

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 710
PROPOSED COMMITTEE SUBSTITUTE S710-PCS15320-CN-3

Short Title: DPS Agency Changes.-AB

(Public)

Sponsors:

Referred to:

March 26, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO MODERNIZE THE ALARMS SYSTEMS LICENSING ACT, MAKE VARIOUS
3 CHANGES TO THE PRIVATE PROTECTIVE SERVICES BOARD LAWS,
4 STRENGTHEN THE OVERSIGHT AUTHORITY OF THE ABC COMMISSION,
5 MODIFY THE LAW REGARDING NOTICE OF CERTAIN VIOLATIONS TO ABC
6 PERMIT HOLDERS, ALLOW REVIEW OF LAW ENFORCEMENT OFFICERS'
7 PERSONNEL RECORDS WHEN TRANSFERRING AGENCIES, REINSTATE
8 G.S. 102-1.1, AND TO MODIFY PROVISIONS REGARDING SUMMARY
9 COURTS-MARTIAL AND THE APPOINTMENT AND SERVICE OF MILITARY
10 JUDGES OF THE NORTH CAROLINA NATIONAL GUARD.

11 The General Assembly of North Carolina enacts:

12
13 **PART I. ALARMS SYSTEMS LICENSING ACT MODERNIZATION**

14 **SECTION 1.(a)** Chapter 74D of the General Statutes reads as rewritten:

15 **"Chapter 74D.**

16 **"Alarm-Security Systems.**

17 **"Article 1.**

18 **"Alarm-Security Systems Licensing Act.**

19 **"§ 74D-1. Title.**

20 This act may be cited as the "~~Alarm~~"Security Systems Licensing Act."

21 **"§ 74D-2. License-Business and qualifying agent license requirements.**

22 (a) License Required. – No person, firm, association, corporation, or department or
23 division of a firm, association or corporation, shall engage in or hold itself out as engaging in ~~an~~
24 ~~alarm-a security~~ systems business without first being licensed in accordance with this Chapter.
25 A department or division of a firm, association, or corporation may be separately licensed under
26 this Chapter if the distinct department or division, as opposed to the firm, association, or
27 corporation as a whole, engages in ~~an alarm-a security~~ systems business. The department or
28 division shall ensure strict confidentiality of private security information, and the private security
29 information of the department or division must, at a minimum, be physically separated from other
30 premises of the firm, association, or corporation. For purposes of this Chapter ~~an "alarm-a~~
31 "security systems business" is defined as any person, firm, association or corporation that does
32 any of the following:

- 33 (1) ~~Sells-Unless otherwise exempt, sells or attempts to sell an alarm-a security~~
34 ~~system device-by engaging in a-any personal solicitation at a residence or~~
35 ~~business-to advise, design, or consult on specific types and specific locations~~
36 ~~of alarm-security system devices.~~



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(2) ~~Installs, Unless otherwise exempt, installs, services, monitors, or responds to electrical, wireless or hardwired electronic or mechanical alarm signal devices, devices and security systems, integrated automation of a residence or business that includes a security element, burglar alarms, monitored access control, or cameras cameras, analytic capturing devices, systems providing intelligence or other imaging devices used to detect or observe burglary, breaking or entering, intrusion, shoplifting, pilferage, theft, or other unauthorized or illegal activity. This provision shall not apply to a locking device that records entry and exit data and does not transmit the data in real time to an on-site or off-site monitoring location, provided the installer is duly licensed by the North Carolina Locksmith Licensing Board.~~

...
 (c) ~~Qualifying Agent. – A business entity that engages in the alarm systems business is required to be licensed under this Chapter is~~ subject to all of the requirements listed in this subsection with respect to a qualifying agent. For purposes of this Chapter, a "qualifying agent" is an individual who is a full-time employee in a management position who is licensed under this Chapter and whose name and address have been registered with the Board. The requirements are:

(1) The business entity shall employ a designated qualifying agent who meets the requirements for a license issued under and who is, in fact, licensed under the provisions of this Chapter, unless otherwise approved by the Board. Service upon the qualifying agent appointed by the business entity of any process, notice or demand required by or permitted by law to be served upon the business entity by the ~~Alarm Security Systems~~ Licensing Board shall be binding upon the licensed business entity. Nothing herein contained shall limit or affect the right to serve any process, notice or demand required or permitted by law to be served upon a business entity in any other manner or hereafter permitted by law.

