

2026 Regular Session

HOUSE BILL NO. 921

BY REPRESENTATIVE MUSCARELLO

PRIVATE SECURITY: Provides relative to private security examiners

1 AN ACT

2 To amend and reenact R.S. 37:3270, 3271, 3272(A)(2), (5), (6), (9), (11), (13) through (15),  
3 (17), and (18), 3273(B) and (C), 3274(A)(1) through (5), (7), and (11), (B)(1)  
4 through (4), (6), (7), (10), and (11), (C), and (D), 3275, 3279(A)(3), 3283(A), (D),  
5 and (F)(1) and (2), 3284(B)(1), (4), and (5), (E), (F), and (J), 3287(C), 3288,  
6 3292(B), and 3293(C)(1), to enact R.S. 37:3272(21) through (25), 3273(I),  
7 3274(A)(12), 3279.1, 3284.1, 3292(C) and to repeal R.S. 37:3272(20), relative to  
8 private security examiners; to provide for purpose; to provide for short title; to  
9 provide for definitions; to provide for membership; to provide for qualifications of  
10 the board; to provide for powers and duties of the board; to provide for the duties of  
11 the executive director; to provide for the procedures of approval, denial, and appeals  
12 regarding licensees; to provide for a security officer and security operations manager  
13 registration card; to provide for training of security officers; to create security canine  
14 and detector canine programs; to provide for license renewals; to provide for  
15 violations and penalties; to provide for cease and desist orders; and to provide for  
16 related matters.

17 Be it enacted by the Legislature of Louisiana:

18 Section 1. R.S. 37:3270, 3271, 3272(A)(2), (5), (6), (9), (11), (13) through (15), (17),  
19 and (18), 3273(B) and (C), 3274(A)(1) through (5), (7), and (11), (B)(1) through (4), (6), (7),  
20 (10), and (11), (C), and (D), 3275, 3279(A)(3), 3283(A), (D), and (F)(1) and (2),

1 3284(B)(1), (4), and (5), (E), (F), and (J), 3287(C), 3288, 3292(B), and 3293(C)(1) are  
2 hereby amended and reenacted and R.S. 37:3272(21) through (25), 3273(I), 3274(A)(12),  
3 3279.1, 3284.1, 3292(C) are hereby enacted to read as follows:

4 §3270. Declaration of purpose

5 A. The Legislature of Louisiana declares that it is necessary to require the  
6 licensure and regulation of private security agents ~~and businesses to be in the best~~  
7 ~~interest of the citizens of this state~~ licensees, qualifying agents, and security officers  
8 to promote professionalism and serve the citizens of this state.

9 B. The purpose of this Chapter is to ~~require qualifying criteria~~ establish  
10 qualifying criteria and oversight mechanisms in a professional field in which  
11 unqualified or unethical individuals may injure the public. The requirements of this  
12 Chapter ~~will~~ are intended to contribute to the safety, health, ~~and welfare, and~~  
13 accountability of the people of Louisiana.

14 §3271. Private security law; short title

15 This Chapter shall be known and may be cited as the ~~Private Security~~  
16 ~~Regulatory and Licensing Law~~ "Louisiana Private Security Licensing and Regulatory  
17 Act".

18 §3272. General definition of terms

19 A. As used in this Chapter, the following terms shall have the following  
20 meanings ascribed to them unless otherwise defined in this Chapter:

21 \* \* \*

22 (2) "Armed security officer" ~~is an individual who provides security services~~  
23 ~~and who at any time wears, carries, possesses, or has access to a firearm or any other~~  
24 ~~weapon defined by the board. All other defensive or offensive weapons not~~  
25 ~~approved by the board are prohibited~~ means an individual employed by a licensed  
26 contract security company or proprietary security organization who carries or has  
27 access to an approved firearm in the performance of official duties and who has met  
28 all qualifications, training, and certification requirements established by the board.

29 \* \* \*

1 (5) "Branch manager" means the individual ~~endowed with the responsibility~~  
2 ~~and liability for a branch office~~ designated by the licensee responsible for the  
3 management, supervision, and regulatory compliance of a branch office licensed by  
4 the board.

5 (6) "Branch office" means ~~a separate office which is part of a company~~  
6 ~~licensed by the board~~ any separate business location operated pursuant to a license  
7 issued by the board.

8 \* \* \*

9 (9) "Executive ~~secretary~~ director" means the chief administrative officer of  
10 the board.

11 \* \* \*

12 (11) "Licensee" means any person ~~to whom a license is granted in~~  
13 ~~accordance with the provisions of this Chapter~~ or business entity licensed by the  
14 board in accordance with this Chapter.

