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**Business & Financial Services Committee**

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**HB 1336**

**Brief Description:** Allowing fingerprint-based background checks for the licensing of any security guard.

**Sponsors:** Representatives Kirby and Hayes; by request of Department of Licensing.

**Brief Summary of Bill**

- Requires applicants for any private security guard license to undergo national fingerprint-based background checks.
- Removes the requirement that the Department of Licensing solicit comments from local law enforcement regarding applicants for private security guard licenses.
- Requires the Department of Licensing to inform an applicant's employer if the applicant is ineligible for a license as a private security guard.

**Hearing Date:** 1/20/16

**Staff:** Peter Clodfelter (786-7127).

**Background:**

Private Security Guard.

A private security guard is a person who is licensed and principally employed, or typically referred to, as one of the following:

- a security officer or guard;
- a patrol or merchant patrol service officer or guard;
- armed escort or bodyguard;
- armored vehicle guard;
- a burglar alarm response runner; or
- a crowd control officer or guard.

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*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.*

An applicant must meet the following minimum requirements to obtain a private security guard license:

- be at least 18 years of age;
- be a citizen of the United States or a resident alien;
- not have been convicted of a crime in any jurisdiction, if the Director of the Department of Licensing (Director) determines that the applicant's particular crime directly relates to the applicant's capacity to perform the duties of a private security guard, and the Director determines that the license should be withheld to protect the citizens of Washington;
- be employed by or have an employment offer from a licensed private security company or be licensed as a private security company;
- satisfy the training requirements established by the Director;
- submit a set of fingerprints; the applicant is not required to undergo a separate background check if the applicant been issued a license as a private investigator under chapter 18.165 RCW within the last 12 months; and
- submit a completed application that includes proper identification on a form prescribed by the Director for each company of employment.

#### Armed Private Security Guard.

An armed private security guard is a private security guard who has a current firearms certificate issued by the Criminal Justice Training Commission (Commission). An applicant for an armed private security guard license must meet the following minimum requirements:

- be licensed as a private security guard;
- be at least 21 years of age;
- have a current firearms certificate issued by the Commission; and
- pay the fee established by the Director.

#### Investigation of Applicants for Private Security Guard Licenses.

After receiving an application for a license, the Director must conduct an investigation to determine whether the facts set forth in the application are true and must request that the Washington State Patrol (WSP) compare the fingerprints submitted with the application to fingerprint records available to the WSP.

The Director must also solicit comments regarding the issuance of a permanent private security guard license from the chief law enforcement officer of the county and city or town in which the applicant's employer is located. The Director must forward to the applicant's employer a summary of the information acquired during the investigation of an applicant to the extent that the information is public.

The WSP must forward the fingerprints of an applicant for an armed private security guard license to the Federal Bureau of Investigation (FBI) for a national criminal history records check.

#### **Summary of Bill:**

The WSP must forward the fingerprints of an applicant for any private security guard license to the FBI, not just those of an applicant for an armed private security guard license. The applicant is not subject to a separate background check only if the applicant has been issued a license as an

armed private investigator under chapter 18.165 RCW within the previous 12 months of submitting the application.

The Director is no longer required to solicit comments from the chief law enforcement officer of the county and city or town in which the applicant's employer is located regarding the issuance of a private security guard license. The Department of Licensing must inform the applicant's employer if the applicant is ineligible to be a security guard and may provide a time frame for the applicant's ineligibility.

**Appropriation:** None.

**Fiscal Note:** Available.

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