...
 (3) In the event that the qualifying agent upon whom the business entity relies in order to do business ceases to perform his duties as qualifying agent, the business entity shall notify the board in writing by letter or using the Board's online form within 10 working days. The business entity must obtain a substitute qualifying agent within 90 days after the original qualifying agent ceases to serve as qualifying agent. The Director, in his or her discretion, may extend the 90-day period for good cause by an additional 30 days upon a written request of an officer of the company.

(4) The license certificate shall list the name of the qualifying agent. No ~~licensee~~ person shall serve as the qualifying agent for more than one business entity without the prior approval of the Board.

...
 (6) The qualifying agent shall be responsible for maintaining a current address and other contact information with the Board.

(d) ~~Criminal Record Check. Minimum Qualifications for Security Systems License. – An applicant must for qualifying agent shall meet all of the following requirements and qualifications determined by a background investigation conducted by the Board in accordance with G.S. 74D 2.1 and upon receipt of an application: qualifications:~~

- (1) The applicant is at least 18 years of age.
- (2) The applicant is of good moral character and temperate habits. The following shall be prima facie evidence that the applicant does not have good moral character or temperate habits: conviction by any local, State, federal, or military court of any crime involving the illegal use, carrying, or possession

1 of a firearm; conviction of any crime involving the illegal use, possession,
2 sale, manufacture, distribution or transportation of a controlled substance,
3 drug, narcotic, or alcoholic beverages; conviction of a crime involving
4 felonious assault or an act of violence; conviction of a crime involving
5 unlawful breaking or entering, burglary, larceny, or of any offense involving
6 moral turpitude; or a history of addiction to alcohol or a narcotic drug;
7 provided that, for purposes of this subsection, "conviction" means and
8 includes the entry of a plea of guilty, plea of no contest, or a verdict rendered
9 in open court by a judge or jury-jury, including a prayer for judgment
10 continued, adjudication withheld, or equivalent.

11 (3) The applicant has the necessary training, qualifications and experience to be
12 licensed, licensed, or the applicant has successfully completed or kept current
13 a Certified Alarm Technician Level I course offered by the Electronic Security
14 Association or equivalent course approved by the Board.

15 (e) ~~Examination. — The Board may require the applicant to demonstrate the applicant's~~
16 ~~qualifications by examination.~~

17 ...

18 (g) An alarm monitoring company located in another state and licensed by that state
19 which demonstrates to the Board's satisfaction that it does not conduct any business through a
20 personal representative present in this State, but which solicits and conducts business solely
21 through interstate communication facilities, such as telephone, the internet, and the United States
22 Postal Service, upon receipt by the Board of a certificate of good standing from the state of
23 licensure is not required to register employees pursuant to G.S. 74D-8. Out-of-state monitoring
24 companies not licensed in any state must be licensed by the Board and must register employees
25 pursuant to G.S. 74D-8.

26 (h) A security guard and patrol company licensed under Chapter 74C of the General
27 Statutes that remotely monitors access control, cameras, analytic capturing devices, systems
28 providing intelligence, or other imaging devices shall obtain a separate limited monitoring license
29 and may utilize the same qualifying agent for the limited license as utilized for its security guard
30 and patrol license and shall not be required to meet the requirements of G.S. 74D-2(d)(3) and (4)
31 or hold a low voltage electrical license. The qualifying agent must successfully complete a central
32 station monitoring operator course approved by the Board.

