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SENATE BILL 5541

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State of Washington                      60th Legislature                      2007 Regular Session

By Senators Kohl-Welles, Keiser, Franklin and Kline

Read first time 01/23/2007.                      Referred to Committee on Labor,  
Commerce, Research & Development.

1            AN ACT Relating to bouncers; and amending RCW 18.170.010 and  
2 18.170.020.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 18.170.010 and 2004 c 50 s 1 are each amended to read  
5 as follows:

6            The definitions in this section apply throughout this chapter  
7 unless the context clearly requires otherwise.

8            (1) "Armed private security guard" means a private security guard  
9 who has a current firearms certificate issued by the commission and is  
10 licensed as an armed private security guard under this chapter.

11            (2) "Armored vehicle guard" means a person who transports in an  
12 armored vehicle under armed guard, from one place to another place,  
13 valuables, jewelry, currency, documents, or any other item that  
14 requires secure delivery.

15            (3) "Bouncer" means an individual who is employed by a business  
16 with a license to sell beer, wine, or liquor, as defined by RCW  
17 66.04.010, for the purpose of maintaining order in such establishments  
18 and to eject disorderly persons as required to fulfill that  
19 responsibility.

1        (4) "Burglar alarm response runner" means a person employed by a  
2 private security company to respond to burglar alarm system signals.

3        ~~((+4))~~ (5) "Burglar alarm system" means a device or an assembly of  
4 equipment and devices used to detect or signal unauthorized intrusion,  
5 movement, or exit at a protected premises, other than in a vehicle, to  
6 which police or private security guards are expected to respond.

7        ~~((+5))~~ (6) "Chief law enforcement officer" means the elected or  
8 appointed police administrator of a municipal, county, or state police  
9 or sheriff's department that has full law enforcement powers in its  
10 jurisdiction.

11        ~~((+6))~~ (7) "Classroom instruction" means instruction that takes  
12 place in a setting where individuals receiving training are assembled  
13 together and learn through lectures, study papers, class discussion,  
14 textbook study, or other means of organized formal education  
15 techniques, such as video, closed circuit, or other forms of electronic  
16 means, and as distinguished from on-the-job education or training.

17        ~~((+7))~~ (8) "Commission" means the criminal justice training  
18 commission established in chapter 43.101 RCW.

19        ~~((+8))~~ (9) "Department" means the department of licensing.

20        ~~((+9))~~ (10) "Director" means the director of the department of  
21 licensing.

22        ~~((+10))~~ (11) "Employer" includes any individual, firm,  
23 corporation, partnership, association, company, society, manager,  
24 contractor, subcontractor, bureau, agency, service, office, or an agent  
25 of any of the foregoing that employs or seeks to enter into an  
26 arrangement to employ any person as a private security guard.

27        ~~((+11))~~ (12) "Firearms certificate" means the certificate issued  
28 by the commission.

29        ~~((+12))~~ (13) "Licensee" means a person granted a license required  
30 by this chapter.

31        ~~((+13))~~ (14) "Person" includes any individual, firm, corporation,  
32 partnership, association, company, society, manager, contractor,  
33 subcontractor, bureau, agency, service, office, or an agent or employee  
34 of any of the foregoing.

35        ~~((+14))~~ (15) "Postassignment or on-the-job training" means  
36 training that occurs in either an assisted field environment or in a  
37 classroom instruction setting, or both.

1 ((+15+)) (16) "Preassignment training" means the classroom training  
2 completed prior to being assigned to work independently.

3 ((+16+)) (17) "Principal corporate officer" means the president,  
4 vice-president, treasurer, secretary, comptroller, or any other person  
5 who performs the same functions for the corporation as performed by  
6 these officers.

7 ((+17+)) (18) "Private security company" means a person or entity  
8 licensed under this chapter and engaged in the business of providing  
9 the services of private security guards on a contractual basis.

10 ((+18+)) (19) "Private security guard" means an individual who is  
11 licensed under this chapter and principally employed as or typically  
12 referred to as one of the following:

- 13 (a) Security officer or guard;
- 14 (b) Patrol or merchant patrol service officer or guard;
- 15 (c) Armed escort or bodyguard;
- 16 (d) Armored vehicle guard;
- 17 (e) Burglar alarm response runner; ((+))
- 18 (f) Crowd control officer or guard; or
- 19 (g) Bouncers at establishments that serve alcohol.

20 ((+19+)) (20) "Qualifying agent" means an officer or manager of a  
21 corporation who meets the requirements set forth in this chapter for  
22 obtaining a license to own or operate a private security company.

23 ((+20+)) (21) "Sworn peace officer" means a person who is an  
24 employee of the federal government, the state, a political subdivision,  
25 agency, or department branch of a municipality, or other unit of local  
26 government, and has law enforcement powers.

27 **Sec. 2.** RCW 18.170.020 and 2006 c 173 s 1 are each amended to read  
28 as follows:

29 The requirements of this chapter do not apply to:

30 (1) A person who is employed exclusively or regularly by one  
31 employer and performs the functions of a private security guard solely  
32 in connection with the affairs of that employer((+)) if: (a) The  
33 employer is not a private security company, or (b) the employee is not  
34 a bouncer as defined in RCW 18.170.010(3);

35 (2) A sworn peace officer while engaged in the performance of the  
36 officer's official duties;

1           (3) A sworn peace officer while employed by any person to engage in  
2 off-duty employment as a private security guard, but only if the  
3 employment is approved by the chief law enforcement officer of the  
4 jurisdiction where the employment takes place and the sworn peace  
5 officer does not employ, contract with, or broker for profit other  
6 persons to assist him or her in performing the duties related to his or  
7 her private employer; or

8           (4) Guest services or crowd management employees who do not perform  
9 the duties of a private security guard.

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