

SENATE BILL REPORT

SB 6281

As of January 27, 2012

Title: An act relating to the regulation of event personnel.

Brief Description: Concerning the regulation of event personnel.

Sponsors: Senators Fraser, Benton and McAuliffe.

Brief History:

Committee Activity: Labor, Commerce & Consumer Protection: 1/26/12.

SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

Staff: Mac Nicholson (786-7445)

Background: Private security guards are subject to licensing requirements through the Department of Licensing. Crowd control officers or guards are considered private security guards and must comply with licensing provisions. Individuals performing crowd management or guest services are exempt from licensing if the person doesn't carry a firearm or other dangerous weapon; does not wear a uniform or clothing readily identifiable as that worn by a private security or law enforcement officer; and does not have the primary responsibility to detain or arrest others.

Summary of Bill: Any person who carries a firearm or other dangerous weapon; wears a uniform or clothing readily identifiable as that worn by any security personnel; and is authorized to provide crowd control or crowd management activities must be licensed under security guard license regulations. Definitions are provided for crowd management and crowd control and include persons who provide control, regulation, or direction of the public for the purpose of safety and protection during the time when a crowd has assembled for an organized event.

Individuals performing guest services continue to be exempt from licensing. The term guest services is defined to include tasks that are done primarily for the comfort or convenience of those attending an organized event including ticket takers, ushers, valets, lot attendants and crowd monitors who are responsible for reporting disturbances or suspect activities but are not responsible for responding to disturbances or suspect activities.

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 company that provides both guest services staff and security staff must specify in contract the difference between the guest services and security staff and explain clearly how to identify each. The company must maintain lists of staff provided at each event for one year.

An affirmative defense is created for any action brought by reason of any person having been detained by a crowd management or crowd control licensee for investigation or questioning on or in the immediate vicinity of the premises of an event. The licensee can assert the affirmative defense if the person was detained in a reasonable manner and for no more than a reasonable time to permit investigation or questioning by the licensee and the licensee had reasonable grounds to believe the circumstances warranted the detention. Reasonable grounds and reasonable time are defined.

Appropriation: None.

Fiscal Note: Requested on January 21, 2012.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.