33 **"§ 74D-2.1. Criminal background checks.**

34 (a) Authorization. – Upon receipt of an application for a license or registration, the Board
35 shall conduct a background investigation to determine whether the applicant meets the
36 requirements for a license or registration as set out in G.S. 74D-2(d). ~~The Department State~~
37 ~~Bureau of Public Safety Investigation~~ may provide a criminal record check to the Board for a
38 person who has applied for a new or renewal license or registration through the Board. The Board
39 shall provide to the ~~Department of Public Safety, State Bureau of Investigation,~~ along with the
40 request, the fingerprints of a new applicant, and the ~~Department of Public Safety State Bureau of~~
41 ~~Investigation~~ shall provide a criminal record check based upon the applicant's fingerprints. The
42 Board may request a criminal record check from the ~~Department of Public Safety State Bureau~~
43 ~~of Investigation~~ for a renewal applicant based upon the applicant's fingerprints in accordance
44 with policy adopted by the Board. The Board shall provide any additional information required
45 by the ~~Department of Public Safety State Bureau of Investigation~~ and a form signed by the
46 applicant consenting to the check of the criminal record and to the use of the fingerprints and
47 other identifying information required by the State or national repositories. The applicant's
48 fingerprints shall be forwarded to the State Bureau of Investigation for a search of the State's
49 criminal history record file, and the State Bureau of Investigation shall forward a set of the
50 fingerprints to the Federal Bureau of Investigation for a national criminal history check. The
51 ~~Department of Public Safety State Bureau of Investigation~~ may charge each applicant a fee to be

1 collected by the Board and transmitted to the State Bureau of Investigation for conducting the
2 checks of criminal history records authorized by this subsection.

3 The Board may require a new or renewal applicant to obtain a criminal record report from
4 one or more reporting services designated by the Board to provide criminal record reports.
5 Applicants are required to pay the designated reporting service for the cost of these reports.

6 (b) Confidentiality. – The-Except as necessary to support the denial of an application or
7 a disciplinary matter in a contested case, the Board shall keep all information obtained pursuant
8 to this section confidential in accordance with applicable State law and federal guidelines, and
9 the information shall not be a public record under Chapter 132 of the General Statutes.

10 **"§ 74D-3. Exemptions.**

11 The provisions of this Chapter shall not apply ~~to~~to the following:

- 12 (1) A person, firm, association or corporation that sells or manufactures ~~alarm~~
13 security systems, unless the person, firm, association or corporation makes
14 personal solicitations at a residence or business to advise, design, or consult
15 on specific types and specific locations of ~~alarm-security~~ system devices,
16 installs, services, monitors, or responds to ~~alarm-security~~ systems at or from a
17 protected premises or a premises to be protected and thereby obtains
18 knowledge of specific application or location of the ~~alarm-security~~ system.-A
19 person licensed under this Chapter may hire a consultant to troubleshoot a
20 location or installation for a period of time not to exceed 48 hours in a
21 one month period if the licensee submits a report to the Board within 30 days
22 from the date of the consultation designating the consultant as a temporary
23 consultant;
- 24 (2) Installation, servicing or responding to fire alarm systems or any alarm device
25 which is installed in a motor vehicle, aircraft or ~~boat;~~boat.
- 26 (3) Installation or service of an ~~alarm-electronic security~~ system on property
27 owned by or leased to the ~~installer;~~installer.
- 28 (4) An alarm monitoring company located in another state which demonstrates to
29 the Board's satisfaction that it does not conduct any business through a
30 personal representative present in this State but which solicits and conducts
31 business solely through interstate communication facilities such as telephone
32 messages, earth satellite relay stations and the United States postal service;
33 and
- 34 (5) A person or business providing alarm systems services to a State agency or
35 local government if that person or business has been providing those services
36 to the State agency or local government for more than five years prior to the
37 effective date of this Chapter, and the State agency or local government joins
38 with the person or business in requesting the application of this exemption.
- 39 (6) Installation or service of a locking device that records entry and exit data and
40 does not transmit the data in real time to an on-site or off-site monitoring
41 location, provided the installer is licensed by the North Carolina Locksmith
42 Licensing Board.
- 43 (7) An entity through which a customer accesses marketing or advertising
44 material or installation instructions for a security system.

45 (b) A person licensed under this Chapter may utilize a consultant or manufacturer's
46 representative to troubleshoot a location or installation if accompanied by the licensee and the
47 licensee submits a report to the Board within 30 days from the date of the consultation designating
48 the consultant as a temporary consultant.

49 **"§ 74D-4. Alarm-Security Systems Licensing Board.**

- 50 (a) The Alarm-Security Systems Licensing Board is hereby established.

