

NAME OF AGENCY:

Council on Law Enforcement Education and Training (CLEET)

TYPE OF DOCUMENT:

Rule Impact Statement

PROPOSED RULES:

CHAPTER 60. REGULATION OF BAIL ENFORCERS [NEW]

SUMMARY:

These rules are needed to incorporate statutory language from the last legislative session in Senate Bill 1013, which established The Bail Enforcement and Licensing Act. The Council finds it necessary to promulgate emergency rules to insure the safety and welfare of individuals seeking training and licensing under this statute, and to implement certain provisions of this law which will become effective March 14, 2014.

AUTHORITY:

Council on Law Enforcement Education and Training; 59 O.S., § 1301, 1303, 1327, 1328, 1329, 1332 and 1332.1.1; 59 O.S., §1350.1 through 1350.20; 59 O.S. §1750.2A, 1750.5, 1750.14; 70 O.S., § 3311 et seq.

CLASSES OF PERSONS AFFECTED:

Bail Enforcers and Armed Bail Enforcers.

PERSONS WHO WILL BENEFIT:

Bail Enforcers and the public.

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

Pursuant to Title 59, § 1350.10 original application and license renewal fees will be \$300.00 for an unarmed bail enforcer license or \$400.00 for an armed bail enforcer license. This statute also authorizes reinstatement, duplicate license and late fees. In addition, penalties and fines will be imposed in the same manner as the Oklahoma Security Guard and Private Investigators Act.

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:

The Council will use staff and resources established for the Oklahoma Security Guard and Private Investigator Act to implement, administer and enforce the Bail Enforcement and Licensing Act. CLEET will use funds available from the CLEET Bail Enforcement Revolving Fund for necessary financial support.

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:

Existing clerical and legal staff for CLEET will monitor this activity.

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:

These proposed rules, if not implemented, would restrict CLEET from issuing licenses to Bail Enforcers or Armed Bail Enforcers pursuant to Senate Bill 1013 passed last legislative

session. The persons licensed under these rules, will have had a background check, psychological evaluation, and other criteria prior to licensing.

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

None.

DATE PREPARED:

December 10, 2013.