15 \* \* \*

16 (13) "Person" means an individual, firm, association, company, partnership,  
17 corporation, nonprofit organization, limited liability company, or other legal entity  
18 recognized in accordance with the laws of this state.

19 (14) "Principal corporate officer" means the president, vice president,  
20 treasurer, secretary, ~~or~~ comptroller, or any other person ~~who performs functions for~~  
21 ~~the corporation corresponding to those performed by the foregoing officers~~ who  
22 performs equivalent duties within the business organization.

23 (15) "Private security business" is any entity that provides protection to  
24 persons and property, excluding any law enforcement agency, but including any of  
25 the following:

- 26 (a) Contract security company; ~~or~~
- 27 (b) Armored car company or armed courier company.

28 \* \* \*



1 ~~districts established by law. Four members shall be appointed from the state at large.~~

2 Each member shall be a citizen of the United States of America, a resident of  
3 Louisiana, and at least thirty years of age, ~~and shall have been actively engaged in~~  
4 ~~the private security business for at least five years. One of the members appointed~~  
5 ~~at large shall be a representative of a nationally operated security company. Each~~  
6 ~~member shall be licensed or registered with the board or a corporate officer of a~~  
7 ~~licensed company.~~

8 (2)(a) Five members will be members of the private security industry,  
9 appointed by the governor, and shall be one of the following:

10 (i) Company owner.

11 (ii) Qualifying agent.

12 (iii) Instructor.

13 (b) From the five members listed in this Paragraph, one member shall reside  
14 in each of the five districts composed as follows:

15 (i) District 1: The parishes of Orleans, Plaquemines, and St. Bernard.

16 (ii) District 2: The parishes of Assumption, Jefferson, Lafourche, St. Charles,  
17 St. James, St. John the Baptist, St. Tammany, Terrebonne, and Washington.

18 (iii) District 3: The parishes of Ascension, East Baton Rouge, East Feliciana,  
19 Iberville, Livingston, St. Helena, St. Martin, Tangipahoa, West Baton Rouge, and  
20 West Feliciana.

21 (iv) District 4: The parishes of Acadia, Allen, Avoyelles, Beauregard,  
22 Calcasieu, Cameron, Evangeline, Grant, Iberia, Jefferson Davis, Lafayette,  
23 Natchitoches, Pointe Coupee, Rapides, Sabine, St. Landry, St. Mary, Vermilion, and  
24 Vernon.

25 (v) District 5: The parishes of Bienville, Bossier, Caddo, Caldwell,  
26 Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Jackson, LaSalle,  
27 Lincoln, Madison, Morehouse, Ouachita, Red River, Richland, Tensas, Union,  
28 Webster, West Carroll, and Winn.



1 (3) Adopt and promulgate rules and regulations to govern the practice of  
2 private security in ~~the state of Louisiana~~ this state in accordance with the  
3 Administrative Procedure Act.

4 (4) Issue, suspend, modify, place on probation, or revoke digital or physical  
5 licenses or registration ~~cards to provide~~ credentials authorizing private security ~~in the~~  
6 ~~state of Louisiana~~ services within this state.

7 (5) ~~Report to the attorney general of the state of Louisiana all persons~~  
8 ~~violating the provisions of this Chapter~~ Refer matters of potential criminal or civil  
9 violation to appropriate authorities as deemed necessary, in consultation with the  
10 board's legal counsel.

11 \* \* \*

12 (7) ~~Report annually, no later than March 1, to the governor, the secretary of~~  
13 ~~the department, and the legislature on its activities~~ to the governor, the legislative  
14 auditor, and the commissioner of administration on its operations, finances, and  
15 regulatory activities.

16 \* \* \*

17 (11) Adopt rules to authorize the assessment of administrative penalties ~~in~~  
18 ~~the form of fines not to exceed five hundred dollars per violation and cost of the~~  
19 ~~board's proceedings~~ pursuant to this Chapter.

20 (12) Adopt rules to regulate private security canine programs and  
21 deployments, including the licensing, training, certification, deployment,  
22 recertification, and discipline of canine handlers, security canines, and detector  
23 canines in compliance with applicable state and federal law.

24 B. The board may:

25 (1) Adopt and enforce rules and regulations, bylaws, and rules of  
26 professional conduct as the board may deem necessary and proper to regulate private  
27 security businesses in ~~the state of Louisiana~~ this state, to provide for the efficient  
28 operation of the board, and otherwise to discharge its duties and powers ~~under~~ in  
29 accordance with this Chapter.

