



**2019**  
**State Legislative and Regulatory Report**  
**04/03/19**

This Report contains state legislation and regulations that effect private security companies/officers that has been introduced and/or acted upon since the last Report in late January 2019. It also contains updates on other state governmental activity of interest during that time.

**When possible, the Bill Links will take you to the bill or regulation's official state link, not just the text of the measure.**

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#### **ALABAMA**

##### [AL SB 161](#)

###### **Summary**

Under existing law, the Alabama Security Regulatory Board is responsible for the regulation and licensing of security officers, armed security officers, and contract security companies. The bill would provide further for the compensation of board members and would authorize the board to hold hearings, issue subpoenas, and administer oaths. The bill would authorize the board, by rule, to establish license and certification application fees and the bill clarifies the processes for appeals and discipline. The bill would provide further for the obligations of a contract security company to the board relating to security officers and armed security officers employed by the company. The bill would require the board, by rule, to outline, define, and modify specific training requirements for applicants for original and renewal licensure or certification, or both, as a security officer or armed security officer. The bill will also make unlicensed activity a Class A misdemeanor.

###### **Status**

**03/21/19: Introduced. Referred to Committee on Governmental Affairs.**

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#### **ARIZONA**

[HB2620](#) (See the House engrossed version for original text and Senate Committee version for current).

###### **Summary:**

This bill originally would have prohibited law enforcement agencies from using a third party to coordinate the agency's off-duty work assignments if third party is a "broker" or the third party "has an agency license" and "employs licensed security guards." I watched the hearings on this bill and there was much confusion. Some legislators said the bill would stop cops from running their own side businesses, while others were concerned about persons knowing cops' schedules, but I think the bill was introduced to try to limit the use of off-duty cops by essentially requiring police agencies to do all the off duty scheduling directly with clients. The bill barely passed the House, and then when it was taken up by a Senate Committee, the bill's language was essentially erased through a "strike everything amendment" and replaced with language related to impounding vehicles. I called the Senate Committee and they confirmed that was the case and said that the House bill "was not ready for prime time." I bet police

officers weighed in against it. The Committee staff said there was still a remote chance that off duty cop work language could be re-added, but not likely. I contacted the Arizona security company association and they are looking into the bill.

**Status:**

**02/19/19 Introduced. 03/04/19 Passed the House (31-27-2). 03/20/19 Amended and Passed out of Senate TPS Committee. 04/01/19 On Agenda for Senate Rules Committee.**

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**CALIFORNIA**

**CA SB 385**

**Summary:**

The bill will make operating/acting/representing as a private investigator a misdemeanor, up from an infraction. The bill also requires the department to make available and provide to consumers, through its internet website, the ability to search and identify licensees by individual name. Finally, it provides for new enhanced photo identification card.

**Status:**

**02/28/19 Referred to Committee. 04/08/19 Hearing Scheduled.**

**CA SB 390**

**Summary:**

Under existing law, every school security officer or contract security officer working on the property of a school district or community college who works more than 20 hours a week is required to complete a course of training developed by the BSIS. This bill would require those school security officers and security guards to complete that training course regardless of the number of hours worked per week. (The introduced version called for the training to be taken every year but that was pulled out via a Committee amendment and with other amendments made the bill was re-referred to just the ED committee).

**Status:**

**02/28/19 Referred to various Committees. 03/26/19 Amended and referred to just ED Committee.  
04/10/19 Hearing scheduled.**

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**CONNECTICUT**

**Change in State Police requirements to work temporarily as unarmed officer.**

As previously reported, on March 4, 2019, the Commissioner of the Department of Emergency Services and Public Protection sent a letter to NASCO's legislative counsel in Connecticut stating that it was rescinding a Connecticut State Police (CSP) requirement related to the implementation of the NASCO sponsored law enacted in 2018 that allowed companies to work officers unarmed while their license application was pending. After the law was passed, the CSP put in place a requirement that companies needed to register, and be in receipt of a registration approval letter from the CSP, before the officers could work. This "illegal" letter requirement was not in the new law or elsewhere in CT law and was causing delays – undermining the whole purpose of the new law. Finally, though, after another six months of lobbying, in the March 2019 letter to NASCO, the DESPP rescinded the requirement stating it "exceeds the requirement of the statute."