1 (b) The Board shall consist of seven members: the Secretary of Public Safety or his or
2 her designee; two persons appointed by the Governor, one of whom shall be licensed under this
3 Chapter and one of whom shall be a public member; two persons appointed by the General
4 Assembly upon the recommendation of the President Pro Tempore of the Senate in accordance
5 with G.S. 120-121, one of whom shall be licensed under this Chapter and one of whom shall be
6 a public member; and two persons appointed by the General Assembly upon the recommendation
7 of the Speaker of the House of Representatives in accordance with G.S. 120-121, one of whom
8 shall be licensed under this Chapter and one of whom shall be a public member.

9 (c) Each member shall be appointed for a term of three years and shall serve until a
10 successor is installed. ~~No~~ With the exception of the Secretary or his or her designee, no member
11 shall serve more than two complete three-year consecutive terms. ~~The term of each member,~~
12 ~~other than the Attorney General or his designee, who is serving on August 7, 1989, shall terminate~~
13 ~~on June 30, 1989. Of the appointments made by the General Assembly upon the recommendation~~
14 ~~of the President of the Senate to begin on July 1, 1989, one member shall be for a term of one~~
15 ~~year and one member shall be for a term of three years. Of the appointments made by the General~~
16 ~~Assembly upon the recommendation of the Speaker of the House of Representatives, one member~~
17 ~~shall be appointed for a term of two years and one member shall be appointed for a term of three~~
18 ~~years. Thereafter all terms shall be for three years.~~

19 ...

20 (e) Board members who are also State officers or employees shall receive no per diem
21 compensation for serving on the Board, and shall only receive the travel allowances set forth in
22 G.S. 138-6. All other Board members shall receive reimbursement in accordance with
23 G.S. 93B-5(b) and, notwithstanding G.S. 93B-5(a), shall receive as compensation for their
24 services per diem not to exceed one hundred dollars (\$100.00) for each day during which they
25 are engaged in the official business of the Board. The Board shall set the travel allowance and
26 per diem compensation of Board members who are not also State officers or employees.

27 (f) The Board shall elect a ~~chairman~~ chair and a ~~vice-chairman~~ vice-chair from its
28 membership by majority vote at the first meeting of its fiscal year. The ~~vice-chairman~~ vice-chair
29 shall serve as ~~chairman~~ chair of the screening committee and shall also serve as ~~chairman~~ chair
30 in the ~~chairman's~~ chair's absence. At no time shall both the positions of ~~chairman~~ chair and
31 ~~vice-chairman~~ vice-chair be held by either an industry representative or a nonindustry
32 representative.

33 (g) The Board shall meet at the call of the ~~chairman~~ chair or a majority of the members
34 of the Board. The Board shall adopt rules governing the call and conduct of its meetings. A
35 majority of the current Board membership constitutes a quorum.

36 "**§ 74D-5. Powers of the Board.**

37 (a) In addition to the powers conferred upon the Board elsewhere in this Chapter, the
38 Board shall have the power ~~to~~ to do the following:

- 39 (1) Promulgate rules necessary to carry out and administer the provisions of this
40 Chapter including the authority to require the submission of reports and
41 information by licensees under this ~~Chapter;~~ Chapter.
- 42 (2) Determine minimum qualifications and establish minimum education,
43 experience, and training standards for ~~applicants and licensees~~ applicants,
44 licensees, and registrants under this ~~Chapter;~~ Chapter.
- 45 (3) Conduct investigations regarding alleged violations and make evaluations as
46 may be necessary to determine if unlicensed individuals or entities are in
47 violation of this Chapter and licensees and registrants under this Chapter are
48 complying with the provisions of this ~~Chapter;~~ Chapter. The Board shall issue
49 cease and desist orders, in writing, for violations of this Chapter with the
50 concurrence of the Secretary of Public Safety.

