

HB2429 FULLPCS1 Stan May-LRB
2/21/2023 4:05:29 pm

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2429 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Stan May

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2429

By: May

7
8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to professions and occupations;
10 amending 59 O.S. 2021, Sections 1820.11, 1820.12, and
11 1820.13, which relates to the Fire Extinguisher
12 Licensing Act; lowering age qualification; removing
13 requirements for license application; modifying
14 application for licensing; and providing an effective
15 date.

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

17 SECTION 1. AMENDATORY 59 O.S. 2021, Section 1820.11, is
18 amended to read as follows:

19 Section 1820.11 A. Any person applying for a license to engage
20 in a fire extinguisher industry business pursuant to the Fire
21 Extinguisher Licensing Act shall provide evidence to the Fire
22 Extinguisher Industry Committee that the individual within this
23 state having direct supervision over the function and local
24 operations of the fire extinguisher industry business or a branch
thereof has the following qualifications:

1 1. The individual is at least ~~twenty one (21)~~ eighteen (18)
2 years of age;

3 2. The individual has not been declared by any court of
4 competent jurisdiction incompetent by reason of mental defect or
5 disease;

6 3. The individual is not a habitual user of intoxicating
7 liquors or habit-forming drugs;

8 4. The individual has not been discharged from the Armed
9 Services of the United States under other than honorable conditions;
10 and

11 5. The individual meets such other standards as may be
12 established by the State Fire Marshal Commission relating to
13 experience or knowledge of the fire extinguisher industry.

14 B. The applicant shall advise the Committee and furnish full
15 information on each individual described in subsection A of this
16 section of any conviction of a felony crime which substantially
17 relates to the occupation of an individual in a fire extinguisher
18 industry business and poses a reasonable threat to public safety for
19 which a full pardon has not been granted. The applicant shall
20 furnish a recent photograph of a type prescribed by the Committee
21 and two classifiable sets of fingerprints of such individual.

22 C. As used in this section:

23 1. "Substantially relates" means the nature of criminal conduct
24 for which the person was convicted has a direct bearing on the

1 fitness or ability to perform one or more of the duties or
2 responsibilities necessarily related to the occupation; and

3 2. "Poses a reasonable threat" means the nature of criminal
4 conduct for which the person was convicted involved an act or threat
5 of harm against another and has a bearing on the fitness or ability
6 to serve the public or work with others in the occupation.

Commented [1]: EDERIV

7 SECTION 2. AMENDATORY 59 O.S. 2021, Section 1820.12, is
8 amended to read as follows:

9 Section 1820.12 A. An application for a license shall include:

10 1. The address of the principal office of the applicant and the
11 address of each branch office located within this state;

12 2. The name of each business location under which the applicant
13 intends to do business as a licensee; and

14 3. ~~A statement as to the extent and scope of the fire~~
15 ~~extinguisher industry business of the applicant and all other~~
16 ~~businesses in which the applicant is engaged in this state;~~

17 4. ~~A recent photograph of the applicant of a type prescribed by~~
18 ~~the State Fire Marshal Commission if the applicant is a sole~~
19 ~~proprietor, or a photograph of each officer and of each partner or~~
20 ~~shareholder who owns a twenty-five percent (25%) or greater interest~~
21 ~~in the applicant, if the applicant is an entity; and~~

22 Such other information, statements, or documents as may be
23 required by the State Fire Marshal Commission.

1 B. An applicant for an individual license shall provide such
2 documents, statements or other information as may be required by the
3 State Fire Marshal Commission, ~~including two classifiable sets of~~
4 ~~fingerprints of the applicant. The fingerprints may be used for a~~
5 ~~national criminal history record check as defined by Section 150.9~~
6 ~~of Title 74 of the Oklahoma Statutes.~~

7 C. Fees for license and license renewal issued pursuant to the
8 Fire Extinguisher Licensing Act shall be adopted by the State Fire
9 Marshal Commission pursuant to Section 1820.19 of ~~Title 59~~ this
10 title of the Oklahoma Statutes. An applicant shall pay the license
11 fee at the time the applicant makes application.

12 SECTION 3. AMENDATORY 59 O.S. 2021, Section 1820.13, is
13 amended to read as follows:

14 Section 1820.13 A. 1. Upon making a proper initial fire
15 extinguisher business application, payment of the proper license fee
16 and certification of approval by the Fire Extinguisher Industry
17 Committee, the State Fire Marshal shall issue ~~a~~ an initial fire
18 extinguisher business license to the applicant. The fire
19 extinguisher business license shall be valid for a one-year term.

20 2. Upon making a proper initial individual application,
21 individual renewal application or fire extinguisher business renewal
22 application, and payment of the proper license fee, the State Fire
23 Marshal shall issue all initial individual applications, individual
24

1 renewal applications and fire extinguisher business renewal
2 application. These licenses shall be valid for a one-year term.

3 B. Renewal of a license shall not prohibit disciplinary
4 proceedings for an act committed prior to the renewal.

5 C. The State Fire Marshal Commission may adopt a system under
6 which licenses expire on various dates throughout the year. For any
7 change in such expiration dates, license fees shall be prorated on
8 an appropriate periodic basis.

9 SECTION 4. This act shall become effective November 1, 2023.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

59-1-7556 LRB 02/17/23