## **FLORIDA**

### [FL HB 515](#)

#### **Summary:**

This bill, of which a similar version was introduced last year, will allow the 40 hours of training for a Class "D" (unarmed) security officer license to be provided online (now must do in-person) by a licensed (DS) security officer school. Last year, the Florida Association of Security Companies (FASCO) was actively opposed to the bill because they claimed it lacked sufficient quality control mechanisms and they argued that some training elements are better taught in person. The bill got through several Committees before FASCO was able to derail it. The Florida Division of Licensing also had some concerns about their ability/authority to regulate the online training. This year, the bill has been amended to include additional security/oversight requirements and give DOL more authority. For instance, the amended version adds language that DOL will establish "the method of delivery and the security protocols for online training and testing" and it gives DOL authority to write "any other rules necessary for the regulation of" online schools. The bill is now "Committee Substitute" (CS/HB 515). FASCO though is still opposed to the current version of the bill, but it has serious momentum.

#### **Status:**

**03/12-29/19 – Amended/Passed through Criminal Justice and Business Professions Subcommittees and the Full Commerce Committee. 04/01/19 Added to House Calendar/Second Reading.**

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## **ILLINOIS**

### [IL HB 3654](#)

#### **Summary:**

Adds a new class of persons who cannot get a permanent employee registration card: anyone who has been convicted of battery, aggravated battery, domestic battery, or aggravated domestic battery if the offense for which the person was convicted or adjudicated was sexually motivated.

#### **Status:**

**03/05/19 Assigned to Judiciary-Criminal Committee. 03/29/19 Re-referred to Rules Committee.**

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## **MASSACHUSETTS**

### [MA HB 2111](#)

#### **Summary:**

This bill will extend the licensing period for security agency from one year to two years. The same bill saw some movement last year, and the sponsor is House Chairman of the bi-cameral Public Safety Committee to where the bill was referred.

#### **Status:**

**01/22/19 Referred to the Committee on Public Safety and Homeland Security.**

[MA HB 3405](#)

**Summary:**

While in the past some “police impersonation” bills called for measures that would really impact private security services (e.g. a MN bill once tried to restrict private security to a single-color uniform and car) this bill is pretty on point. The most noteworthy restriction is on the use/possession of “flashing, rotating or oscillating blue or red lights or strobe lights in a vehicle.”

**Status:**

**01/22/19 Referred to the Committee on Judiciary.**

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**MARYLAND**

[MD HB 919](#)

**Summary:**

This bill requires a property management company of a “senior apartment housing facility” that is located in a specified geographic focus area in Baltimore City to contract with a licensed security guard agency or an off-duty law enforcement officer to provide security services at the facility at all times when the property management company is not open for conducting business at the facility. This bill had been introduced in past years, but only with a requirement to contract with a security guard agency, and it never got out of Committee. However, in Committee this year, the bill was amended to add “off duty law enforcement” as an option and subsequently it got out of Committee and passed the House unanimously (140-0). There is a good chance it can get enacted.

**Status:**

**03/15/19 Amended and Passed out of House Committee. 03/18/19 Passed the House. 03/18/19  
Referred to Senate Committee. 03/27/19 Senate Hearing.**

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**MISSISSIPPI**

[MS SB 2480](#)

**Summary**

This bill authorizes off-duty use of municipal and county police vehicles by law enforcement officers engaging in private employment, provide that such use is approved by the local government entity whose vehicle is involved.

**Status:**

**02/05/19 Died in Committee.**

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## **NEBRASKA**

### [NE LB 390](#)

#### **Summary:**

This bill requires the NE Commission on Law Enforcement and Criminal Justice to develop and distribute a model memorandum of understanding between law enforcement or security agencies and school officials that will delineate the roles and responsibilities of school resource officers, security guards, and school officials as set forth in the bill. Law enforcement agencies and private security agencies will be required to adopt such a MOU with school districts starting in 2021.