1           (2) Prescribe and adopt regulations, standards, procedures, and policies  
 2 ~~governing the manner and conditions under which credit shall be given by the board~~  
 3 ~~for participation in a program of continuing professional education such as the board~~  
 4 ~~may consider necessary and appropriate to maintain the highest standards of the~~  
 5 ~~private security industry in the state of Louisiana.~~ in accordance with the  
 6 Administrative Procedure Act, governing the manner and conditions in which credit  
 7 may be granted by the board for participation in continuing professional education  
 8 programs, when such requirements are reasonably related to maintaining professional  
 9 competence and protecting public safety within the private security industry in this  
 10 state.

11           (3) Authorize any the chairperson, executive director, or any designated  
 12 member of the board to make any affidavit necessary for the issuance of any  
 13 injunction or other legal process authorized ~~under~~ pursuant to this Chapter or ~~under~~  
 14 in accordance with the rules and regulations of the board.

15           (4) Issue subpoenas ~~to require attendance and testimony and the production~~  
 16 ~~of documents, for the purpose of enforcing the laws relative to the private security~~  
 17 ~~industry and securing evidence of violations thereof~~ or subpoenas duces tecum to  
 18 require attendance, testimony, or production of records necessary to enforce this  
 19 Chapter and obtain evidence of violations.

\* \* \*

21           (6) Appoint a qualified executive ~~secretary~~ director.

22           (7) Employ ~~clerical assistance~~ staff as necessary to carry out the  
 23 ~~administrative work~~ functions of the board.

\* \* \*

25           (10) Purchase, lease, or otherwise acquire any real or personal property,  
 26 including making or entering into mortgages, as may be necessary or convenient to  
 27 the exercise of its powers in order to accomplish the purposes of this Chapter. The  
 28 board shall take title to and hold such property in its name as an agency of the state,  
 29 under the fiscal control of the division of administration and subject to state property  
 30 management requirements.

1 (11) When a state of emergency has been declared in this state pursuant to  
2 R.S. 14:329.6, authorize the temporary operation of out-of-state private security  
3 businesses within the state and the use of its employees within the state for the  
4 duration of the state of emergency or for a stipulated amount of time after declaration  
5 of the state of emergency, not to exceed thirty days from the last day of the declared  
6 state of emergency, if the private security business:

7 (a) Is licensed in another state in which the qualifications, insurance, and  
8 ~~training, and other similar requirements are at least equal to those required under this~~  
9 ~~Chapter~~ are substantially equivalent to those of this Chapter.

10 (b) Has notified the board ~~that they intend~~ of intent to operate ~~in the state~~ and  
11 submits all ~~information~~ required documentation requested by the board.

12 C. The ~~chairman~~ chairperson and executive ~~secretary~~ director of the board,  
13 or in their absence any other member of the board, may administer oaths in the  
14 taking of testimony upon any matter appertaining to the duties and powers of the  
15 board.

16 D. The board shall meet ~~quarterly~~ every other month at regular meetings  
17 each year. A special meeting may be held at such time and place as specified by the  
18 executive ~~secretary~~ director on call of the ~~chairman~~ chairperson or any four  
19 members. The executive ~~secretary~~ director shall give written notice of all meetings  
20 to the members of the board and to the interested public, and may conduct meetings  
21 by electronic means in accordance with the Open Meetings Law, R.S. 42:11 et seq.

22 \* \* \*

23 §3275. Executive ~~secretary~~ director; duties

24 The position of executive ~~secretary~~ director of the board is hereby created.  
25 The executive ~~secretary~~ director shall be appointed by the board and shall serve as  
26 its chief ~~administrator~~ administrative and operational officer. He shall not be a  
27 member of the board, but shall be a full-time employee of the board, ~~to be paid~~  
28 ~~compensation~~ compensated in an amount to be determined by the board. The  
29 executive ~~secretary~~ director shall perform ~~such the duties as may be~~ and exercise the

1 authority as prescribed by the board, and shall employ such persons as he deems  
 2 necessary and fix their compensation: including oversight of licensing operations,  
 3 technology systems, compliance programs, and enforcement of this Chapter. The  
 4 executive director shall employ, supervise, and assign personnel as necessary and fix  
 5 their compensation within the limits of the board's approved budget. He shall have  
 6 no financial or business interests, contingent dealings or otherwise, in the security  
 7 services investigative business, watch, guard, or patrol agency while so employed or  
 8 for a period of direct or indirect financial or business interest in any private security  
 9 while employed or for five years thereafter.

\* \* \*

§3279. Approval, denial; procedure; appeals; prior qualifications

A. The procedure of the board in approving or denying an application shall be as follows:

\* \* \*

(3)(a) If the grounds for denial are subject to correction by the applicant, the notice of denial shall so state and the applicant shall be given ten days after receipt of such notice or, upon application, a reasonable additional period of time within which to make the required correction.

