. a verdict of guilt or entry of a plea of guilty or
17 nolo contendere for a deferred sentence for a felony
18 offense, a crime of moral turpitude, or a crime of
19 domestic violence,
- 20 d. falsification or a willful misrepresentation of
21 information in an employment application or
22 application to the Council on Law Enforcement
23 Education and Training, records of evidence, or in
24 testimony under oath,

- 1 e. revocation or voluntary surrender of police or peace
2 officer certification in another state for a violation
3 of any law or rule or in settlement of any
4 disciplinary action in such state,
- 5 f. involuntary commitment of a police or peace officer in
6 a mental institution or licensed private mental health
7 facility for any mental illness, condition or disorder
8 that is diagnosed by a licensed physician or
9 psychologist as a substantial disorder of thought,
10 mood, perception, psychological orientation, or memory
11 that significantly impairs judgment, behavior,
12 capacity to recognize reality, or ability to meet the
13 ordinary demands of life. Provided, the peace officer
14 certification may be reinstated upon the Council
15 receiving notification of a psychological evaluation
16 conducted by a licensed physician or psychologist
17 which attests and states by affidavit that the officer
18 and the evaluation test data of the officer have been
19 examined and that, in the professional opinion of the
20 physician or psychologist, the officer is
21 psychologically suitable to return to duty as a peace
22 officer, or
- 23 g. abuse of office.
- 24

1 2. Disciplinary proceedings shall be commenced by filing a
2 complaint with the Council on a form approved by the Council and
3 verified by the complainant. Any employing agency or other person
4 having information may submit such information to the Council for
5 consideration as provided in this subsection.

6 3. Upon the filing of the verified complaint, a preliminary
7 investigation shall be conducted to determine whether:

8 a. there is reason to believe the person has violated any
9 provision of this subsection or any other provision of
10 law or rule, or

11 b. there is reason to believe the person has been
12 convicted of a felony, a crime involving moral
13 turpitude or a domestic violence offense or is
14 currently participating in a deferred sentence for
15 such offenses.

16 4. When the investigation of a complaint does not find the
17 person has violated any of the provisions of this subsection, or
18 finds that the person is sufficiently rehabilitated as provided in
19 subparagraph b or f of paragraph 1 of this subsection, no
20 disciplinary action shall be required and the person shall remain
21 certified as a police or peace officer. When the investigation of a
22 complaint finds that the person has violated any of the provisions
23 of this subsection, the matter shall be referred for disciplinary
24

1 proceedings. The disciplinary proceedings shall be in accordance
2 with Articles I and II of the Administrative Procedures Act.

3 5. The Council shall revoke the certification of any person
4 upon determining that such person has been convicted of a felony or
5 a crime involving moral turpitude or a domestic violence offense;
6 provided, that if the conviction has been reversed, vacated or
7 otherwise invalidated by an appellate court, such conviction shall
8 not be the basis for revocation of certification; provided further,
9 that any person who has been trained and certified by the Council on
10 Law Enforcement Education and Training and is actively employed as a
11 full-time peace officer as of November 1, 1985, shall not be subject
12 to the provisions of this subsection for convictions occurring prior
13 to November 1, 1985. The sole issue to be determined at the hearing
14 shall be whether the person has been convicted of a felony, a crime
15 involving moral turpitude or a domestic violence offense.

16 6. The Council shall revoke the certification of any person
17 upon determining that such person has received a deferred sentence
18 for a felony, a crime involving moral turpitude or a domestic
19 violence offense.

20 7. The Council may suspend the certification of any person upon
21 a determination that such person has been involuntarily committed to
22 a mental institution or mental health facility for a mental illness,
23 condition or disorder as provided in subparagraph f of paragraph 1
24 of this subsection.

1 8. Every law enforcement agency in this state shall, within
2 thirty (30) days of a final order of termination or resignation
3 while under investigation of a CLEET-certified peace officer, report
4 such order or resignation in writing to the Director of the Council.
5 Any report, upon receipt by the Council, shall be considered as
6 personnel records and shall be afforded confidential protection
7 pursuant to Sections 24A.7 and 24A.8 of Title 51 of the Oklahoma
8 Statutes. The Director shall ensure that the report is provided to
9 all members of the Council. The Council shall review and make
10 recommendations concerning the report at the first meeting of the
11 Council to occur after all members of the Council have received the
12 report. The Council may, by a majority vote, order the suspension,
13 for a given period of time, or revocation of the CLEET certification
14 of the peace officer in question if there are grounds for such
15 actions pursuant to subsection J of this section and the peace
16 officer in question has been provided with notice and an opportunity
17 for a hearing. Suspension or revocation of CLEET certification
18 pursuant to this paragraph shall be reported to the district
19 attorney for the jurisdiction in which the peace officer was
20 employed, to the liability insurance company of the law enforcement
21 agency that employed the peace officer, the chief elected official
22 of the governing body of the law enforcement agency and the chief
23 law enforcement officer of the law enforcement agency.

