

1 ENGROSSED HOUSE  
2 BILL NO. 2429

By: May of the House

3 and

4 Garvin of the Senate

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6  
7 An Act relating to professions and occupations;  
8 amending 59 O.S. 2021, Sections 1820.11, 1820.12, and  
9 1820.13, which relate to the Fire Extinguisher  
10 Licensing Act; lowering age qualification; removing  
11 requirements for license application; modifying  
12 application for licensing; and providing an effective  
13 date.

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

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

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

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

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

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

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

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

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

20        C. As used in this section:

21        1. "Substantially relates" means the nature of criminal conduct  
22 for which the person was convicted has a direct bearing on the  
23 fitness or ability to perform one or more of the duties or  
24 responsibilities necessarily related to the occupation; and

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

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

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

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

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

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

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

20        5. Such other information, statements, or documents as may be  
21 required by the State Fire Marshal Commission.

22        B. An applicant for an individual license shall provide such  
23 documents, statements or other information as may be required by the  
24 State Fire Marshal Commission, ~~including two classifiable sets of~~

1 ~~fingerprints of the applicant. The fingerprints may be used for a~~  
2 ~~national criminal history record check as defined by Section 150.9~~  
3 ~~of Title 74 of the Oklahoma Statutes.~~

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

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

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

17 2. Upon making a proper initial individual application,  
18 individual renewal application or fire extinguisher business renewal  
19 application, and payment of the proper license fee, the State Fire  
20 Marshal shall issue all initial individual licenses, individual  
21 renewal licenses and fire extinguisher business renewal licenses.  
22 These licenses shall be valid for a one-year term.

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

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

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

6 Passed the House of Representatives the 14th day of March, 2023.

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Presiding Officer of the House  
of Representatives

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Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2023.

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Presiding Officer of the Senate

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