

An Act

ENROLLED SENATE
BILL NO. 1061

By: Daniels of the Senate

and

Martinez of the House

An Act relating to professions and occupations; amending 59 O.S. 2011, Sections 1800.1, as last amended by Section 1, Chapter 172, O.S.L. 2015 and 1800.2, as last amended by Section 1, Chapter 170, O.S.L. 2017 (59 O.S. Supp. 2017, Sections 1800.1 and 1800.2), which relate to the Alarm, Locksmith and Fire Sprinkler Industry Act; modifying language; adding definition; establishing certain contractual provisions; prohibiting automatic contract renewals; construing certain contracts; providing for codification; and providing an effective date.

SUBJECT: Alarm industry contracts

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

SECTION 1. AMENDATORY 59 O.S. 2011, Section 1800.1, as last amended by Section 1, Chapter 172, O.S.L. 2015 (59 O.S. Supp. 2017, Section 1800.1), is amended to read as follows:

Section 1800.1. ~~Section~~ Sections 1800.1 et seq. through Section 3 of this ~~title act~~ shall be known and may be cited as the "Alarm, Locksmith and Fire Sprinkler Industry Act".

SECTION 2. AMENDATORY 59 O.S. 2011, Section 1800.2, as last amended by Section 1, Chapter 107, O.S.L. 2017 (59 O.S. Supp. 2017, Section 1800.2), is amended to read as follows:

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

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

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

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

4. "Commissioner" means the Commissioner of Labor;

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

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

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

8. "Locksmith industry" means the sale, servicing or installing, repairing, rebuilding, readying, rekeying, repinning,

adjusting or installing locks, mechanical or electronic security devices, annunciation devices not designed to require a response by law enforcement or opening or bypassing a lock by a means other than those intended by the manufacturer of such devices. For the purposes of the Alarm, Locksmith and Fire Sprinkler Industry Act, "mechanical or electronic security devices" includes, but is not limited to, access control systems including peripheral devices to alarm systems, fiber optic security systems, fire sprinklers, closed circuit television and nurse call systems; ~~and~~

9. "Person" means an individual, sole proprietorship, firm, partnership, association, limited liability company, corporation, or other similar entity; and

10. "Residential alarm monitoring or service contract" means a contract with end users for alarm monitoring and/or services for individual residential premises for their own use.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1800.18 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. On and after November 1, 2018, no contract for residential alarm industry monitoring or services shall provide that after the initial term of the contract the services will automatically continue for any fixed term, except a month-to-month term.

B. On and after November 1, 2018, every contract for residential alarm industry monitoring or services shall conspicuously state that the person receiving the services has the right, without additional cost or penalty, to terminate such contract at the end of the initial term, at any time, by giving a thirty-day notice to the provider of the intent to terminate the services.

C. Any contract for residential alarm industry monitoring or services entered into before November 1, 2018, which is renewed on or after November 1, 2018, in violation of the provisions of subsection A or B of this section may be either terminated or changed to a month-to-month term at any time as set forth in subsection A and B of this section.

SECTION 4. This act shall become effective November 1, 2018.

Passed the Senate the 6th day of March, 2018.

Presiding Officer of the Senate

Passed the House of Representatives the 17th day of April, 2018.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____