

HOUSE BILL REPORT

SSB 6605

As Reported by House Committee On:
Consumer Protection & Business

Title: An act relating to annual licensure of security guards.

Brief Description: Licensing security guards.

Sponsors: Senate Committee on Labor & Commerce (originally sponsored by Senators Holy and Pedersen).

Brief History:

Committee Activity:

Consumer Protection & Business: 2/25/20, 2/26/20 [DPA].

**Brief Summary of Substitute Bill
(As Amended by Committee)**

- Requires the Department of Licensing to conduct an investigation on license renewals for private security guards, armed private security guards, and private security companies.
- Requires the license fee for an armed private security guard to be itemized on the application and renewal form.

HOUSE COMMITTEE ON CONSUMER PROTECTION & BUSINESS

Majority Report: Do pass as amended. Signed by 13 members: Representatives Kirby, Chair; Vick, Ranking Minority Member; Hoff, Assistant Ranking Minority Member; Barkis, Blake, Duerr, Dufault, Johnson, J., Ryu, Santos, Volz, Walen and Ybarra.

Staff: Serena Dolly (786-7150).

Background:

The Department of Licensing (DOL) licenses and regulates security guards, including private security guards, armed private security guards, and private security companies.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

To obtain a private security guard license, an applicant must meet the following minimum requirements:

- be at least 18 years of age;
- be a citizen of the United States or a resident alien;
- not have been convicted of a crime in any jurisdiction, if the Director of the DOL (Director) determines that the applicant's particular crime directly relates to the applicant's capacity to perform the duties of a private security guard, and the Director determines that the license should be withheld to protect the Washington citizens;
- be employed by or have an employment offer from a licensed private security company or be licensed as a private security company;
- satisfy the training requirements established by the Director;
- submit a set of fingerprints;
- pay the required nonrefundable fee for each application; and
- submit a fully completed application that includes proper identification on a form prescribed by the Director for each company of employment.

To obtain an armed private security guard license, an applicant must meet the following minimum requirements:

- be licensed as a private security guard;
- be at least 21 years of age;
- have a current firearms certificate issued by the Criminal Justice Training Commission; and
- pay the fee established by the Director.

In addition to meeting the minimum requirements to obtain a license as a private security guard, an applicant or qualifying agent must meet the following requirements to obtain a license to own or operate a private security company:

- possess three years' experience as a manager, supervisor, or administrator in the private security business or a related field, or be at least 21 years of age and pass an examination to measure the person's knowledge and competence in the private security business;
- meet the insurance requirements; and
- pay any additional fees established by the Director.

After receiving a license application for a private security guard, armed private security guard, or private security company, the Director must conduct an investigation that includes a national criminal history records check for the applicant and a request for comments from the chief law enforcement officer of the city or county where the employer is located.

Summary of Amended Bill:

The Director must conduct an investigation of each applicant, including a national criminal history records check, at each license renewal. The license fee for an armed private security guard license must be clearly itemized on each application and renewal form.

Amended Bill Compared to Substitute Bill:

The amended bill changes the effective date to January 1, 2021.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect January 1, 2021.

Staff Summary of Public Testimony:

(In support) The state has nearly 10,000 security guards. Some private security guards carry firearms. Criminal background checks for security guards are conducted at initial licensing but not at renewal. This does not account for any bad actions after a security guard is licensed. Until recently, private security companies believed that guards were undergoing background checks with the annual license renewals. One company conducted background checks of its 260 employees and found some serious issues, including one guard with a conviction for child rape. Another company did not learn of a security guard's criminal history until he missed work due to his arraignment. This bill requires security guards to pay for an annual background check. Background checks only cost \$10. There is some interest in cleaning up the private security guard statutes and limiting the types of uniforms private security guards can wear. Security guards are not interested in law enforcement, only deterrence, and it is helpful if the uniforms look like police officers from a distance. This bill should be passed without amendment so it does not have to go through the concurrence process.

(Opposed) None.

(Other) The DOL would like the effective date of the bill to be changed so it does not interfere with current licensing system upgrades. The Criminal Justice Training Commission (CJTC) currently issues firearms certificates to armed security guards. Applicants must apply first to the DOL and then to the CJTC, where a separate fee is charged. The CJTC is a training agency, not a licensing agency, and the DOL should be responsible for the certificates.

Persons Testifying: (In support) Senator Holy, prime sponsor; and Jeff Kirby, Bill Cottringer, and Michael Moran, Washington State Security Council.

(Other) Beau Perschbacher, Department of Licensing; and Derek Zable, Criminal Justice Training Commission.

Persons Signed In To Testify But Not Testifying: None.