

2025 Regular Session

HOUSE BILL NO. 152

BY REPRESENTATIVE MARCELLE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PRIVATE SECURITY: Provides relative to private security examiners

## 1 AN ACT

2 To amend and reenact R.S. 37:3272(A)(introductory paragraph), (1), and (15) and  
3 3276.2(A), (B), (C)(2) and (3), (D)(introductory paragraph), and (F)(1) and (2) and  
4 to enact R.S. 37:3272(A)(20), relative to private security examiners; to provide for  
5 definitions; to provide for the authority to obtain criminal history record information;  
6 to provide for the confidentiality of criminal history record information; to provide  
7 for the use of fingerprints and identifying information; and to provide for related  
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 37:3272(A)(introductory paragraph), (1), and (15) and 3276.2(A),  
11 (B), (C)(2) and (3), (D)(introductory paragraph), and (F)(1) and (2) are hereby amended and  
12 reenacted and R.S. 37:3272(A)(20) is hereby enacted to read as follows:

13 §3272. General definition of terms

14 A. As used in this Chapter, the following terms ~~shall~~ have the following  
15 meanings ascribed to them:

16 (1) "Applicant" means ~~a person who seeks to be examined for licensure or~~  
17 ~~registration by the board.~~ an individual who has made application to the board for the  
18 issuance or reinstatement of any license, registration, certificate, permit, or any other

1 designation considered necessary to engage in the practice of private security in this  
2 state that the board is authorized by law to issue.

3 \* \* \*

4 (15) "Qualifying agent" means ~~a responsible officer or executive employee~~  
5 ~~meeting the experience qualifications set forth herein.~~ any owner or manager of a  
6 private security business with the authority to make executive decisions for that  
7 business, who meets the qualifications as outlined in R.S. 37:3276.

8 \* \* \*

9 (20) "Licensure" means the granting of any license, permit, certification, or  
10 registration that the board is authorized to issue pursuant to this Chapter.

11 \* \* \*

12 §3276.2. Authority to obtain criminal history record information

13 A. The legislature hereby finds and declares that it is vitally important to the  
14 public safety, interest, and welfare to protect Louisiana citizens, their residences,  
15 businesses, and other property, as well as visitors to the state, by reasonably  
16 regulating the licensure ~~and registration~~ of persons performing private security  
17 activity in the state.

18 B. As used in this Section:

19 (1) "Applicant" means an individual who has made application to the board  
20 for the issuance or reinstatement of any license, registration, certificate, permit, or  
21 any other designation considered necessary to engage in the practice of private  
22 security in this state that the board is authorized by law to issue.

23 (2) "Armored car company" or "armed courier company" means any person  
24 that provides secured transportation and protection from one place or point to another  
25 place or point involving money, currency, coins, bullion, securities, bonds, jewelry,  
26 or other valuables.

27 ~~(1)~~(3) "Board" means the Louisiana State Board of Private Security  
28 Examiners, an agency in the Department of Public Safety and Corrections.

1           ~~(2)~~(4) "Bureau" means the Louisiana Bureau of Criminal Identification and  
2 Information of the office of state police within the Department of Public Safety and  
3 Corrections.

4           (5) "Contract security company" means any person engaging in the business  
5 of providing, or which undertakes to provide, a security officer on a contractual basis  
6 for another person.

7           ~~(3)~~(6) "Criminal history record information" means all state records of arrest,  
8 prosecution, and conviction, including those which have been expunged or dismissed  
9 pursuant to Code of Criminal Procedure Articles 893 and 894, and national records  
10 which include fingerprints of the applicant and other identifying information, if so  
11 requested by the board.

12           ~~(4)~~(7) "FBI" means the Federal Bureau of Investigation of the United States  
13 Department of Justice.

14           (8) "Instructor" means any person approved and licensed by the board to  
15 administer and certify the successful completion of the required minimum training  
16 requirements for security officers.

17           (9) "Licensure" means the granting of any license, permit, certification, or  
18 registration that the board is authorized to issue pursuant to this Chapter.

