

NAME OF AGENCY:

Council on Law Enforcement Education and Training (CLEET)

TYPE OF DOCUMENT:

Rule Impact Statement

PROPOSED RULES:

CHAPTER 35. REGULATION OF PRIVATE SECURITY INDUSTRY

Subchapter 1. General Provisions

390:35-1-3. [AMENDED]

Subchapter 5. License Requirements

390:35-5-2.1. [AMENDED]

390:35-5-3. [AMENDED]

390:35-5-11. [AMENDED]

Subchapter 7. Application Procedure

390:35-7-1. [AMENDED]

Subchapter 15. Training Requirements

390:35-15-1. [AMENDED]

390:35-5-2. [AMENDED]

SUMMARY:

Subchapter 1. General Provisions

Amendments to 390:35-1-3. Definitions

"CLEET profile email address" means the latest email address provided by the licensee to the CLEET online portal.

"Online portal" means any mechanism designated by CLEET by which business with applicants, licensees, agencies, certificate holders, the public, and/or others may be conducted remotely using the Internet.

Subchapter 5. Renewals and continuing education

Amendments to 390:35-5-2.1. Renewals and continuing education

(b) Renewal applications are submitted through CLEET's online portal and will be accepted up to thirty (30) days after the date of expiration of the applicant's license. If the renewal application is received more than thirty (30) days after the expiration date of the applicant's license, a letter will be ~~mailed~~ emailed to the ~~applicants~~ applicant's CLEET profile email address with instructions to submit a completed new application and complete licensing fee. Continuing education will still be required even if the applicant has to submit a new application. Renewal applications will be accepted no more than sixty (60) days before the date of expiration of the applicant's license. If the renewal application is received more than sixty (60) days before the expiration date of the applicant's license, the payment received and a letter will be ~~mailed~~ emailed to the ~~applicants~~ applicant's CLEET profile email address with instructions of when to submit a completed renewal application and licensing fee.

(d) A licensee who has timely submitted a request for renewal with payment and has failed to meet the minimum training requirements will be ~~mailed~~ emailed a letter to the applicant's CLEET profile email address along with a penalty citation as listed in Appendix C requiring proof of continuing education and disposition of the fine within fifteen (15) days. No license will be issued without verification of the minimum hours of continuing education and disposition of the above mentioned citation.

Amendments to 390:35-5-3. Conditional licenses

(b) (3) Receipt of a fingerprint return completed ~~OSBI records name check~~.

Amendments to 390:35-5-11. Temporary licenses; out-of-state practitioners

(1) Said private investigator or security guard must ~~immediately, or as soon as possible,~~ register with CLEET through its online portal no fewer than three (3) business days before the private investigator or security guard intends to enter into Oklahoma to conduct business;

Subchapter 7. Application Procedure

Amendment to 390:35-7-1. Applications

Applications may be completed through CLEET's online portal or other method authorized by CLEET. CLEET only has access to fingerprint returns for thirty (30) days after fingerprints are submitted to OSBI. Other documents are only good for ninety (90) days after issuance or completion date unless otherwise indicated on the printed form.

Subchapter 15. Training Requirements

Amendment to 390:35-15.1. Private security school accreditation

(d) (1) Phase 1 "Basic" - A course of instruction related to general private security tasks and includes a minimum of 20 hours of training.

(2) Phase 2 "Security Guard" - A course of instruction specifically related to the tasks of unarmed security guards and includes a minimum of 20 hours of training.

(3) Phase 3 "Private Investigator"- A course of instruction specifically related to the tasks of private investigators and includes a minimum of 35 hours of training.

(4) Phase 4 "Firearms" - A course of instruction and familiarization in the care, handling, and firing of revolvers ~~or~~ and semi-automatic handguns and includes a minimum of 32 hours of training.

Amendments to 390:35-15-2. Schools, school coordinators, and instructors

(a) Unless otherwise provided in 390:35-15-2, CLEET shall recognize only those training courses that are conducted at approved schools. Approval to conduct private security training ~~may~~ shall be requested by submitting an ~~making written~~ application through CLEET's online portal to the Director.

AUTHORITY:

Council on Law Enforcement Education and Training; 21 O.S., § 1290.27; 59 O.S., §§ 1350.1 et seq. and 1750.1 through 1750.14; 70 O.S., § 3311 et seq

CLASSES OF PERSONS AFFECTED:

Persons licensed by CLEET as private investigators or security guards, agencies operating as security guard or private investigative agencies.

PERSONS WHO WILL BENEFIT:

Persons licensed by CLEET as private investigators or security guards, agencies operating as security guard or private investigative agencies.

PROBABLE ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS: (Listing of fees and justification)

None.

PROBABLE COSTS AND BENEFITS TO THE AGENCY OR ANY OTHER AGENCY OF THE IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE; SOURCE OF REVENUE TO BE USED FOR IMPLEMENTATION AND ENFORCEMENT; AND ANTICIPATED EFFECT ON STATE REVENUES:

No additional monies are required for implementation.

ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS OR ASSISTANCE REQUIRED TO IMPLEMENT OR ENFORCE RULE:

No economic impact.

ADVERSE EFFECT ON SMALL BUSINESSES AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:

None.

MEASURES TAKEN TO MINIMIZE COMPLIANCE COSTS; ALTERNATIVES CONSIDERED:

This work is already being monitored, there would be no additional compliance costs.

EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED; NATURE OF RISK TO PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND EXTENT PROPOSED RULE WILL REDUCE THE RISK:

This proposed rule would not affect the public health, safety, or environment.

DETRIMENTAL EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED:

None.

DATE PREPARED:

January 26, 2024