(b) If the application is denied, the applicant, within thirty days after receipt of notice of denial from the board, may request a hearing on the denial, pursuant to R.S. 37:3279.1. ~~Within ten days after the filing of such request for hearing by the applicant, the board shall schedule a hearing to be held after due notice to the applicant. The hearing shall be conducted in accordance with the Administrative Procedure Act.~~

\* \* \*

§3279.1. Appeals; hearings; procedures; due process

A. The board shall conduct all adjudicatory proceedings in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and the provisions of this Chapter.





1 §3284. Training of security officers; requirements

2 \* \* \*

3 B.(1) ~~Any security officer employed after the effective date of this Chapter~~  
4 ~~shall complete, within thirty days of his first work assignment, either eight hours of~~  
5 ~~classroom training or an approved curriculum-based training course under a licensed~~  
6 ~~instructor and successfully pass an examination on the prescribed material which~~  
7 ~~shall include the following topics:~~ A security officer shall complete, prior to his first  
8 work assignment, a minimum of sixteen hours of board-required training consisting  
9 of Security Officer Standards and Training, or S.O.S.T, by a board-licensed  
10 instructor and successfully pass an examination for each course.

11 ~~(a) Orientation to R.S. 37:3270 through 3299 and the board's rules and~~  
12 ~~regulations.~~

13 ~~(b) Legal powers and limitations of a security officer.~~

14 ~~(c) Emergency procedures.~~

15 ~~(d) General duties/field notes/report writing.~~

16 \* \* \*

17 (4) ~~Security officers shall have sixty days from the date of the first work~~  
18 ~~assignment to complete either an additional eight hours of classroom training or an~~  
19 ~~approved curriculum-based training course under a licensed instructor, as prescribed~~  
20 ~~by the board, and successfully pass a fifty-question test administered by the licensed~~  
21 ~~instructor by achieving a minimum score of seventy percent~~ who are registered in  
22 other states with licensing requirements similar to this state and law enforcement  
23 officers identified in this Section, may attend, prior to his first work assignment, four  
24 hours of board-required training consisting of Security Officer Standards and  
25 Training, or S.O.S.T, by a board-licensed instructor and successfully pass an  
26 examination.

27 (5) No more than ~~two~~ sixteen hours of the training requirements provided for  
28 in Paragraphs (1); and (2), ~~and (4)~~ of this Subsection may be conducted during a  
29 twenty-four-hour period.

30 \* \* \*

1 E. All classroom training required by this Chapter shall be administered by  
2 a licensed instructor who is approved by the board, meets the qualifications of an  
3 applicant as required by R.S. 37:3276(A)(1) through (6), and at least one of the  
4 following:

- 5 ~~(1) Is approved by the board.~~
- 6 ~~(2) Meets the qualifications of an applicant as required by R.S.~~  
7 ~~37:3276(A)(1) through (6);~~

8 ~~(3)~~(1) Has a minimum of three years supervisory experience with a contract  
9 security company, proprietary security organization, or with any federal, state, local,  
10 parochial, municipal, or United States military law enforcement agency; ~~or.~~

11 ~~(4)~~(2) ~~Degree~~ Has a degree in administration of justice or the equivalent  
12 thereof from an accredited college or university; ~~or.~~

13 ~~(5)~~(3) Is P.O.S.T. certified instructor; ~~or.~~

14 ~~(6)~~(4) ~~Teaching~~ Has a teaching certificate issued by the state of Louisiana,  
15 Department of Education, or the equivalent thereof, and one year supervisory  
16 experience in the security field.

17 F. All firearms training required by this Chapter shall be administered by a  
18 licensed instructor who does both of the following:

19 (1) Meets the same qualifications of a classroom instructor as required by  
20 Subsection E; ~~and.~~

21 (2) Has successfully completed training and possesses a National Rifle  
22 Association Security or Police Firearms Instructor certificate, or a P.O.S.T. Firearm  
23 Instructor Certificate, or a Department of Energy Firearms Instructor Certificate, or  
24 certification by a branch of the United States military.

25 \* \* \*

26 J. Current and former law enforcement officers or current or former military  
27 law enforcement officers who have successfully completed a P.O.S.T. certification  
28 and firearms training program or equivalent within one year prior to application may  
29 submit proof of such documentation to the board as proof of training, which shall be

1 considered the equivalent of the classroom training for security officers as required  
2 in Paragraphs (B)(1); and (2); ~~and (4)~~ of this Section, but shall not exempt them from  
3 the requirements of Paragraph (D)(1) of this Section.

4 \* \* \*

5 §3284.1. Security canine and detector canine programs

6 A. The board shall license and regulate canine handlers and canine teams.

7 B. The board shall approve all canine training programs and shall establish  
8 minimum standards for certification and recertification of security canines, detector  
9 canines, and their handlers.