24

1 9. For all other violations of this subsection, the hearing
2 examiner shall take into consideration the severity of the
3 violation, any mitigating circumstances offered by the person
4 subject to disciplinary action, and any other evidence relevant to
5 the person's character to determine the appropriate disciplinary
6 action.

7 10. a. A police or peace officer may voluntarily surrender
8 and relinquish the peace officer certification to
9 CLEET. Pursuant to such surrender or relinquishment,
10 the person surrendering the certification shall be
11 prohibited from applying to CLEET for reinstatement
12 within five (5) years of the date of the surrender or
13 relinquishment, unless otherwise provided by law for
14 reinstatement.

15 b. No person who has had a police or peace officer
16 certification from another state revoked or
17 voluntarily surrendered shall be considered for
18 certification by CLEET within five (5) years of the
19 effective date of any such revocation or voluntary
20 surrender of certification.

21 c. Any person seeking reinstatement of police or peace
22 officer certification which has been suspended,
23 revoked, or voluntarily surrendered may apply for
24 reinstatement pursuant to promulgated CLEET rules

1 governing reinstatement. Except as provided in this
2 subsection, any person whose certification has been
3 revoked, suspended or voluntarily surrendered for any
4 reason, including failure to comply with mandatory
5 education and training requirements, shall pay a
6 reinstatement fee of One Hundred Fifty Dollars
7 (\$150.00) to be deposited to the credit of the Peace
8 Officer Revolving Fund created pursuant to Section
9 3311.7 of this title.

10 11. A duty is hereby imposed upon the district attorney who, on
11 behalf of the State of Oklahoma, prosecutes a person holding police
12 or peace officer certification for a felony, a crime involving moral
13 turpitude, or a crime of domestic violence in which a plea of
14 guilty, nolo contendere, or other finding of guilt is entered by,
15 against or on behalf of a certified police or peace officer to
16 report such plea, agreement, or other finding of guilt to the
17 Council on Law Enforcement Education and Training within ten (10)
18 days of such plea agreement or the finding of guilt.

19 12. Any person or agency required or authorized to submit
20 information pursuant to this section to the Council shall be immune
21 from liability arising from the submission of the information as
22 long as the information was submitted in good faith and without
23 malice.
24

1 13. Any peace officer employed by a law enforcement agency in
2 this state which has internal discipline policies and procedures on
3 file with CLEET shall be exempt from the disciplinary proceedings
4 and actions provided for in this subsection; provided, however, such
5 exemption shall not apply if the peace officer has been convicted of
6 a felony crime, a crime of moral turpitude, or a crime of domestic
7 violence.

8 14. As used in this subsection:

- 9 a. "law enforcement agency" means any department or
10 agency of the state, a county, a municipality, or
11 political subdivision thereof, with the duties to
12 maintain public order, make arrests, and enforce the
13 criminal laws of this state or municipal ordinances,
14 which employs CLEET-certified personnel,
- 15 b. "final order of termination" means a final notice of
16 dismissal from employment provided after all
17 grievance, arbitration, and court actions have been
18 completed, and
- 19 c. "resignation while under investigation" means the
20 resignation from employment of a peace officer who is
21 under investigation for any felony violation of law, a
22 crime of moral turpitude, a crime of domestic
23 violence, or the resignation from employment of a
24

1 peace officer as part of an arbitration or plea
2 agreement.

3 L. 1. Every canine team in the state trained to detect
4 controlled dangerous substances shall be certified, by test, in the
5 detection of such controlled dangerous substances and shall be
6 recertified annually so long as the canine is used for such
7 detection purposes. The certification test and annual
8 recertification test provisions of this subsection shall not be
9 applicable to canines that are owned by a law enforcement agency and
10 that are certified and annually recertified in the detection of
11 controlled dangerous substances by the United States Customs
12 Service.

13 2. The Council shall appoint a Drug Dog Advisory Council to
14 make recommendations concerning minimum standards, educational
15 needs, and other matters imperative to the certification of canines
16 and canine teams trained to detect controlled dangerous substances.
17 The Council shall promulgate rules based upon the recommendations of
18 the Advisory Council. Members of the Advisory Council shall
19 include, but need not be limited to, a commissioned officer with
20 practical knowledge of such canines and canine teams from each of
21 the following:

- 22 a. the Oklahoma State Bureau of Narcotics and Dangerous
23 Drugs Control,
- 24 b. the Department of Public Safety,

- 1 c. a police department,
- 2 d. a sheriff's office, and
- 3 e. a university or college campus police department.

4 3. The fee for the certification test shall be Two Hundred
5 Dollars (\$200.00) and the annual recertification test fee shall be
6 One Hundred Dollars (\$100.00) per canine team. A retest fee of
7 Fifty Dollars (\$50.00) will be charged if the team fails the test.
8 No such fee shall be charged to any local, state or federal
9 government agency. The fees provided for in this paragraph shall be
10 deposited to the credit of the CLEET Fund created pursuant to
11 Section 1313.2 of Title 20 of the Oklahoma Statutes.

