

# HOUSE BILL REPORT

## SB 6090

---

### As Passed House:

April 6, 2007

**Title:** An act relating to persons who perform crowd management or guest services.

**Brief Description:** Regarding persons who perform crowd management or guest services.

**Sponsors:** By Senators Delvin, Zarelli and McCaslin.

### Brief History:

#### Committee Activity:

Commerce & Labor: 3/27/07, 3/30/07 [DP].

#### Floor Activity:

Passed House: 4/6/07, 94-0.

### Brief Summary of Bill

- Modifies the exemption for guest services or crowd management employees within the statutes requiring licensing of private security guards.

---

## HOUSE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** Do pass. Signed by 7 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Green, Moeller and Williams.

**Staff:** Sarah Beznoska (786-7109).

### Background:

The Department of Licensing (Department) regulates private security guards and private security guard businesses. A private security guard is an individual licensed under the private security guard licensing law and principally employed as:

- a security officer or guard;
- a merchant patrol officer or guard;
- an armed escort or bodyguard;
- an armored vehicle guard;

---

*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.*

- a burglar alarm response runner; or
- a crowd control officer or guard.

To be licensed as a private security guard, applicants must meet minimum requirements, including no criminal history related to the capacity to perform private security guard duties, and pay a license fee. After receiving an application for a license, the Department conducts a background investigation of the applicant, including fingerprint comparison.

The private security guard licensing law exempts:

- persons who perform private security guard duties for a private employer who is not in the private security guard business;
- peace officers who are performing their official duties or who are engaged in off-duty employment as security guards; and
- guest services or crowd management employees who do not perform the duties of a private security guard.

The exemption for guest services or crowd management employees was enacted in 2006.

---

### **Summary of Bill:**

The exemption for guest services or crowd management employees is modified to exempt a person performing crowd management or guest services including, but not limited to, a person described as a ticket taker, usher, door attendant, parking attendant, crowd monitor, or event staff who:

- does not carry a firearm or other dangerous weapon;
- does not wear a uniform; and
- does not have as his or her primary responsibility, the detainment of persons or placement of persons under arrest.

The exemption only applies when a crowd has assembled for the purpose of attending or taking part in an organized event, including pre-event assembly, event operation hours, and post-event departure activities.

"Primary responsibility" means an activity that is fundamental to, and required or expected in, the regular course of employment and is not merely incidental to employment.

---

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

(In support) This bill adds definition to who is considered crowd management or guest services. There is no opposition and it is a straightforward bill. It is a good little bill that should be passed.

The reason for the bill is that crowd management or guest services workers are not security and should not be under the same guidelines. These people are ushers and ticket takers, but not security. They provide services at a variety of event centers and are the first line of defense for guests, but do not do the same thing as a private security guard. Ninety-five percent of their responsibilities are not the function of a security guard.

The language in this bill is based on Oregon law.

(Opposed) None.

**Persons Testifying:** Senator Delvin, prime sponsor; and Doug Trapka, Starplex, Corporation.

**Persons Signed In To Testify But Not Testifying:** None.