10 C. No canine may be deployed by a licensee unless both the canine and its  
11 handler are certified in accordance with rules adopted by the board.

12 D. Detector canine programs shall be conducted in compliance with all  
13 applicable federal laws and regulations, including but not limited to those  
14 administered by the United States Drug Enforcement Administration and the Bureau  
15 of Alcohol, Tobacco, Firearms, and Explosives.

16 E. Any positive indication of explosives or controlled dangerous substances  
17 by a detector canine team shall be immediately reported to the appropriate law  
18 enforcement authority.

19 F. The board shall require each licensee employing canine teams to maintain  
20 liability insurance coverage.

21 \* \* \*

22 §3287. Renewal of license, certificate; penalty

23 \* \* \*

24 C. The licensee, within ~~fifteen~~ thirty days after receipt of such notice of  
25 intent to refuse to renew a license, may request a hearing on such refusal pursuant  
26 to R.S. 37:3279.1. A licensee shall be permitted to continue to be engaged in  
27 business while his renewal application is pending.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 §3288. Administrative penalties

2 A.(1) Any person who is determined by the board, after reasonable notice  
3 and opportunity for a fair and impartial hearing ~~held~~ conducted in accordance with  
4 the Administrative Procedure Act and R.S. 37:3279.1, to have committed an  
5 egregious act ~~that is a~~ or willful violation of this Chapter or regulation or rule issued  
6 thereunder or any rule or regulation adopted pursuant to this Chapter is subject to an  
7 administrative penalty of not more than five thousand dollars per violation per day  
8 and shall subject such person to revocation of his license. The board may, upon  
9 written findings of fact and conclusions of law, impose probation, suspension, or  
10 revocation of any license or registration issued in accordance with this Chapter.

11 Such egregious acts shall include but not be limited to the following:

12 (a) ~~Knowingly operating~~ Operating a private security business without  
13 ~~meeting~~ maintaining the insurance requirements as provided for in this Chapter.

14 (b) ~~Consistently~~ Repeatedly or deliberately operating a private security  
15 business in violation of the insurance requirements provided for in this Chapter.

16 (c) Submitting fraudulent documents to the board as required or requested  
17 by the board or causing to be submitted false, forged, fraudulent, or materially  
18 misleading documents or information to the board.

19 (d) Forgery of, altering, or falsifying any documentation or information  
20 submitted or required to be submitted to the board.

21 (e) Operating a private security business without obtaining the required  
22 firearms training or allowing personnel to operate in a capacity requiring firearms  
23 authorization without the required firearms training, certification, or qualification.

24 (2) Any person committing ~~any non-egregious acts in a non-egregious~~  
25 violation of this Chapter or any regulation or rule ~~issued thereunder~~ pursuant to this  
26 Chapter is subject to an administrative penalty of not more than one thousand dollars  
27 per violation per day. In lieu of a fine for a first-time, non-willful violation, the  
28 board may issue a written warning or require the violator to complete a corrective  
29 action plan within a prescribed time period.





commission districts established by law. Four members shall be appointed from the state at large. Each member shall be a citizen of the U.S., a resident of this state, at least 30 years of age, and shall have been actively engaged in the private security business for at least five years. One of the members appointed at large shall be a representative of a nationally operated security company. Each member shall be licensed or registered with the board or a corporate officer of a licensed company.

Proposed law amends present law and provides that the board shall consist of nine members all domiciled in this state and approved by the governor. Each member shall be a citizen of the U.S., a resident of this state, and at least 30 years of age.

Proposed law provides that five members will be members of the private security industry, appointed by the governor, and shall be one of the following a company owner, a qualifying agent, or an instructor. One of each member shall reside in each of the five districts composed of certain parishes. One of the members shall be affiliated with a nationally operated security company. Each member shall be licensed with the board or serve as a corporate officer of a licensed security company, and shall have been actively engaged in the private security industry for a minimum of five years.

Proposed law provides that four members will be appointed at-large from the following agencies:

- (1) One at-large member nominated from the tourism industry by the lieutenant governor.
- (2) One at-large member nominated from the insurance industry by the commissioner of the La. Dept. of Insurance.
- (3) One at-large member nominated from the law enforcement community by the superintendent of the office of State Police.
- (4) One at-large member nominated from the Academy Directors Assoc. by the director of the La. Commission on Law Enforcement.

Proposed law provides that the governor may remove any or all members of the board for inefficiency or neglect of duty.

Proposed law provides that the board is prohibited from adopting any rules or regulations that would impose additional eligibility requirements for membership.