12 M. 1. Every canine team in the state trained to detect
13 explosives, explosive materials, explosive devices, and materials
14 which could be used to construct an explosive device shall be
15 certified, by test, in the detection of such explosives and
16 materials and shall be recertified annually so long as the canine is
17 used for such detection purposes. The certification test and annual
18 recertification test provisions of this subsection shall not be
19 applicable to canines that are owned by a law enforcement agency if
20 such canines are certified and annually recertified in the detection
21 of explosives and materials by the United States Department of
22 Defense.

23 2. The Council shall appoint a Bomb Dog Advisory Council to
24 make recommendations concerning minimum standards, educational

1 needs, and other matters imperative to the certification of canines
2 and canine teams trained to detect explosives, explosive materials,
3 explosive devices and materials which could be used to construct an
4 explosive device. The Council shall promulgate rules based upon the
5 recommendations of the Advisory Council. Members of the Advisory
6 Council shall include, but need not be limited to, a commissioned
7 officer with practical knowledge of such canines and canine teams
8 from each of the following:

- 9 a. the Department of Public Safety,
- 10 b. a police department,
- 11 c. a sheriff's office, and
- 12 d. a university or college campus police department.

13 3. The fee for the certification test shall be Two Hundred
14 Dollars (\$200.00) and the annual recertification test fee shall be
15 One Hundred Dollars (\$100.00) per canine team. A retest fee of
16 Fifty Dollars (\$50.00) will be charged if the team fails the test.
17 No such fee shall be charged to any local, state or federal
18 government agency. The fees provided for in this paragraph shall be
19 deposited to the credit of the CLEET Fund created pursuant to
20 Section 1313.2 of Title 20 of the Oklahoma Statutes.

21 N. All tribal police officers of any Indian tribe or nation who
22 have been commissioned by an Oklahoma law enforcement agency
23 pursuant to a cross-deputization agreement with the State of
24 Oklahoma or any political subdivision of the State of Oklahoma

1 pursuant to the provisions of Section 1221 of Title 74 of the
2 Oklahoma Statutes shall be eligible for peace officer certification
3 under the same terms and conditions required of members of the law
4 enforcement agencies of the State of Oklahoma and its political
5 subdivisions. CLEET shall issue peace officer certification to
6 tribal police officers who, as of July 1, 2003, are commissioned by
7 an Oklahoma law enforcement agency pursuant to a cross-deputization
8 agreement with the State of Oklahoma or any political subdivision of
9 the State of Oklahoma pursuant to the provisions of Section 1221 of
10 Title 74 of the Oklahoma Statutes and have met the training and
11 qualification requirements of this section.

12 O. If an employing law enforcement agency in this state has
13 paid the salary of a person while that person is completing in this
14 state a basic police course approved by the Council and if within
15 one (1) year after certification that person resigns and is hired by
16 another law enforcement agency in this state, the second agency or
17 the person receiving the training shall reimburse the original
18 employing agency for the salary paid to the person while completing
19 the basic police course by the original employing agency.

20 SECTION 14. AMENDATORY 70 O.S. 2011, Section 3311.13, is
21 amended to read as follows:

22 Section 3311.13 There is hereby created in the State Treasury a
23 revolving fund for the Council on Law Enforcement Education and
24 Training to be designated the "CLEET Private Security Revolving

1 Fund". The fund shall be a continuing fund, not subject to fiscal
2 year limitations, and shall consist of all monies received by the
3 Council on Law Enforcement Education and Training from the issuance
4 of licenses to bouncers, security guards, security guard agencies,
5 private investigators and private investigative agencies. All
6 monies accruing to the credit of said fund are hereby appropriated
7 and may be budgeted and expended by the Council on Law Enforcement
8 Education and Training for the purpose of fulfilling all statutory
9 obligations pursuant to the provisions of the Oklahoma Security
10 Guard ~~and~~, Private Investigator and Bouncer Act and providing
11 training and education programs for bouncers, security guards,
12 security guard agencies, private investigators and private
13 investigative agencies. Expenditures from said fund shall be made
14 upon warrants issued by the State Treasurer against claims filed as
15 prescribed by law with the Director of State Finance for approval
16 and payment.

17 SECTION 15. AMENDATORY 74 O.S. 2011, Section 360.19, is
18 amended to read as follows:

19 Section 360.19 Whether or not governing boards establish campus
20 police departments pursuant to the Oklahoma Campus Security Act,
21 nothing in this act shall be construed as prohibiting governing
22 boards from:

23 1. Employing personnel licensed pursuant to the Oklahoma
24 Security Guard ~~and~~, Private Investigator and Bouncer Act, Section

1 1750.1 et seq. of Title 59 of the Oklahoma Statutes to be employed
2 as campus security;

3 2. Contracting with municipalities to authorize their local
4 municipal police department, or with sheriffs departments, or with
5 retired commissioned police officers to provide security services;
6 or

7 3. Providing courtesy patrols, watchmen, traffic control
8 personnel or other persons for the performance of safety or security
9 duties for which such personnel are trained.

10 SECTION 16. This act shall become effective November 1, 2012.

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