#### **Status:**

02/26/19 Passed the Judiciary Committee. 03/25/19 Passed the Unicameral Legislature (First Time).  
03/27/19 Placed on the Calendar for Second Vote. (Needs to be Passed Three times).

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## **NEVADA**

### [NV AB 184](#)

#### **Summary:**

This bill, which would add significant training and screening requirements (and costs) for armed security officer applicants, was flying under the radar, but it has now been derailed after a concerted effort by NASCO, NASCO members, the Nevada Security Board, and other allies in the State. Essentially introduced on behalf of training company, the bill would increase the armed officer firearm training requirement from 13 hours to 40 hours. It would require new training for non-lethal weapons. It would require armed officers to pass the MMPI psych test, and a drug test. It would also establish an 8-hour requirement for unarmed officer training and a continuing education requirement. The bill's sponsor did not seek any industry input and in mid-March the Nevada Private Security Board came out in opposition to the bill. NASCO mobilized against the bill several days before a scheduled 03/28/19 Committee vote on the bill and working with the Nevada Board Executive Director, NASCO members and others in Nevada, the Committee finally heard from industry and the bill was pulled from the Committee schedule.

#### **Status:**

**02/18/19 Introduced and Referred to Committee on Commerce and Labor. 03/06/19 Committee Hearing on Bill. 03/28/19 Pulled from Committee "Work Session."**

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## **NEW HAMPSHIRE**

### [NH HB 115](#)

#### **Summary:**

This bill makes changes to the current statute governing private security companies/officers. [Chapter 106-F](#) The way the bill is drafted it is very hard to discern what changes are being made to the current statute. Some that I have found are: It adds execution protection to the definition of security guard, but at the same time provides an exception for "any persons from other states accompanying national political candidates on visits to the state or persons providing temporary security to entertainers at live performances." It lowers the agency fee from \$500 to \$350 but raises license fee from \$50 to \$100. From the official floor description: "This bill recodifies RSA 106-F, the much amended and very confusing statute

on private investigators and security guards. It makes minor changes to simplify the fee structure and adds explicit recognition of the fact that a license is not required to carry a firearm for personal protection. Persons licensed as armed security guards and investigators are still required to be trained and certified, and investigators who are not licensed for firearms proficiency are forbidden to mention that they are carrying.” If you do business in New Hampshire, worth eyeballing, as it looks like it will be enacted.

**Status:**

**002/06/19 Passed out of Committee (20-0). 02/14/19 Passed House. 03/12/19 Referred to Senate Committee.**

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**NEW JERSEY**

[NJ AB 4318](#)

**Summary:**

This is a bill from last year (New Jersey has a 2018-2019 session), that will upgrade simple assault to aggravated assault if the act is committed against an armed security officer. The bill also provides that the crime of disarming a law enforcement officer would apply to armed security officers.

**Status:**

**10/19/18 Passed out of Assembly Committee. 01/31/19 Passed the Assembly (76-0). 02/07 Referred to Senate Judiciary Committee.**

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**NEW YORK**

[NY AB 3125](#)

**Summary:**

The bill, which has been introduced several times in the past, permits security guard companies, employing ten or more guards who each hold of a duly issued, current special armed guard registration card, to perform security related work in the city of New York by armed guards without obtaining a New York city firearms special permit.

**Status:**

**01/28/19 Referred to Committee.**

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**NORTH CAROLINA**

[Proposed Rules](#)

**Summary:**

This proposed rule touches every section under Chapter 16 – Private Protection Services Board. The vast majority sections are simply “Readoption without Substantive Changes;” however, some sections get some substantive changes/ additions. Those sections are:

14B NCAC 16 .0110 REPORTING REQUIREMENTS – adds a new requirement to self-report any charge of a criminal offense that would constitute grounds to deny, suspend or revoke a license.