Present law provides that the board shall:

- (1) Examine all applicants to be licensed and regulated under the provisions of this present law.
- (2) Administer a written examination for prospective licensees at least twice each year.
- (3) Adopt rules and regulations to govern the practice of private security in the state of La.
- (4) Issue, suspend, modify, or revoke licenses or registration cards to provide private security in the state of La.
- (5) Report to the attorney general of the state of La. all persons violating the provisions of this present law.
- (6) Report annually, no later than March 1, to the governor, the secretary of the department, and the legislature on its activities.

- (7) Adopt rules to authorize the assessment of administrative penalties in the form of fines not to exceed \$500 per violation and the cost of the board's proceedings.

Proposed law amends present law to require that the board shall instead:

- (1) Examine all applicants to be licensed and regulated in accordance with the provisions of this present and proposed law through written or digital application and verification systems.
- (2) Administer an examination for prospective licensees.
- (3) Adopt and promulgate rules and regulations to govern the practice of private security in this state in accordance with the APA.
- (4) Issue, suspend, modify, place on probation, or revoke digital or physical licenses or registration credentials authorizing private security services within this state.
- (5) Refer matters of potential criminal or civil violation to appropriate authorities as deemed necessary, in consultation with the board's legal counsel.
- (6) Report annually to the governor, the legislative auditor, and the commissioner of administration on its operations, finances, and regulatory activities.
- (7) Adopt rules to authorize the assessment of administrative penalties pursuant to this present and proposed law.

Proposed law adds the requirement that the board to adopt rules to regulate private security canine programs and deployments, including the licensing, training, certification, deployment, recertification, and discipline of canine handlers, security canines, and detector canines, in compliance with applicable state and federal law.

Present law provides that the board may:

- (1) Prescribe and adopt regulations, standards, procedures, and policies governing the manner and conditions under which credit shall be given by the board for participation in a program of continuing professional education such as the board may consider necessary and appropriate to maintain the highest standards of the private security industry in the state of La.
- (2) Authorize any member of the board to make any affidavit necessary for the issuance of any injunction or other legal process authorized under present law or under the rules and regulations of the board.
- (3) Issue subpoenas to require attendance and testimony and the production of documents, for the purpose of enforcing the laws relative to the private security industry and securing evidence of violations thereof.
- (4) Employ clerical assistance necessary to carry out the administrative work of the board.
- (5) Purchase or otherwise acquire any real or personal property, including making or entering into mortgages, as may be necessary or convenient to the exercise of its powers in order to accomplish the purposes of present law. The board shall take title to and hold such property in its name as an agency of the state.
- (6) When a state of emergency has been declared in this state pursuant to present law, authorize the operation of out-of-state private security businesses within the state and

the use of its employees within the state for the duration of the state of emergency or for a stipulated amount of time after declaration of the state of emergency, not to exceed 30 days from the last day of the declared state of emergency, if the private security business is licensed in another state in which the qualifications, insurance, training, and other similar requirements are at least equal to those required under present law and as notified the board that they intend to operate in the state and submits all information requested by the board.

Proposed law amends present law to allow the board to:

- (1) Prescribe and adopt regulations, standards, procedures, and policies in accordance with the APA, governing the manner and conditions in which credit may be granted by the board for participation in continuing professional education programs, when such requirements are reasonably related to maintaining professional competence and protecting public safety within the private security industry in this state.
- (2) Authorize the chairperson, executive director, or any designated member of the board to make any affidavit necessary for the issuance of any injunction or other legal process authorized pursuant to this present and proposed law or under the rules and regulations of the board.
- (3) Issue subpoenas or subpoenas duces tecum to require attendance, testimony, or production of records necessary to enforce this present and proposed law and obtain evidence of violations.
- (4) Employ staff as necessary to carry out the functions of the board.
- (5) Purchase, lease, or otherwise acquire any real or personal property, including making or entering into mortgages, as may be necessary or convenient to the exercise of its powers in order to accomplish the purposes of present and proposed law. The board shall take title to and hold such property in its name as an agency of the state, under the fiscal control of the division of administration and subject to state property management requirements.
- (6) When a state of emergency has been declared in this state pursuant to present law authorize the temporary operation of out-of-state private security businesses within the state and the use of its employees within the state for the duration of the state of emergency or for a stipulated amount of time after declaration of the state of emergency, not to exceed 30 days from the last day of the declared state of emergency, if the private security business is licensed in another state in which the qualifications, insurance, and training are substantially equivalent to those of this present and proposed law and has notified the board of intent to operate and submits all required documentation requested by the board.

Present law provides that the board shall meet quarterly at regular meetings each year

Proposed law amends present law and provides that the board shall meet every other month at regular meetings each year and adds that the board may conduct meetings by electronic means in accordance with present law.

Present law provides for the duties of the executive secretary.

