

1 ENGROSSED HOUSE
2 BILL NO. 3089

By: Sanders of the House

3 and

4 Ballenger of the Senate

5
6
7 An Act relating to professions and occupations;
8 providing for regulation of fire sprinklers;
9 authorizing State Fire Marshal Commission to
10 promulgate rules; providing that certain code governs
11 sprinkler requirement; creating the Fire Sprinkler
12 Industry Committee; providing for members, terms,
13 vacancies, quorum, meetings and duties of the
14 Committee; creating the Fire Sprinkler System
15 Revolving Fund; requiring certain license;
16 establishing qualifications, examination and fees for
17 licensure; providing for codification; and providing
18 an effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 1840.1 of Title 59, unless there
22 is created a duplication in numbering, reads as follows:

23 In the interest of safeguarding lives and property, all powers,
24 duties and responsibilities relating to the licensing and testing of
fire sprinklers and fire sprinkler systems are hereby placed under
the authority of the State Fire Marshal Commission. The State Fire
Marshal Commission is hereby authorized to promulgate rules as may

1 be necessary for the licensing and testing of fire sprinklers and
2 fire sprinkler systems.

3 The applicable building construction code, as amended by the
4 Oklahoma Uniform Building Code Commission, and as applicable to any
5 proposed construction in any particular locale, shall govern as to
6 whether fire sprinklers or fire sprinkler systems are required in a
7 particular type of construction.

8 SECTION 2. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 1840.2 of Title 59, unless there
10 is created a duplication in numbering, reads as follows:

11 A. There is hereby created the Fire Sprinkler Industry
12 Committee which shall consist of the following six (6) members:

13 1. One member shall be the State Fire Marshal, or a designated
14 representative; and

15 2. Five members shall be appointed by the State Fire Marshal
16 Commission. The Commission shall appoint the five members within
17 thirty (30) days after the effective date of this act. Four of the
18 appointed members shall each have at least five (5) years of
19 experience in the fire sprinkler industry. One of the appointed
20 members shall be a lay member fire service representative. No
21 member of the Committee shall have any kind of employment
22 relationship with any other member.

23

24

1 B. The term of each appointed member shall be four (4) years
2 and the terms shall be staggered. Provided, the terms of the first
3 appointed members of the Committee shall be as follows:

4 1. One member shall be appointed to a term ending May 31, 2015;

5 2. One member shall be appointed to a term ending May 31, 2016;

6 3. One member shall be appointed to a term ending May 31, 2017;

7 4. One member shall be appointed to a term ending May 31, 2018;

8 and

9 5. One member shall be appointed to a term ending May 31, 2019.

10 Each appointed member shall hold office until his or her
11 successor is appointed.

12 C. Appointed members may be removed from office by the State
13 Fire Marshal Commission for cause.

14 D. Vacancies shall be filled by appointment by the State Fire
15 Marshal Commission for the unexpired term of the vacancy.

16 E. The Committee shall elect from among its membership a chair,
17 vice-chair and secretary to serve terms of not more than two (2)
18 years ending on May 31 of the year designated by the Committee. The
19 chair or vice-chair shall preside at all meetings.

20 F. A majority of Committee members shall constitute a quorum to
21 transact official business.

22 G. The Committee shall meet within thirty (30) days after the
23 effective date of this act and shall meet thereafter at such times
24 as the Committee deems necessary.

1 H. The Committee shall assist and advise the State Fire Marshal
2 Commission on all matters relating to the formulation of rules and
3 standards regarding the fire sprinkler industry.

4 SECTION 3. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 1840.3 of Title 59, unless there
6 is created a duplication in numbering, reads as follows:

7 There is hereby created in the State Treasury a revolving fund
8 for the State Fire Marshal, to be designated the "Fire Sprinkler
9 System Revolving Fund". The fund shall be a continuing fund, not
10 subject to fiscal year limitations, and shall consist of all monies
11 received by the Fire Sprinkler System Revolving Fund or the State
12 Fire Marshal pursuant to this act. All monies accruing to the
13 credit of the fund are hereby appropriated and may be budgeted and
14 expended by the Office of the State Fire Marshal for the purpose of
15 administration, implementation, and enforcement of this act,
16 including, but not limited to, office administration and personnel
17 expense, licensing and training, reimbursements in accordance with
18 the State Travel Reimbursement Act, and other necessary expenses
19 relating to this act. The State Fire Marshal shall not expend or
20 transfer any monies from this fund for any purpose not relating to
21 this act. Expenditures from the fund shall be made upon warrants
22 issued by the State Treasurer against claims filed as prescribed by
23 law with the Director of the Office of Management and Enterprise
24 Services for approval and payment.

1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1840.4 of Title 59, unless there
3 is created a duplication in numbering, reads as follows:

4 A. No person shall engage in the fire sprinkler industry
5 business in this state without first having obtained a license
6 pursuant to this act. Licenses shall be issued annually.

7 B. Any person applying for a license to engage in the fire
8 sprinkler industry business pursuant to this act shall provide
9 evidence to the Fire Sprinkler Industry Committee that the
10 individual within this state having direct supervision over the
11 function and local operations of such fire sprinkler industry
12 business or a branch thereof has the following qualifications:

- 13 1. Is at least eighteen (18) years of age;
- 14 2. Has not been declared, by any court of competent
15 jurisdiction, incompetent by reason of mental defect or disease, and
16 has not been restored to competency;
- 17 3. Is not a habitual user of intoxicating liquors or a user of
18 any illegal or illicit drug or controlled substance, including, but
19 not limited to, the nonmedical use of any prescription drug or other
20 intoxicating substance;
- 21 4. Has not been discharged from the Armed Services of the
22 United States under dishonorable conditions;
- 23 5. Is of good moral character; and

24

1 6. Meets such other standards as may be established by the Fire
2 Sprinkler Industry Committee relating to experience or knowledge of
3 the fire sprinkler industry.

4 C. The applicant shall advise the Committee and furnish full
5 information on each individual described in subsection B of this
6 section of any conviction of a felony or any crime involving moral
7 turpitude for which a full pardon has not been granted and furnish a
8 recent photograph of a type prescribed by the Committee and two
9 classifiable sets of fingerprints of such individual. Each
10 applicant shall have a security background verification.

11 D. Each applicant shall pass an examination prescribed by the
12 Fire Sprinkler Industry Committee.

13 E. The following fees apply to fire sprinkler industry
14 licensure:

15 1. Initial application and license fees:

16 a.	company application and license	\$250.00
17 b.	company manager and plan and design	\$200.00
18 c.	inspector, technician, salesperson	\$75.00
19 d.	technician trainee	\$25.00

20 2. Renewal fees:

21 a.	company license	\$250.00
22 b.	company manager and plan and design	\$100.00
23 c.	inspector, technician, salesperson	\$35.00
24 d.	technician trainee	\$15.00

