

1 **SENATE FLOOR VERSION**

2 February 21, 2013

3 **AS AMENDED**

4 SENATE BILL NO. 1049

By: Shortey of the Senate

and

Stiles of the House

5
6
7
8 **[private security and investigator licenses -**
9 **changing term of agency license - effective date -**
10 **emergency]**

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

12 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1750.6, is
13 amended to read as follows:

14 Section 1750.6. A. 1. Application for a license shall be made
15 on forms provided by the Council on Law Enforcement Education and
16 Training and shall be submitted in writing by the applicant under
17 oath. The application shall require the applicant to furnish
18 information reasonably required by the Council to implement the
19 provisions of the Oklahoma Security Guard and Private Investigator
20 Act, including classifiable fingerprints to enable the search of
21 criminal indices for evidence of a prior criminal record, including,
22 but not limited to, a national criminal history record check as
23 defined by Section 150.9 of Title 74 of the Oklahoma Statutes.

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

8 B. 1. a. ~~Beginning November 1, 2010, the~~ An original
9 application and any license renewal shall be
10 accompanied by a fee of Fifty Dollars (\$50.00) for
11 each original application and renewal of a private
12 investigator or an unarmed security guard, One Hundred
13 Dollars (\$100.00) for each original application and
14 renewal of an armed security guard or an armed private
15 investigator; provided however, an active certified
16 peace officer upon application or renewal of an armed
17 security guard or armed private investigator shall be
18 charged only twenty percent (20%) of the required fee,
19 Seven Dollars (\$7.00) for each special event license,
20 and Three Hundred Dollars (\$300.00) for either the
21 original application or each renewal for a security
22 agency or investigative agency. If an individual or
23 agency does not qualify for the type of license or
24 renewal license requested, CLEET shall retain twenty

1 percent (20%) of the licensing fee as a processing fee
2 and refund the remaining amount, if any, to the
3 individual or agency submitting payment. The
4 individual license fee paid by a licensed agency will
5 be refunded to the agency.

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

14 2. A licensee whose license has been suspended may apply for
15 reinstatement of license after the term of the suspension has
16 passed. Any application for reinstatement following a suspension of
17 licensure shall be accompanied by a nonrefundable fee of Twenty-five
18 Dollars (\$25.00) for the reinstatement of a private investigator or
19 unarmed security guard, Fifty Dollars (\$50.00) for the reinstatement
20 of an armed security guard or armed private investigator, and Two
21 Hundred Dollars (\$200.00) for reinstatement of a security or
22 investigative agency.

23 3. A licensee who fails to file a renewal application on or
24 before the expiration of a license shall pay a late fee of Twenty-

1 five Dollars (\$25.00) for an individual license and a late fee of
2 One Hundred Dollars (\$100.00) for an agency license.

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

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

10 b. ~~Fifty Dollars (\$50.00) of the fee charged for an~~
11 ~~original application or license renewal of an armed~~
12 ~~security guard or an armed private investigator, and~~

13 c. ~~One Hundred Dollars (\$100.00) of the fee charged for~~
14 ~~an original or renewal application for a security~~
15 ~~agency or investigative agency.~~

16 ~~Unless otherwise specified in this subsection, all remaining fees,~~
17 ~~penalties, and fines shall be deposited in the General Revenue Fund.~~

18 The prevailing fingerprint processing fee for the original
19 application for a private investigator, an unarmed security guard,
20 an armed security guard or an armed private investigator shall be
21 deposited in the OSBI Revolving Fund.

22 C. ~~Beginning November 1, 2010, a~~ A Security Guard License,
23 Armed Security Guard License, Private Investigator License, or Armed
24 Private Investigator License shall be valid for a period of three

1 (3) years and may be renewed for additional three-year terms. A
2 Beginning November 1, 2013, a Security Agency License or
3 Investigative Agency License shall be valid for a period of ~~five (5)~~
4 three (3) years and may be renewed for additional ~~five-year~~ three-
5 year terms. The Council shall provide for prorated fees and terms
6 of a Security Agent License or an Investigative Agency License to
7 coincide with the term of the individual's license who must also be
8 licensed as an agency. A special event license shall be valid only
9 for the duration of the event for which it is expressly issued. Any
10 individual may be issued up to two special event licenses during any
11 calendar year.

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

15 E. Pursuant to its rules, the Council may issue a duplicate
16 license to a person licensed pursuant to the provisions of the
17 Oklahoma Security Guard and Private Investigator Act. ~~Beginning~~
18 ~~November 1, 2010, the~~ The Council may assess a fee of Eight Dollars
19 (\$8.00) for the issuance of a duplicate license. The fee must
20 accompany the request for a duplicate license. ~~Four Dollars (\$4.00)~~
21 ~~of the fee collected for the issuance of a duplicate license shall~~
22 ~~be deposited to the credit of the CLEET Private Security Revolving~~
23 ~~Fund created pursuant to Section 2 of this act.~~

24 SECTION 2. This act shall become effective July 1, 2013.

1 SECTION 3. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

5 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE
6 February 21, 2013 - DO PASS AS AMENDED
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24