Proposed law makes clarifying changes and adds that the authority from the board can include oversight of licensing operations, technology systems, compliance programs, and enforcement of present and proposed law.

Proposed law provides that the executive director shall employ, supervise, and assign personnel as necessary and fix their compensation within the limits of the board's approved budget.

Present law provides that the secretary shall have no financial or business interests, contingent dealings or otherwise, in the security services investigative business, watch, guard, or patrol agency while so employed or for a period of five years thereafter.

Proposed law instead provides that the director shall have no direct or indirect financial or business interest in any private security business while employed or for five years thereafter.

Present law provides that the procedure of the board in approving or denying an application, if the grounds for denial are subject to correction by the applicant.

Present law allows that if the application is denied, the applicant, within 30 days after receipt of notice of denial from the board, may request a hearing on the denial. Within 10 days after the filing of such request for hearing by the applicant, the board shall schedule a hearing to be held after due notice to the applicant. The hearing shall be conducted in accordance with the APA.

Proposed law instead provides that if the application is denied, the applicant, within 30 days after receipt of notice of denial from the board, may request a hearing on the denial, pursuant to proposed law.

Proposed law provides the processes for appeals, hearings, and due process for an applicant or licensee.

Proposed law provides that the board shall conduct all adjudicatory proceedings in accordance with present and proposed law and shall communicate to the applicant or licensee all denials, suspensions, orders, administrative penalties, and revocations in writing.

Proposed law provides that upon written notice of adverse or disciplinary action from the board, the applicant or licensee has the right to elect to file a hearing with the board or the Division of Administrative Law within 30 days from the receipt of the notice. Proposed law further provides that if the applicant or licensee elects to have a hearing by the board and does not prevail, the ruling of the board may be appealable with the Division of Administrative Law and if the applicant or licensee elects to have a hearing by the Division of Administrative Law, the ruling shall be appealable by either the board or the applicant or licensee, whichever does not prevail.

Proposed law provides that any party subject to a hearing may be represented by legal counsel and present evidence and testimony, and has the right to due process. Proposed law further provides that all hearings shall be recorded, and a complete record of all proceedings shall be made and that the appellant shall assume all costs associated with appeals.

Present law provides for security officer and security operations manager registrant card.

Present law provides that the portion of the board application indicating temporary registration shall be carried by the applicant when he is within the scope of his employment until such time as he receives his permanent registration card from the board.

Present law provides that individuals required to obtain a registration card under present law shall file for a registration card and, upon completion thereof, the licensee shall immediately forward the application to the board and that every applicant for a registration card shall make and deliver to the licensee a sworn application in writing upon a form prescribed by the board.

Proposed law removes present law and instead provides that an individual required to obtain a registration card shall submit a sworn application to the board for review and every applicant shall remit all required fees with the application to the board.

Present law provides that actions by the board to approve or deny an application for a registration card shall be the same as that action taken to deny or approve an application for license as provided in present law.

Proposed law amends present law to instead outline the board's process to deny or approve an application for license in proposed law.

Present law provides that registration cards issued by the board shall be valid for a period of two years and that the cardholder shall file a registration card renewal form with the board not less than 30 days prior to the expiration of the card, together with the fee for renewal.

Proposed law removes the 30-day requirement.

Present law provides that the board may refuse to renew a registration card, and shall promptly notify the cardholder of its intent to refuse to renew. The cardholder, within 15 days after receipt of such notice, may request a hearing on such refusal, in the same manner and in accordance with the same procedure as that provided in present law.

Proposed law provides that the hearing procedure shall be in a manner outlined in proposed law.

Present law provides that any security officer employed after the effective date of present law shall complete, within 30 days of his first work assignment, either eight hours of classroom training or an approved curriculum-based training course under a licensed instructor and successfully pass an examination on the prescribed material.

Proposed law removes present law and instead provides that a security officer shall complete, prior to his first work assignment, a minimum of 16 hours of board-required training consisting of Security Officer Standards and Training, or S.O.S.T, by a board-licensed instructor and successfully pass an examination for each course.

Present law provides that security officers shall have 60 days from the date of the first work assignment to complete either an additional eight hours of classroom training or an approved curriculum-based training course under a licensed instructor, as prescribed by the board, and successfully pass a 50-question test administered by the licensed instructor by achieving a minimum score of 70%.

Proposed law deletes present law and instead provides that security officers who are registered in other states with licensing requirements similar to this state, and law enforcement officers identified in this present and proposed law, may attend, prior to his first work assignment, four hours of board-required training consisting of Security Officer Standards and Training, or S.O.S.T, by a board-licensed instructor and successfully pass an examination.

