

NAME OF AGENCY:

Council on Law Enforcement Education and Training (CLEET)

TYPE OF DOCUMENT:

Rule Impact Statement

PROPOSED RULES:

CHAPTER 60. REGULATING BAIL ENFORCERS

Subchapter 5. Application requirements

390:60-5-1. [AMENDED]

390:60-5-3. [AMENDED]

390:60-5-5. [AMENDED]

Subchapter 13. Private Bail enforcer Schools

390:60-13-1. [AMENDED]

390:60-13-2. [AMENDED]

SUMMARY:

Subchapter 5. Application requirements

Amendments to 390:60-5-1. Bail Enforcer applicant requirements

(d) ~~Under oath, the~~ The applicant shall certify that the applicant has no disqualifying convictions as specified in the Bail Enforcement and Licensing Act or by CLEET rule, or must disclose the disqualifying convictions and state that more than five (5) years have lapsed since the completion of the sentence for a disqualifying conviction.

(e) The applicant must submit fingerprints in the manner and form directed by CLEET ~~provide CLEET and the Oklahoma State Bureau of Investigation with individual fingerprints for a state and national criminal history records search.~~

(f) The applicant must submit an acceptable digital ~~supply CLEET two (2) current individual passport-sized photographs~~ photographs ~~photograph~~ with the completed CLEET application.

(h) The applicant must affirm state, under oath, that the applicant is not currently undergoing treatment for a mental illness, condition, or disorder.

(i) The applicant must ~~state, under oath~~, whether the applicant has ever been adjudicated incompetent or committed to a mental institution.

(j) The applicant must ~~state, under oath~~, whether the applicant has any history of illegal drug use or alcohol abuse.

(l) The applicant must ~~state, under oath~~, whether the applicant has ever been charged with any misdemeanor domestic violence offense.

(p) The submission of the ~~signature of the applicant on the~~ Application through CLEET's online portal shall be considered an attestation that the Applicant has read these Rules, and agrees to obey these Rules.

Amendments to 390:60-5-3. ~~Request for applications~~ Applications

(a) ~~An application may be requested at the following address: CLEET, Bail Enforcement Division, 2401 Egypt Road, Ada, Oklahoma, 74820-0669. Bail Enforcer 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.~~

(b) ~~Requests will be handled in the most expeditious and cost effective manner.~~

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Amendments 390:60-5-5. Accuracy and completeness of application

(c) If an application is incomplete, CLEET will process any payments in accordance with

statutory requirements, and will notify the applicant that the application is incomplete. ~~No further action will be taken on the application until all required information is received by CLEET.~~ Upon receipt of the notification that the application is deficient, the applicant will have thirty (30) days to provide needed documents or make the necessary corrections. At the end of the thirty (30) day application period, and absent substantive progress toward providing documents or information necessary to complete the application, CLEET will return the application fees less the established processing fees. CLEET will offer no further consideration of the incomplete application.

Subchapter 13. Private Bail enforcer schools

Amendments to 390:60-13.1. Private school accreditation

- (e) (1) Phase 1 - A course of instruction related to general private security or bail enforcer tasks and includes a minimum of 20 hours of training.
- (2) Phase 2 - A course of instruction specifically related to the tasks of unarmed security guards and unarmed bail enforcers and includes a minimum of 20 hours of training.
- (3) Phase 3 - A course of instruction specifically related to the tasks of private investigators and bail enforcers 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 semi-automatic handguns and includes a minimum of 32 hours of training.
- (5) Phase 5 - A course of instruction specifically related to the tasks of Bail Enforcers and includes a minimum of 40 hours of training.

Amendments to 390:60-13-2. Schools, school coordinators, and instructors

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

AUTHORITY:

Council on Law Enforcement Education and Training; 59 O.S., §§ 1301, 1303, 1327, 1328, 1329, 1332, 1332.1.1, 1350.1 through 1350.20, and 1750.1 through 1750.14; 70 O.S., §§ 3311 et seq.

CLASSES OF PERSONS AFFECTED:

Bail Enforcers, Armed Bail Enforcers, and Bail Enforcer schools.

PERSONS WHO WILL BENEFIT:

Bail Enforcers, Armed Bail Enforcers, and Bail Enforcer schools.

PROBABLE ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS:

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:

None.

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 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 change 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