

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 952

By: Paddack

4
5
6 AS INTRODUCED

7 An Act relating to professional licensing; amending
8 Section 5, Chapter 407, O.S.L. 2013, as amended by
9 Section 3, Chapter 373, O.S.L. 2014 (59 O.S. Supp.
10 2015, Section 1350.4), which relates to unlicensed
11 bond enforcement; making certain allowances;
12 requiring certain compliance; amending Section 12,
13 Chapter 407, O.S.L. 2013 (59 O.S. Supp. 2015, Section
14 1350.11), which relates to denial, suspension or
15 revocation of license; modifying certain inclusions;
16 amending Section 13, Chapter 407, O.S.L. 2013, as
17 amended by Section 7, Chapter 373, O.S.L. 2014 (59
18 O.S. Supp. 2015, Section 1350.12), which relates to
19 impersonation of an officer; making certain
20 requirements; and providing an effective date.

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

1 B. Except as provided in paragraph C of Section 1311.3 of this
2 title, it shall be unlawful for a bail enforcer licensed in this
3 state to assist, aid or conspire with an unlicensed person, or a
4 person whose license as a bail enforcer or bail bondsman has been
5 suspended, revoked, surrendered or denied, to engage in any function
6 or service as a bail enforcer. Provided, however, an active duty
7 full time certified, and commissioned Oklahoma peace officer who is
8 off-duty may assist a bail enforcer without having been issued a
9 bail enforcer license. Any such peace officer engaged in a recovery
10 and surrender shall not wear any clothing marked 'police' or use any
11 other words or phrases that imply that such person is associated
12 with law enforcement or a government agency; or to use any vehicle
13 marked 'police' or with any other words or phrases that imply that
14 such a person is associated with law enforcement or a government
15 agency; or to display their official peace officer badge, unless
16 upon receipt of a law enforcement officer. Any such peace officer
17 engaged in a recovery and surrender shall wear clothing clearly
18 marked 'bail enforcer' or 'bail enforcement'.

19 C. Any violation of this section shall be a violation of the
20 Bail Enforcement and Licensing Act which is punishable as provided
21 in Section 1350.2 of this title.

22 SECTION 2. AMENDATORY Section 12, Chapter 407, O.S.L.
23 2013 (59 O.S. Supp. 2015, Section 1350.11), is amended to read as
24 follows:

1 Section 1350.11. A. A bail enforcer license or armed bail
2 enforcer license shall be subject to denial, suspension, or
3 revocation and/or disciplinary action or administrative fine by the
4 Council on Law Enforcement Education and Training subject to the
5 Administrative Procedures Act for, but not limited to, the following
6 reasons by clear and convincing evidence:

7 1. ~~Any erroneous or false statement in an application for a~~
8 ~~license submitted pursuant to the Bail Enforcement and Licensing Act~~
9 ~~or rules promulgated pursuant thereto~~ Falsification or a willful
10 misrepresentation of information in an employment application or
11 application to the Council on Law Enforcement Education and
12 Training, records of evidence or in testimony under oath;

13 2. Failure to successfully complete any prescribed phase or
14 course of training as required by the Council;

15 3. Violation of any provision of the Bail Enforcement and
16 Licensing Act or any rule promulgated pursuant thereto;

17 4. A conviction, entry of a plea of guilty or nolo contendere
18 or an "Alford" plea or any plea other than a not guilty plea for
19 assault or battery, aggravated assault or battery, larceny, theft,
20 false pretense, fraud, embezzlement, false personation of an
21 officer, any offense involving moral turpitude, any offense
22 involving a minor as a victim, any nonconsensual sex offense, any
23 offense involving the possession, use, distribution, or sale of a
24 controlled dangerous substance, any offense of driving while

1 intoxicated or driving under the influence of intoxicating
2 substance, any offense involving a firearm, any felony or any other
3 offense as proscribed by the Council;

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

6 6. Knowingly impersonating a law enforcement officer;

7 7. Improper use of force pursuant to the Bail Enforcement and
8 Licensing Act;

9 8. Failure to carry and possess proper license, identification
10 or documents required by the Bail Enforcement and Licensing Act or
11 any rules promulgated pursuant thereto;

12 9. Improper apparel or vehicle pursuant to the Bail Enforcement
13 and Licensing Act;

14 10. Improper carry, display or use of a firearm, weapon or
15 noxious substance;

16 11. Unlawful entry into a dwelling house, structure, property
17 or vehicle or improper detention of any person;

18 12. Employing, authorizing, or permitting an unlicensed person
19 to perform or engage in services as a bail enforcer; ~~or~~

20 13. Permitting a person to perform or engage in services as a
21 bail enforcer knowing the person has committed any offense
22 prohibited by the Bail Enforcement and Licensing Act.;

23 14. Revocation or voluntary surrender of police or peace
24 officer certification, private security guard license, private

1 investigator license, or bail enforcer license in another state for
2 a violation of any law or rule or in settlement of any disciplinary
3 action in such state; or

4 15. If an applicant is the defendant in a criminal prosecution
5 that is pending, no license will be issued until final resolution of
6 the criminal prosecution. If an applicant is the subject of an
7 order deferring imposition of judgment and sentence, no license will
8 be issued until completion of the deferred sentence and dismissal of
9 the criminal prosecution without a finding of guilt.

10 B. Upon the effective date of suspension or revocation of any
11 license pursuant to the Bail Enforcement and Licensing Act, the
12 licensee shall have the duty to surrender the license and any
13 identification card issued pursuant thereto to the Council.

14 SECTION 3. AMENDATORY Section 13, Chapter 407, O.S.L.
15 2013, as amended by Section 7, Chapter 373, O.S.L. 2014 (59 O.S.
16 Supp. 2015, Section 1350.12), is amended to read as follows:

17 Section 1350.12. A. It shall be unlawful for any person
18 engaged in a recovery and surrender to mark any vehicle, wear any
19 apparel, or display any badge or identification card bearing the
20 words "police", "deputy", "detective", "officer", "agent",
21 "investigator", "fugitive agent", "recovery agent", "enforcement
22 officer", "bounty hunter", "bail agent", or "recovery detective" or
23 use any other words or phrases that imply that such person is
24 associated with law enforcement or a government agency.

1 B. It shall be unlawful for any person not duly licensed or not
2 authorized to engage in a recovery and surrender pursuant to the
3 Bail Enforcement and Licensing Act to mark any vehicle, wear any
4 apparel, or display any badge or identification card bearing the
5 words "bail enforcer", "bail enforcement" or "bail enforcement
6 agency" or use any other words or phrases that imply that such
7 person is licensed or authorized to act under the Bail Enforcement
8 and Licensing Act or state or federal laws.

9 C. Any person duly licensed, or authorized to engage in a
10 recovery and surrender pursuant to the Bail Enforcement and
11 Licensing Act, shall wear apparel bearing the words 'bail enforcer'
12 or 'bail enforcement' during the recovery and surrender.

13 D. Any violation shall be a violation of the Bail Enforcement
14 and Licensing Act which is punishable as provided in Section 1350.2
15 of this title, or the violator may be prosecuted for false
16 impersonation of an officer.

17 SECTION 4. This act shall become effective November 1, 2016.

18
19 55-2-2150 BH 2/18/2016 7:15:22 PM
20
21
22
23
24