

1 **SENATE FLOOR VERSION**

2 February 23, 2017

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 531

By: Standridge of the Senate

and

Faught of the House

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9 [alarm and locksmiths - Alarm and Locksmith Industry
10 Committee and licenses - effective date]

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

13 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1800.2, as
14 last amended by Section 2, Chapter 172, O.S.L. 2015 (59 O.S. Supp.
15 2016, Section 1800.2), is amended to read as follows:

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

18 1. "Alarm industry" means the sale, except as provided in
19 Section 1800.3 of this title, installation, alteration, repair,
20 replacement, service, inspection, or maintenance of alarm systems or
21 service involving receipt of alarm signals for the purpose of
22 employee response and investigation of such signals or any
23 combination of the foregoing activities except inspections on one-
24 and two-family dwellings are exempt;

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

6 3. "Committee" means the Alarm and Locksmith Industry
7 Committee;

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

9 5. "Integrated security system" means a mechanical and/or
10 electronic security device that includes, but is not limited to,
11 multiple integrated locks, burglar alarm systems, access control
12 systems, fiber optic security systems, video surveillance systems,
13 and nurse call systems, but does not include a stand-alone-single-
14 element of an integrated security system;

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

17 ~~6.~~ 7. "Lock" means mechanical or electronic devices consisting
18 entirely of Class 2 or Class 3 circuits and power source
19 requirements as established by the National Electrical Code and
20 designed to control use of a device or control ingress or egress of
21 a structure or automobile, including, but not limited to, peripheral
22 devices to alarm systems, safes, vaults, safe deposit boxes,
23 biometric/retina readers and mechanical or electronic key systems;

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1 ~~7.~~ 8. "Locksmith industry" means the sale, servicing or
2 installing, repairing, rebuilding, readying, rekeying, repinning,
3 adjusting or installing locks, mechanical or electronic security
4 devices, annunciation devices not designed to require a response by
5 law enforcement or opening or bypassing a lock by a means other than
6 those intended by the manufacturer of such devices. For the
7 purposes of the Alarm, Locksmith and Fire Sprinkler Industry Act,
8 "mechanical or electronic security devices" includes, but is not
9 limited to, access control systems including peripheral devices to
10 alarm systems, fiber optic security systems, fire sprinklers, closed
11 circuit television and nurse call systems; and

12 ~~8.~~ 9. "Person" means an individual, sole proprietorship, firm,
13 partnership, association, limited liability company, corporation, or
14 other similar entity.

15 SECTION 2. AMENDATORY 59 O.S. 2011, Section 1800.4, as
16 last amended by Section 1, Chapter 42, O.S.L. 2014 (59 O.S. Supp.
17 2016, Section 1800.4), is amended to read as follows:

18 Section 1800.4. A. There is hereby created the Alarm and
19 Locksmith Industry Committee, which shall consist of nine (9)
20 members. One member shall be the Commissioner of Labor or the
21 Commissioner's designated representative and eight members shall be
22 appointed by the Governor with the consent of the Senate. Seven of
23 the appointed members shall have at least five (5) years of
24 experience in the alarm or locksmith industry or in a closely

1 related field with broad working knowledge of the alarm or locksmith
2 industry and active employment status in such field during the term
3 of appointment. At least one of the appointed members shall be from
4 each working field or closely related industries of burglar alarm,
5 fire alarm, fire sprinkler, electronic access control, locksmith,
6 closed circuit television, and nurse call system, except when a
7 qualified candidate for appointment is not available in the working
8 field. One of the appointed members shall be a lay member. No
9 member shall be employed by the same person as any other member of
10 the Committee. ~~On the effective date of the transfer of alarm and~~
11 ~~locksmith industry as provided in this act~~ November 1, 2012, the
12 State Commissioner of Health then serving on the Alarm and Locksmith
13 Industry Committee shall be replaced by the Commissioner of Labor,
14 and all other committee members shall continue to serve until their
15 term has expired or is otherwise vacated. Nothing shall prohibit
16 the reappointment of any member provided the reappointment does not
17 exceed term limits.

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

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

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

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

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

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

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1 H. The Committee shall meet at such times as the Committee
2 deems necessary to implement the Alarm ~~and~~, Locksmith and Fire
3 Sprinkler Industry Act.

4 I. The Committee shall assist and advise the Commissioner on
5 all matters relating to the formulation of rules, regulations and
6 standards in accordance with the Alarm ~~and~~, Locksmith and Fire
7 Sprinkler Industry Act.

8 SECTION 3. AMENDATORY 59 O.S. 2011, Section 1800.5, as
9 last amended by Section 2, Chapter 22, O.S.L. 2013 (59 O.S. Supp.
10 2016, Section 1800.5), is amended to read as follows:

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

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

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

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

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

1 5. To assist the Commissioner with charging and collecting such
2 fees as are prescribed by the Alarm ~~and,~~ Locksmith and Fire
3 Sprinkler Industry Act;

4 6. To assist the Commissioner in establishing and enforcing
5 standards governing the materials, services and conduct of the
6 licensees and their employees in regard to the alarm and locksmith
7 industry;

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

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

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

20 10. To assist the Commissioner in providing for grievance and
21 appeal procedures pursuant to the Administrative Procedures Act for
22 any person whose license is denied, revoked or suspended; and
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1 11. To exercise such other powers and duties as are necessary
2 to implement the Alarm ~~and~~, Locksmith and Fire Sprinkler Industry
3 Act.

4 B. The Department of Labor is authorized to regulate any
5 advancements in technology that apply to the alarm, locksmith and
6 fire sprinkler industry.

7 SECTION 4. AMENDATORY 59 O.S. 2011, Section 1800.6, as
8 amended by Section 8, Chapter 368, O.S.L. 2012 (59 O.S. Supp. 2016,
9 Section 1800.6), is amended to read as follows:

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

18 SECTION 5. This act shall become effective November 1, 2017.

19 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM
20 February 23, 2017 - DO PASS AS AMENDED

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