

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 ENGROSSED SENATE
5 BILL NO. 1061

By: Daniels of the Senate

and

Martinez of the House

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9 An Act relating to professions and occupations;
10 amending 59 O.S. 2011, Sections 1800.1, as last
11 amended by Section 1, Chapter 172, O.S.L. 2015 and
12 1800.2, as last amended by Section 1, Chapter 170,
13 O.S.L. 2017 (59 O.S. Supp. 2017, Sections 1800.1 and
14 1800.2), which relate to the Alarm, Locksmith and
15 Fire Sprinkler Industry Act; modifying language;
16 adding definition; establishing certain contractual
17 provisions; prohibiting automatic contract renewals;
18 construing certain contracts; providing for
19 codification; and providing an effective date.

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

24 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1800.1, as
last amended by Section 1, Chapter 172, O.S.L. 2015 (59 O.S. Supp.
2017, Section 1800.1), is amended to read as follows:

Section 1800.1. ~~Section~~ Sections 1800.1 ~~et seq.~~ through Section
3 of this ~~title act~~ shall be known and may be cited as the "Alarm,
Locksmith and Fire Sprinkler Industry Act".

1 SECTION 2. AMENDATORY 59 O.S. 2011, Section 1800.2, as
2 last amended by Section 1, Chapter 107, O.S.L. 2017 (59 O.S. Supp.
3 2017, Section 1800.2), is amended to read as follows:

4 Section 1800.2. As used in the Alarm, Locksmith and Fire
5 Sprinkler Industry Act:

6 1. "Alarm industry" means the sale, except as provided in
7 Section 1800.3 of this title, installation, alteration, repair,
8 replacement, service, inspection, or maintenance of alarm systems or
9 service involving receipt of alarm signals for the purpose of
10 employee response and investigation of such signals or any
11 combination of the foregoing activities except inspections on one-
12 and two-family dwellings are exempt;

13 2. "Alarm system" means one or more devices designed either to
14 detect and signal an unauthorized intrusion or entry or to signal a
15 fire or other emergency condition, which signals are responded to by
16 public law enforcement officers, fire department personnel, private
17 guards or security officers;

18 3. "Committee" means the Alarm and Locksmith Industry
19 Committee;

20 4. "Commissioner" means the Commissioner of Labor;

21 5. "Integrated security system" means a mechanical and/or
22 electronic security device that includes, but is not limited to,
23 multiple integrated locks, burglar alarm systems, access control
24 systems, fiber optic security systems, video surveillance systems,

1 and nurse call systems, but does not include a stand-alone-single-
2 element of an integrated security system;

3 6. "Licensee" means any person licensed pursuant to the Alarm,
4 Locksmith and Fire Sprinkler Industry Act;

5 7. "Lock" means mechanical or electronic devices consisting
6 entirely of Class 2 or Class 3 circuits and power source
7 requirements as established by the National Electrical Code and
8 designed to control use of a device or control ingress or egress of
9 a structure or automobile, including, but not limited to, peripheral
10 devices to alarm systems, safes, vaults, safe deposit boxes,
11 biometric/retina readers and mechanical or electronic key systems;

12 8. "Locksmith industry" means the sale, servicing or
13 installing, repairing, rebuilding, readying, rekeying, repinning,
14 adjusting or installing locks, mechanical or electronic security
15 devices, annunciation devices not designed to require a response by
16 law enforcement or opening or bypassing a lock by a means other than
17 those intended by the manufacturer of such devices. For the
18 purposes of the Alarm, Locksmith and Fire Sprinkler Industry Act,
19 "mechanical or electronic security devices" includes, but is not
20 limited to, access control systems including peripheral devices to
21 alarm systems, fiber optic security systems, fire sprinklers, closed
22 circuit television and nurse call systems; ~~and~~

1 9. "Person" means an individual, sole proprietorship, firm,
2 partnership, association, limited liability company, corporation, or
3 other similar entity; and

4 10. "Residential alarm monitoring or service contract" means a
5 contract with end users for alarm monitoring and/or services for
6 individual residential premises for their own use.

7 SECTION 3. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 1800.18 of Title 59, unless
9 there is created a duplication in numbering, reads as follows:

10 A. On and after November 1, 2018, no contract for residential
11 alarm industry monitoring or services shall provide that after the
12 initial term of the contract the services will automatically
13 continue for any fixed term, except a month-to-month term.

14 B. On and after November 1, 2018, every contract for
15 residential alarm industry monitoring or services shall
16 conspicuously state that the person receiving the services has the
17 right, without additional cost or penalty, to terminate such
18 contract at the end of the initial term, at any time, by giving a
19 thirty-day notice to the provider of the intent to terminate the
20 services.

21 C. Any contract for residential alarm industry monitoring or
22 services entered into before November 1, 2018, which is renewed on
23 or after November 1, 2018, in violation of the provisions of
24 subsection A or B of this section may be either terminated or

1 changed to a month-to-month term at any time as set forth in
2 subsection A and B of this section.

3 SECTION 4. This act shall become effective November 1, 2018.

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5 COMMITTEE REPORT BY: COMMITTEE ON BANKING AND BUSINESS, dated
6 03/27/2018 - DO PASS.

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