Present law provides that no more than two of the training requirements provided for may be conducted during a 24-hour period.

Proposed law increases two to 16.

Present law requires that all classroom training and all firearms training required by present law shall be administered by a licensed instructor who meets certain requirements.

Proposed law makes technical changes.

Proposed law adds that the board shall license and regulate canine handlers and canine teams, approve all canine training programs, and establish minimum standards for certification and recertification of security canines, detector canines, and their handlers.

Proposed law provides relative to detector canine programs.

Proposed law provides for the reporting of positive indications of explosives or controlled dangerous substances.

Proposed law requires each licensee employing canine teams to maintain liability insurance coverage.

Present law provides that a licensee, within 15 days after receipt of such notice of intent to refuse to renew a license, may request a hearing on such refusal.

Proposed law increases the days to 30 and clarifies that the hearing shall be pursuant to proposed law.

Present law provides that any person who is determined by the board, after reasonable notice and opportunity for a fair and impartial hearing held in accordance with the APA to have committed an egregious act that is a violation of present law or regulation or rule issued thereunder is subject to an administrative penalty of not more than \$5000 per violation per day and shall subject such person to revocation of his license. Such egregious acts shall include but not be limited to the following:

- (1) Knowingly operating a private security business without meeting the insurance requirements as provided for in present law.
- (2) Consistently operating a private security business in violation of the insurance requirements provided for in present law.
- (3) Submitting fraudulent documents to the board as required or requested by the board.
- (4) Forgery of any documentation submitted to the board.
- (5) Operating a private security business without obtaining the required firearms training.

Proposed law amends present law to instead provide that any person who is determined by the board, after reasonable notice and opportunity for a fair and impartial hearing conducted in accordance with the APA and proposed law, to have committed an egregious act or willful violation of present and proposed law or regulation or rule issued thereunder or any rule or regulation adopted pursuant to present and proposed law is subject to an administrative penalty of not more than \$5,000 per violation per day and shall subject such person to revocation of his license. The board may, upon written findings of fact and conclusions of law, impose probation, suspension, or revocation of any license or registration issued in accordance with present and proposed law. Such egregious acts shall include but not be limited to the following:

- (1) Operating a private security business without maintaining the insurance requirements as provided for in present and proposed law.
- (2) Repeatedly or deliberately operating a private security business in violation of the insurance requirements provided for in this present and proposed law.
- (3) Submitting fraudulent documents to the board as required or requested by the board or causing to be submitted false, forged, fraudulent, or materially misleading documents or information to the board.

- (4) Forgery of, altering, or falsifying any documentation or information submitted or required to be submitted to the board.
- (5) Operating a private security business without obtaining the required firearms training or allowing personnel to operate in a capacity requiring firearms authorization without the required firearms training, certification, or qualification.

Present law provides that any person committing any non-egregious acts in violation of present law or any regulation or rule issued thereunder is subject to an administrative penalty of not more than \$1000 per violation per day.

Proposed law adds that in lieu of a fine for a first-time, non-willful violation, the board may issue a written warning or require the violator to complete a corrective action plan within a prescribed time period.

Present law provides that the board, in accordance with the APA, may adopt a schedule of administrative penalties for minor violations that can be assessed by the executive secretary when the violator waives the right to an administrative hearing.

Proposed law provides that the division of administration shall also adopt a schedule of administrative penalties and corrective actions for minor violations.

Present law provides for fines for violations of present law.

Proposed law provides that the present law shall apply to first offenses.

Proposed law provides for fines after a first offense.

Proposed law provides for fines and imprisonment for violations that involve engaging in the private security business without ever having submitted an application for licensure to the board.

Present law provides for a restraining order for acts prohibited by present law.

Proposed law amends the hearing process for restraining orders.

Proposed law provides for technical changes in present law.

Proposed law directs the La. Law Institute to change all references of "executive secretary" to "executive director" throughout the Chapter.

Proposed law directs the La. Law Institute change all references from "Private Security and Licensing Law" to "Louisiana Private Security Licensing and Regulatory Act" throughout the revised statutes.

(Amends R.S. 37:3270, 3271, 3272(A)(2), (5), (6), (9), (11), (13)-(15), (17), and (18), 3273(B) and (C), 3274(A)(1)-(5), (7), and (11), (B)(1)-(4), (6), (7), (10), and (11), (C), and (D), 3275, 3279(A)(3), 3283(A), (D), and (F)(1) and (2), 3284(B)(1), (4), and (5), (E), (F), and (J), 3287(C), 3288, 3292(B), and 3293(C)(1); Adds R.S. 37:3272(21)-(25), 3273(I), 3274(A)(12), 3279.1, 3284.1, 3292(C); Repeals R.S. 37:3272(20))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.