14B NCAC 16 .0807 TRAINING REQUIREMENTS FOR ARMED SECURITY GUARDS -- adds a new provision that "a firearm training certificate of an armed security guard remains valid even if the guard leaves the employment of one company for the employment of another. The range qualifications shall remain valid if the guard will be carrying a firearm of the same make, model, and caliber, then no additional firearms training shall be required. The licensee shall submit a letter stating the guard will be carrying the same make and model firearm."

ALSO, some changes in the sections related to Trainers.

**Status:**

**Hearing on 02/20/19 Comment Period Ends on 04/02/19. Proposed Effective Date 06/01/19**

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## OKLAHOMA

[OK SB 222](#)

**Summary:**

This bill will address the current serious delays in obtaining a conditional license to work as an unarmed security guard in Oklahoma. At certain times in the past it could take just a couple days or a week to get a conditional license to work unarmed once a completed application/state background check was submitted. Now, it can take 4-8 weeks. This bill will allow a person employed or operating as an unarmed security guard to have 30 days from the date of employment to secure a (conditional or regular) security guard license from CLEET. Armed guards will still need a license first to work. THIS BILL IS A BIG NASCO PRIORITY AND NASCO AND NASCO MEMBERS IN OKLAHOMA ARE WORKING IT. The bill needs to get out of House Committee by 04/11/19 to still be alive.

**Status:**

**03/12/19 Passed the Senate (44-0). 03/19/19 Referred to House Business and Commerce Committee.**

[OK SB 235](#)

**Summary**

This bill also affects security guard licensing but does not seem to be beneficial. The two major provisions are: 1) Previously, a guard or agency could renew a license after the date of expiration if a late fee was paid. The bill would now not allow any renewals if a license has been expired for over 30 days, and one would have to get a new license. 2) The bill also makes changes related to conditional security licenses. It seems to give CLEET more authority related to conditional licenses as it authorizes CLEET to issue such licenses under "procedures and/or rules established by CLEET" in addition to what is in the statute. Perhaps that could be helpful in getting CLEET to address the conditional licensing delays. It also creates two types of conditional licenses, one for "training" that can only be for unarmed, and one "pending a background investigation."

**Status:**

**02/18/19 Passed the Senate (44-4). 04/03 Scheduled for Consideration by House Business and Commerce Committee.**

### [OK HB 1373](#)

#### **Summary:**

The bill changes (lessens) the criminal conviction disqualification for a number of licensed professions including security guards. Current law says any felony conviction means no security guard license. The bill will make it “not have a conviction for a felony crime that substantially relates to the occupation of a security guard...and poses a reasonable threat to public safety.” Also eliminates convictions for “crimes of moral turpitude” as a disqualifying offense. (See pages 164-165).

#### **Status:**

**03/04/19 Passed the House (96-2). 03/28/19 Amended and Passed out of Senate Committee.**

### [OK HB 2326](#)

#### **Summary:**

This bill allows a person with an armed security guard license to carry a concealed or unconcealed firearm on or off duty, but must be in possession of the armed guard license. Under current law, only a person with an armed private investigator license can carry.

#### **Status:**

**02/11/19 Passed House Committee. 03/11/19 Passed House (100-0). 03/25/19 Referred to Senate Committee.**

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## **OREGON**

### [OR SB 576](#)

#### **Summary:**

This bill imposes requirements on private security providers who provide security at Oregon colleges (as well as on in-house campus security). Called “Kaylee’s Law” it’s in response to a 2016 incident where a campus security officer killed college student. The new requirements would draw clearer distinctions between campus security guards and law enforcement. The vehicles would have to be clearly marked as campus security — not law enforcement. They also could not have cages, red and blue lights like police cars, or bumpers to ram other vehicles. Additionally, campus security vehicles would be required to be equipped with GPS and video cameras to record activity in the vehicle.

