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February 19, 2014

AS AMENDED

SENATE BILL NO. 1075

By: Shortey of the Senate

and

Christian of the House

[private security and investigator licenses -
applications - effective date -

emergency]

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

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

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

2. Upon request of the Council, the Oklahoma State Bureau of Investigation and other state and local law enforcement agencies

1 shall furnish a copy of any existent criminal history data relating
2 to an applicant, including investigation reports which are otherwise
3 required by law to be deemed confidential, to enable the Council to
4 determine the qualifications and fitness of such applicant for a
5 license.

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

1 individual or agency submitting payment. The
2 individual license fee paid by a licensed agency will
3 be refunded to the agency.

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

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

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

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

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

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

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

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

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

20 C. ~~Beginning November 1, 2010, a~~ A Security Guard License,
21 Armed Security Guard License, Private Investigator License, or Armed
22 Private Investigator License shall be valid for a period of three
23 (3) years and may be renewed for additional three-year terms. A
24 Security Agency License or Investigative Agency License shall be

1 valid for a period of five (5) years and may be renewed for
2 additional five-year terms. A special event license shall be valid
3 only for the duration of the event for which it is expressly issued.
4 Any individual may be issued up to two special event licenses during
5 any calendar year.

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

9 E. Pursuant to its rules, the Council may issue a duplicate
10 license to a person licensed pursuant to the provisions of the
11 Oklahoma Security Guard and Private Investigator Act. ~~Beginning~~
12 ~~November 1, 2010, the~~ The Council may assess a fee of Eight Dollars
13 (\$8.00) for the issuance of a duplicate license. The fee must
14 accompany the request for a duplicate license. ~~Four Dollars (\$4.00)~~
15 ~~of the fee collected for the issuance of a duplicate license shall~~
16 ~~be deposited to the credit of the CLEET Private Security Revolving~~
17 ~~Fund created pursuant to Section 2 of this act.~~

18 SECTION 2. This act shall become effective July 1, 2014.

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

23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
24 February 19, 2014 - DO PASS AS AMENDED