

1 **SENATE FLOOR VERSION**

2 February 28, 2022

3 **AS AMENDED**

4 SENATE BILL NO. 1419

5 By: Dahm

6 An Act relating to the Oklahoma Security Guard and  
7 Private Investigator Act; amending 59 O.S. 2021,  
8 Section 1750.2, which relates to definitions;  
9 modifying definition; and providing an effective  
10 date.

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

12 SECTION 1. AMENDATORY 59 O.S. 2021, Section 1750.2, is  
13 amended to read as follows:

14 Section 1750.2. As used in the Oklahoma Security Guard and  
15 Private Investigator Act:

16 1. "Client" means any person or legal entity having a contract  
17 with a person or entity licensed pursuant to the Oklahoma Security  
18 Guard and Private Investigator Act, which contract authorizes  
19 services to be performed in return for financial or other  
20 considerations;

21 2. "Council" means the Council on Law Enforcement Education and  
22 Training;

23 3. "License" means authorization issued by the Council pursuant  
24 to the Oklahoma Security Guard and Private Investigator Act  
25 permitting the holder to perform the functions of a security guard,

1 armed security guard, private investigator, investigative agency, or  
2 security agency;

3 4. "Private investigator" means a person who is self-employed,  
4 or contracts with, or is employed by an investigative agency for the  
5 purpose of conducting a private investigation and reporting the  
6 results to the employer or client of the employer relating to:

7 a. potential or pending litigation, civil or criminal,

8 b. divorce or other domestic investigations,

9 c. missing persons or missing property, or

10 d. other lawful investigations, but shall not include:

11 (1) a person authorized or employed by the United  
12 States government, any state government, or any  
13 agency, department, or political subdivision  
14 thereof while engaged in the performance of  
15 official duties,

16 (2) a person or employee of a firm, corporation or  
17 other legal entity engaged exclusively in a  
18 profession licensed by any board, commission,  
19 department or court of this state, or

20 (3) a bona fide, salaried, full-time employee of a  
21 firm, corporation or other legal entity not in  
22 the primary business of soliciting and providing  
23 private investigations, who conducts  
24 investigations that are exclusive to and

1 incidental to the primary business of said firm,  
2 corporation or entity, and when the costs of such  
3 investigations are not charged directly back to  
4 the particular client or customer who directly  
5 benefits from the investigation;

6 5. "Armed private investigator" means a private investigator  
7 authorized to carry a firearm;

8 6. "Security agency" means a person, firm, corporation, or  
9 other private legal entity in the business of security guard  
10 services or armed security guards for hire;

11 7. "Security guard" means an individual contracting with or  
12 employed by a security agency, private business or person to prevent  
13 trespass, theft, misappropriation, wrongful concealment of  
14 merchandise, goods, money or other tangible items, or engaged as a  
15 bodyguard or as a private watchman to protect persons or property,  
16 but shall not include:

17 a. for individuals operating unarmed, any person employed  
18 as a private watchman or security guard by one  
19 employer only in connection with the affairs of such  
20 employer where there exists an employer-employee  
21 relationship,

22 b. a full-time or active reserve certified peace officer  
23 of the United States, this state, or any political  
24 subdivision of either:

1 (1) while such peace officer is engaged in the  
2 performance of his or her official duties within  
3 the course and scope of his or her employment  
4 with the United States, this state, or any  
5 political subdivision of either,

6 (2) while such peace officer is engaged in the  
7 performance of his or her duties as a railroad  
8 police officer,

9 (3) who receives compensation for private employment  
10 on an individual or an individual independent  
11 contractual basis as a patrolman, guard, or  
12 watchman if such person is employed in an  
13 employer-employee relationship or is employed on  
14 an individual contractual basis, or

15 (4) who receives compensation from an employer-  
16 employee relationship or an individual  
17 independent contractor basis with any licensed  
18 security agency as defined in this section or any  
19 private business or person to perform security or  
20 investigative services,

21 c. any person whose terms of employment as a security  
22 guard are governed by a collective bargaining  
23 agreement on May 9, 1989, and  
24

1 d. any person who is employed as a full-time security  
2 guard by a financial institution on May 9, 1989, and  
3 e. any official, employee, or person appointed by the  
4 governing body of a **place** of worship who serves as an  
5 uncompensated security volunteer, or any uncompensated  
6 volunteer who consults or trains other uncompensated  
7 security volunteers at the request of the governing  
8 body of a **place** of worship;

9 8. "Armed security guard" means a security guard authorized to  
10 carry a firearm;

11 9. "Investigative agency" means a self-employed private  
12 investigator, a firm, a corporation, or other private legal entity  
13 in the business of soliciting the business of private investigation  
14 and/or providing private investigations and investigators;

15 10. "Special event" means a public activity in the form of an  
16 athletic contest, charity event, exposition or similar event that  
17 occurs only on an annual or noncontinuing basis; and

18 11. "Special event license" means a temporary license issued  
19 pursuant to the Oklahoma Security Guard and Private Investigator Act  
20 which restricts the license holder to employment as a security guard  
21 only for the duration of a particular event.

22 SECTION 2. This act shall become effective November 1, 2022.

23 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY  
24 February 28, 2022 - DO PASS AS AMENDED