

**NAME OF AGENCY:**

Council on Law Enforcement Education and Training (CLEET)

**TYPE OF DOCUMENT:**

Rule Impact Statement

**PROPOSED RULES:**

**CHAPTER 10. PEACE OFFICER CERTIFICATION**

390:10-1-5 [AMENDED]

**SUMMARY:**

Amendments are non-substantial and necessary to clarify the certification process.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O. S., Section 3311(B)(2) and 70 O.S., Section 3311, et seq.

**CLASSES OF PERSONS AFFECTED:**

Individuals who want to obtain peace officer certification.

**PERSONS WHO WILL BENEFIT:**

Peace officers and employing law enforcement agencies.

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

None. There are no fees associated with this change.

**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:**

None. There are no costs associated with this change and 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 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:**

February 2, 2010

**NAME OF AGENCY:**

Council on Law Enforcement Education and Training (CLEET)

**TYPE OF DOCUMENT:**

Rule Impact Statement

**PROPOSED RULES:**

**CHAPTER 15. BASIC PEACE OFFICER CERTIFICATION TRAINING**

Subchapter 1. Basic Academy Programs

390:15-1-2 [AMENDED]

390:15-1-6 [AMENDED]

390:15-1-11 [REVOKED]

390:15-1-12 [REVOKED]

390:15-1-13 [AMENDED]

390:15-1-14 [REVOKED]

390:15-1-15 [REVOKED]

390:15-1-16 [REVOKED]

390:15-1-17 [REVOKED]

**SUMMARY:**

Amendments will allow Curriculum Review Board, which was statutorily created to establish curriculum, to adjust curriculum through the implementation of internal policy directives. Amended rule reflects recent statutory changes, which nullify the physical testing requirement set forth in this rule. The current rules are confusing and the amendments would simplify and clarify the testing process and procedure. The rules in this section relate to personal trainee conduct, trainee dress code requirements, academic study assignments, academy training hours, general academy equipment, and academy clothing requirements. All of these polices, which are being revoked, would be implemented as internal academy policy to provide CLEET the flexibility to modify and adjust academy requirements in a thorough and responsive manner.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O. S., Section 3311.5(B)(16), 70 O.S., Section 3311 (A), 70 O.S., Section 3311(B)(2), and 70 O.S., Section 3311, et seq.

**CLASSES OF PERSONS AFFECTED:**

Peace officers and employing law enforcement agencies.

**PERSONS WHO WILL BENEFIT:**

Peace officers and employing law enforcement agencies.

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

None. There are no fees associated with this change.

**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:**

None. There are no costs associated with this change and 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:**

Not applicable.

**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:**

February 2, 2010

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**PROPOSED RULES:**

**CHAPTER 20. RESERVE PEACE OFFICER CERTIFICATION AND TRAINING**

390:20-1-3 [AMENDED]

390:20-1-4 [AMENDED]

390:20-1-8 [AMENDED]

390:20-1-11 [AMENDED]

390:20-1-12 [AMENDED]

**SUMMARY:**

Language would be amended to correct a conflict in the rules relating to reserve/peace officer employment. Amendments would enable CLEET to schedule Reserve Academies more efficiently and effectively. Changes were made to reflect current CLEET procedure and policy.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 11 O.S. , Section 34-101, 70 O. S., Section 3311 (A), 70 O.S., Section (E)(2)(6), and 70 O.S., Section 3311, et seq.

**CLASSES OF PERSONS AFFECTED:**

Reserve officers.

**PERSONS WHO WILL BENEFIT:**

Reserve officers.

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

None. There are no fees associated with this change.

**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:**

None. There are no costs associated with this change and 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:**

Not applicable.

**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:**

No change.

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

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

**DATE PREPARED:**

February 2, 2010.

**NAME OF AGENCY:**

Council on Law Enforcement Education and Training (CLEET)

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Rule Impact Statement

**PROPOSED RULES:**

**CHAPTER 35. REGULATION OF PRIVATE SECURITY INDUSTRY**

Subchapter 5. License Requirements

390:35-5-13 [AMENDED]

Subchapter 9. Violations and Investigations

390:35-9-4 [AMENDED]

Subchapter 15. Training and Standards Requirements

Appendix A [AMENDED]

**SUMMARY:**

Amendment clarifies that private security guards and private investigators must notify CLEET of any name change and submit documentation which reflects the change of name. For example, when a licensee marries or otherwise legally changes their name, CLEET must update license records and issue an updated license. Amendments would require licensees to report whether a Victim's Protective Order (VPO) has been initiated against the licensee. Amendment would also clarify that all criminal proceedings must be reported upon the discover of the filing or upon arrest. Amendment would reclassify an existing potential disqualifying conviction and adds an additional crime that may disqualify a person from obtaining or holding an armed or unarmed security guard license pursuant to 59 O.S. Section 1750.1, et seq.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 59 O.S., Section 1750.3(B)(1); 59 O.S., Section 1750.1 et seq.

**CLASSES OF PERSONS AFFECTED:**

Individuals licensed to work or conduct business as security guards and private investigators.

**PERSONS WHO WILL BENEFIT:**

Individuals licensed to work or conduct business as security guards and private investigators, and the public.

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

None. There are no fees associated with this change and no additional monies are required for implementation..

**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:**

There are no costs associated with this change.

**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:**

There are no additional costs associated with this change.

**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.

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Rule Impact Statement

**PROPOSED RULES:**

**CHAPTER 50. Penalty Assessment Fees**

390:50-1-5 [AMENDED]

**SUMMARY:**

This amendment is non-substantial and would clarify current conflicting rules relating to penalty adjustments. (Currently, this rule conflicts with 390:50-1-3.)

**AUTHORITY:**

Council on Law Enforcement Education and Training; 20 O.S., Section 1313.2, 70 O.S. 3311 et seq.

**CLASSES OF PERSONS AFFECTED:**

Courts reporting activity to CLEET.

**PERSONS WHO WILL BENEFIT:**

Courts reporting activity to CLEET.

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

This amendment will clarify conflicting rules and will enable CLEET to make adjustments to correct errors in amounts on court reports of up to \$1.00, as reflected in Rule 390:50-1-3. Allowing the \$1.00 adjustment should have a negligible effect on collections as both positive and negative errors occur and they should offset each other over time.

**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:**

This amendment will clarify conflicting rules and will enable CLEET to make adjustments to correct errors in amounts on court reports of up to \$1.00, as reflected in Rule 390:50-1-3. Allowing the \$1.00 adjustment should have a negligible effect on collections as both positive and negative errors occur and they should offset each other over time. Since the costs for labor, postage and envelopes to notify the court of an error and the court cost to respond exceed \$1.00, there will be a slight cost savings to both CLEET and to the courts.

**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:**

There are no additional costs for this rule change.

**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:**

February 2, 2010