

SENATE BILL REPORT

SB 6605

As Reported by Senate Committee On:
Labor & Commerce, February 6, 2020

Title: An act relating to annual licensure of security guards.

Brief Description: Licensing security guards.

Sponsors: Senators Holy and Pedersen.

Brief History:

Committee Activity: Labor & Commerce: 2/04/20, 2/06/20 [DPS].

Brief Summary of First Substitute Bill

- Requires the license fee to be itemized on an armed private security guard license application and renewal form.
- Requires that the Department of Licensing (DOL) conduct an investigation on license renewals for private security guards, armed private security guards, and private security companies.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: That Substitute Senate Bill No. 6605 be substituted therefor, and the substitute bill do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun, Saldaña, Schoesler, Stanford, Walsh and Wellman.

Staff: Susan Jones (786-7404)

Background: The Department of Licensing (DOL) licenses and regulates security guards, including private security guards, armed private security guards, and private security company.

To obtain a private security guard license, an applicant must meet the following minimum requirements to:

- be at least eighteen years of age;
- be a citizen of the United States or a resident alien;

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- not have been convicted of a crime in any jurisdiction, if the Director (Director) of the DOL 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 Washington citizens;
- 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; except for recently a licensed private investigator;
- pay the required nonrefundable fee for each application; and
- submit a fully completed application that includes proper identification on a form prescribed by the Director for each company of employment.

To obtain an armed private security guard license, an applicant must meet the following minimum requirements :

- be licensed as a private security guard;
- be at least twenty-one years of age;
- have a current firearms certificate issued by the commission; and
- pay the fee established by the director.

In addition to meeting the minimum requirements to obtain a license as a private security guard, an applicant or qualifying agent must meet the following requirements to obtain a license to own or operate a private security company:

- possess three years' experience as a manager, supervisor, or administrator in the private security business or a related field, or be at least 21 years of age and pass an examination to measure the person's knowledge and competence in the private security business;
- meet the insurance requirements; and
- pay any additional fees established by the Director.

It is a gross misdemeanor for:

- a person to possess or use any vehicle or equipment displaying the word "police" or "law enforcement officer" or having any sign, shield, marking, accessory, or insignia that indicates that the equipment or vehicle belongs to a public law enforcement agency; or
- any person who performs the functions and duties of a private security guard to use any name that includes the word "police" or "law enforcement" or that portrays the individual or a business as a public law enforcement agency.

Summary of Bill (First Substitute): The license fee must be clearly itemized on an armed private security guard license application and renewal form. The requirements for investigation apply for a license renewal as well.

EFFECT OF CHANGES MADE BY LABOR & COMMERCE COMMITTEE (First Substitute): Reinstates the requirement that DOL get comments from local law enforcement on issuance of a permanent private security guard license.

Appropriation: None.

Fiscal Note: Requested on February 4, 2020.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Law enforcement is stretched thin. Security guards have become an auxiliary or ancillary part of law enforcement, their eyes and ears and providing information. Some are authorized to carry guns. They have a background check. However, the annual license renewal does not do an additional background check. This provides a disservice to those who contract with them, the employers and the public. Even though checks may be done in initial licensing, other issues may come up after as it could in other professions. They are standards in statute but without periodic review, there is no way to know if the standards are being met.

A security officer did not show up for work one day and they found out it was because he had not been arraigned yet. A security guard could have one background check and work for 20 years without another one. There are approximately 10,000 security guards licensed. There are more security guards than law enforcement. We want to provide a criminal free security guard to hospitals, school, or more. One security guard company did the criminal background checks themselves and found seven people with concerning issues. The public cannot afford these mistakes.

OTHER: We request two amendments. First, that the comment by local enforcement be retained. Second, that the security guards be prohibited from wearing uniforms that closely resemble that of a law enforcement officer. We have seen that trend growing. Victims of crime may attempt to report it to a security guard who has not authority or obligation to anything about it. The public has raised the expectations of law enforcement and we would like the distinction between law enforcement and security guards clearly made.

Persons Testifying: PRO: Senator Jeff Holy, Prime Sponsor; Jeff Kirby, Washington State Security Council; Bill Cottringer, Washington State Security Council; Michael Moran, Washington State Security Council; Tamera Warnke, Washington State Security Council.

OTHER: James McMahan, Washington Association of Sheriffs and Police Chiefs.

Persons Signed In To Testify But Not Testifying: No one.