#### **Status:**

**03/13/19 Committee Hearing Held. 04/03/19 Work Session Scheduled.**

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## **TEXAS**

### [TX SB 616](#)

### [TX HB 1530](#)

#### **Summary:**

These identical bills contain the Sunset Advisory Commission’s recommendations that focus on the Department of Public Safety of the State of Texas’ (DPS) administrative operations and non-law enforcement functions. As to private security, the bill abolishes the Private Security Board and replaces it with an advisory committee. The bill defines company and individual licenses and eliminates the terms ‘registrations’ and ‘endorsements’. The bill eliminates the licensing/registration requirements for the

following: guard dog companies and guard dog trainers; qualified managers, supervisors, and branch office managers of security companies; security and alarm salespersons; security consulting companies and consultants; employees of a license holder; and private business or government letters of authority. The bill stipulates the company and individual licenses will have a two-year expiration period (up from 1 year). Further, the bill directs DPS to create a registry of commissioned security officers who have received disciplinary actions; requires an individual license for each service; repeals statute regarding the procedures for appeal of administrative actions; and sets the expiration date for certain certifications to September 1, 2019.

**Status:**

**SB 616: 03/20/19 Public Hearing Held and Left Pending in Committee.**

**HB 1530: 03/04/19 Referred to Committee.**

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**UTAH**

**New Rules Increasing Continuing Education Requirements for Security Guards**

As reported on last year, in a span of 20 days, a bill was introduced and signed by the Governor, which reduced the pre-license/pre-hire “basic education and training” requirement from 24 hours to “a minimum of eight hours.” The bill sponsor, and a representative of the “Professional Association of Contract Security Companies” said the existing 24 hour “pre-hire” training requirement was causing a fiscal burden on applicants and companies and was a barrier to employment. They also pointed to a 16-hour requirement for continuing education training every 2 years, so there was still 24 hours of training required. However, the 16-hour continuing education requirement was already in existing law.

The Utah Department of Professional Licensing Security Services Licensing Board, which was never consulted about the reduction in initial/Basic training hours, was concerned about the reduction, and while they do not have authority to set Basic training hours, they do have authority to set the hours for Continuing training. As such last Fall, the put out a new [Rule](#) (see 89-96)that in addition to making the changes required by the new law, also increases the continuing training requirement from 16 hours to 32 hours. The Board also met in February 2019, and proposed some additional changes to the new Continuing Education Rule, and they can be found [Here](#)

**Status:**

**04/11/19 Hearing on the second set of Continuing Education Rule changes. 05/01/19 End of public Comment Period. There should be another comment period on the Proposed Rule and there is another Board meeting on February 14, 2019 where the Rule will be discussed.**

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**WASHINGTON**

**Possible Rulemaking**

**Summary:**

The department of licensing is acquiring a new computer system to support licensing, licensee's responsibilities, and examination requirements. The current system and process for licensing will require changes to fit into the proposed replacement. Chapter 308-18 WAC requires changes to meet the new

structure of the system and improve customer service for licensees. Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication.

**Status:**

**03/19/19 Public Notice and Contact Information Provided.**

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**WEST VIRGINIA**

[WV HB 2645](#)

**Summary:**

The bill would have given licensed security guards arrest authority on the property the guard is employed to protect when the violation is committed or in the process of being committed in the presence of the security guard.

**Status:**

**01/24/19 Referred to Committee. 03/09/19 Died Sine Die (session ended).**

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**WISCONSIN**

[WI AB 135](#)

[WI SB 143](#)

**Summary:**

Under current law, it is a Class H felony to carry an electric weapon (such as a Taser). Current law provides exceptions to the prohibition for certain persons such as law enforcement or correctional officers on official duty or persons with a license to carry a concealed weapon. These identical bills create an exception for a person who holds a license or permit as a private detective, a private investigator, or private security personnel while the person is on official duty if the person may carry a firearm while on official duty.

**Status:**

**AB 135: 03/25/19 Introduced and Referred to Committee.**

**SB 143: 03/28/19 Introduced and Referred to Committee.**

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