STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

SENATE BILL 531

By: Standridge

AS INTRODUCED

An Act relating to alarm and locksmiths; amending 59 O.S. 2011, Sections 1800.4, as last amended by Section 1, Chapter 42, O.S.L. 2014, 1800.5, as last amended by Section 2, Chapter 22, O.S.L. 2013 and 1800.6, as amended by Section 8, Chapter 368, O.S.L. 2012 (59 O.S. Supp. 2016, Sections 1800.4, 1800.5 and 1800.6), which relate to the Alarm and Locksmith Industry Committee and licenses; updating references; adding certain authority; construing certain license requirements; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2011, Section 1800.4, as last amended by Section 1, Chapter 42, O.S.L. 2014 (59 O.S. Supp. 2016, Section 1800.4), is amended to read as follows:

Section 1800.4. A. There is hereby created the Alarm and Locksmith Industry Committee, which shall consist of nine (9) members. One member shall be the Commissioner of Labor or the Commissioner's designated representative and eight members shall be appointed by the Governor with the consent of the Senate. Seven of the appointed members shall have at least five (5) years of experience in the alarm or locksmith industry or in a closely related field with broad working knowledge of the alarm or locksmith
industry and active employment status in such field during the term of appointment. At least one of the appointed members shall be from each working field or closely related industries of burglar alarm, fire alarm, fire sprinkler, electronic access control, locksmith, closed circuit television, and nurse call system, except when a qualified candidate for appointment is not available in the working field. One of the appointed members shall be a lay member. No member shall be employed by the same person as any other member of the Committee. On the effective date of the transfer of alarm and locksmith industry as provided in this act November 1, 2012, the State Commissioner of Health then serving on the Alarm and Locksmith Industry Committee shall be replaced by the Commissioner of Labor, and all other committee members shall continue to serve until their term has expired or is otherwise vacated. Nothing shall prohibit the reappointment of any member provided the reappointment does not exceed term limits.

B. The term of office of each appointed member shall be a staggered term of four (4) years with a limit of two full terms. Notwithstanding the term of office, each appointed member shall continue to serve until his or her successor has been duly qualified and appointed. All appointees must qualify under the Alarm and Locksmith Industry Act.

C. Members of the Committee may be removed from office by the Governor at any time. A member missing two or more committee
meetings in a single year without justifiable cause may be removed and replaced by the Governor at the request of the Committee.

D. Vacancies shall be filled by appointment by the Governor with the consent of the Senate for the unexpired term of the vacancy. Should an appointment from a working field become vacant or be without qualified candidates for appointment, that working field may be filled by a person from another working field.

E. The members of the Committee shall serve without pay but may be reimbursed for actual expenses pursuant to the State Travel Reimbursement Act.

F. The Committee shall elect from among its membership a chair, vice-chair and secretary to serve terms of not more than two (2) years ending on May 31 of the year designated by the Committee. The chair or vice-chair shall preside at all meetings. The chair, vice-chair and secretary shall perform such duties as may be decided by the Committee in order to effectively administer the Alarm and Locksmith and Fire Sprinkler Industry Act or as directed by the Commissioner of Labor.

G. A majority of Committee members shall constitute a quorum to transact official business.

H. The Committee shall meet at such times as the Committee deems necessary to implement the Alarm and Locksmith and Fire Sprinkler Industry Act.
I. The Committee shall assist and advise the Commissioner on all matters relating to the formulation of rules, regulations and standards in accordance with the Alarm, Locksmith and Fire Sprinkler Industry Act.

SECTION 2. AMENDATORY 59 O.S. 2011, Section 1800.5, as last amended by Section 2, Chapter 22, O.S.L. 2013 (59 O.S. Supp. 2016, Section 1800.5), is amended to read as follows:

Section 1800.5. A. The Alarm and Locksmith Industry Committee shall have the following duties and powers:

1. To assist the Commissioner of Labor in licensing and otherwise regulating persons engaged in an alarm or locksmith industry business;

2. To determine qualifications of applicants pursuant to the Alarm, Locksmith and Fire Sprinkler Industry Act;

3. To assist the Commissioner in prescribing and adopting forms for license applications and initiate mailing of such application forms to all persons requesting such applications;

4. To assist the Commissioner in disciplinary actions, including the denial, suspension or revocation of licenses as provided by the Alarm, Locksmith and Fire Sprinkler Industry Act;

5. To assist the Commissioner with charging and collecting such fees as are prescribed by the Alarm, Locksmith and Fire Sprinkler Industry Act;
6. To assist the Commissioner in establishing and enforcing standards governing the materials, services and conduct of the licensees and their employees in regard to the alarm and locksmith industry;

7. To assist the Commissioner in promulgating rules necessary to carry out the administration of the Alarm and Locksmith and Fire Sprinkler Industry Act;

8. To investigate or assist in investigating alleged violations of the provisions of the Alarm and Locksmith and Fire Sprinkler Industry Act and any rules and regulations promulgated thereto;

9. To assist the Commissioner in establishing categories of licenses and identify advances of technology for the Alarm and Locksmith and Fire Sprinkler Industry Act and application requirements for each category including but not limited to individual license, experience requirements, educational requirements, fingerprints, photographs, examinations, and fees;

10. To assist the Commissioner in providing for grievance and appeal procedures pursuant to the Administrative Procedures Act for any person whose license is denied, revoked or suspended; and

11. To assist the Commissioner in identifying advancements in technology that apply to the alarm and locksmith industry; and

12. To exercise such other powers and duties as are necessary to implement the Alarm and Locksmith and Fire Sprinkler Industry Act.
B. The Department of Labor is authorized to regulate any advancements in technology that apply to the alarm, locksmith and fire sprinkler industry.

SECTION 3. AMENDATORY 59 O.S. 2011, Section 1800.6, as amended by Section 8, Chapter 368, O.S.L. 2012 (59 O.S. Supp. 2016, Section 1800.6), is amended to read as follows:

Section 1800.6. No person shall engage in an alarm or locksmith industry business in this state without first having obtained a license pursuant to the provisions of the Alarm and Locksmith and Fire Sprinkler Industry Act; provided, however, an alarm business or person licensed pursuant to the Alarm, Locksmith and Fire Sprinkler Industry Act shall not be required to obtain multiple licenses to install, repair or modify any component of an integrated security system; excluding Fire Sprinkler systems or Commercial Fire alarm systems.

SECTION 4. This act shall become effective November 1, 2017.

§1800.2 Definitions

Integrated Security System means a mechanical and or electronic security device which includes, but not limited to, multiple integrated locks, burglar alarm systems, access control systems, fiber optic security systems, video surveillance systems and nurse call systems; it does not include a single element of an integrated security system standing alone.