19           (10) "Private security business" is any entity that provides protection to  
20 persons and property, excluding any law enforcement agency, but including any of  
21 the following:

22           (a) Contract security company.

23           (b) Armored car company or armed courier company.

24           (11) "Qualifying agent" means any owner or manager of a private security  
25 business with the authority to make executive decisions for that business, who meets  
26 the qualifications as outlined in R.S. 37:3276.

27           (12) "Security officer" means an individual who is employed by a contract  
28 security company whether armed or unarmed, to protect a person or persons or  
29 property or both, and whose duties include but are not limited to the following:

1           (a) Prevention of unlawful intrusion or entry.

2           (b) Prevention of larceny.

3           (c) Prevention of vandalism.

4           (d) Protection of property or person.

5           (e) Prevention of abuse.

6           (f) Prevention of arson.

7           (g) Prevention of trespass on private property.

8           (h) Control, regulation, or direction of the flow or movements of the public,

9 except on public streets, whether by vehicle, on foot, or otherwise.

10           (i) Street patrol service or merchant patrol service, which is any contract  
11 security company that utilizes foot patrols, motor vehicles, or any other means of  
12 transportation in public areas or on public thoroughfares in the performance of its  
13 security functions.

14           C.

15                                   \*       \*       \*

16           (2) Notwithstanding Paragraph (1) of this Subsection, the board's use of  
17 fingerprints shall be for the limited purpose of determining the licensure ~~or~~  
18 ~~registration~~ eligibility of each applicant and conducting directly related matters in  
19 accordance with the Administrative Procedure Act, R.S. 49:950 et seq., or other  
20 applicable law.

21           (3) The board is entitled to the criminal history record and identification files  
22 of the bureau of any person who ~~is licensed or registered~~ has licensure or who is  
23 ~~applying to be licensed or registered~~ for licensure as a private security business,  
24 qualifying agent, instructor, or security officer. Fingerprints and other identifying  
25 information of the applicant shall be submitted to the bureau, and the bureau shall,  
26 upon request of the board and after receipt of the ~~fingerprint card~~ fingerprints and  
27 other identifying information from the applicant, make available to the board all  
28 arrest and conviction information contained in the bureau's criminal history record  
29 and identification files which pertain to the applicant for licensure ~~or registration~~.

1 In addition, the fingerprints shall be forwarded by the bureau to the FBI for a  
 2 national criminal history record check.

3 \* \* \*

4 D. In addition to the other requirements of this Chapter, the board may  
 5 require an applicant to do any of the following to determine the licensure ~~or~~  
 6 ~~registration~~ eligibility of an applicant:

7 \* \* \*

8 F.(1) Criminal history record information shall be considered confidential  
 9 information and the board, its members, and its employees, ~~and any agent authorized~~  
 10 ~~to act on behalf of the board~~ shall use the criminal history record information  
 11 exclusively to evaluate the applicant's eligibility or disqualification.

12 (2) Criminal history record information obtained in accordance with this  
 13 Section shall not be released or otherwise disclosed by the board, its members, or its  
 14 employees, ~~or any agent authorized to act on behalf of the board to any person or~~  
 15 ~~agency~~ without the written consent of the applicant unless the release is ordered by  
 16 a court of competent jurisdiction.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 152 Reengrossed

2025 Regular Session

Marcelle

**Abstract:** Provides relative to private security examiners.

Present law provides for definitions.

Proposed law amends the definitions for "applicant" and "qualifying agent" and adds the definition for "licensure".

Proposed law replicates definitions.

Present law provides for the authority of the board to obtain criminal history record information.

Proposed law removes language regarding present law applying to the registration of persons performing private security activity in the state.

Proposed law removes language in present law regarding the use and disclosure of criminal history record information.

Proposed law clarifies present law to amend fingerprint card to fingerprints.

(Amends R.S. 37:3272(A)(intro. para.), (1), and (15) and 3276.2(A), (B), (C)(2) and (3), (D)(intro. para.), and (F)(1) and (2); Adds R.S. 37:3272(A)(20))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Remove language regarding the use and disclosure of criminal history record information.
2. Make technical changes.