- 1 (4) Adopt and amend bylaws, consistent with law, for its internal management
2 and ~~control~~; control.
- 3 (5) Investigate and approve individual applicants to be licensed or registered
4 according to ~~this Chapter~~; Chapter.
- 5 (6) Deny, suspend, or revoke any license issued or to be issued under this Chapter
6 to any ~~applicant or licensee~~ applicant, licensee, or registrant who fails to
7 satisfy the requirements of this Chapter or the rules established by the Board.
8 The denial, suspension, or revocation of such license or registration shall be
9 in accordance with Chapter 150B of this General Statutes of North
10 ~~Carolina~~; Carolina.
- 11 (7) Issue subpoenas to compel the attendance of witnesses and the production of
12 pertinent books, accounts, records, and documents. The district court shall
13 have the power to impose punishment pursuant to G.S. 5A-21 et seq. for acts
14 occurring in matters pending before the Board which would constitute civil
15 contempt if the acts occurred in an action pending in ~~court~~; and court.
- 16 (8) Contract for services as necessary to carry out the functions of the Board.
- 17 (9) Acquire, hold, rent, encumber, alienate, and otherwise deal with real property
18 in the same manner as a private person or corporation, subject only to approval
19 of the Governor and the Council of State. Collateral pledged by the Board for
20 an encumbrance is limited to the assets, income, and revenues of the Board.

21 (b) The ~~chairman~~ chair of the Board or his or her representative designated to be a hearing
22 officer may conduct any hearing called by the ~~board~~ Board for the purpose of denial, suspension,
23 or revocation of a license or registration under this Chapter.

24 (c) The regulation of security system businesses shall be exclusive to the Board; however,
25 any city or county shall be permitted to require a security business operating within its
26 jurisdiction to register and to supply information regarding its license and may adopt an ordinance
27 to require users of electronic security systems to obtain revocable permits when alarm usage
28 involves automatic signal transmission to a law enforcement agency.

29 **"§ 74D-5.1. Position of Director created.**

30 The position of Director of the ~~Alarm~~ Security Systems Licensing Board is hereby created
31 within the Department of Public Safety. The Secretary of Public Safety shall appoint a person to
32 fill this full-time position. The Director's duties shall be to administer the directives contained in
33 this Chapter and the rules ~~promulgated~~ adopted by the Board to implement this Chapter and to
34 carry out the administrative duties incident to the functioning of the Board in order to actively
35 police the ~~alarm systems~~ security systems industry to ~~insure~~ ensure compliance with the law in
36 all aspects. The Director may issue a temporary grant or denial of a request for registration subject
37 to final action by the Board at its next regularly scheduled meeting.

38 **"§ 74D-5.2. Investigative powers of the Secretary of Public Safety.**

39 The Secretary of Public Safety shall have the power to investigate or cause to be investigated
40 any complaints, allegations, or suspicions of wrongdoing or violations of this Chapter involving
41 individuals unlicensed, licensed, or to be licensed, under this Chapter. Any investigation
42 conducted pursuant to this section is deemed confidential and is not subject to review under
43 G.S. 132-1 until the investigation is complete and a report is presented to the Board. However,
44 the report may be released to the licensee after the investigation is complete but before the report
45 is presented to the Board.

46 **"§ 74D-6. Denial of a license or registration.**

47 Upon a ~~finding that the applicant meets the requirements for licensure or receipt of an~~
48 application for licensure or registration under this Chapter, G.S. 74D-8, the Board shall determine
49 whether the applicant shall receive the ~~license or registration~~ applied for. The grounds for denial
50 ~~include~~; include all of the following:

- 1 (1) Commission of some act which, if committed by a registrant or licensee,
2 would be grounds for the suspension or revocation of a registration or license
3 under this ~~Chapter~~; Chapter.
- 4 (2) Conviction of a crime involving ~~fraud~~; the illegal use, carrying, or possession
5 of a firearm, felonious assault or an act of violence, felonious sexual offense,
6 felonious larceny, or felonious fraud. For purposes of this subdivision,
7 "conviction" means and includes the entry of a plea of guilty, plea of no
8 contest, or a verdict entered in open court by a judge or jury, including a prayer
9 for judgment continued, adjudication withheld, or equivalent.
- 10 (3) Lack of good moral character or temperate habits. The following
11 misdemeanor convictions shall be prima facie evidence that the applicant does
12 not have good moral character or temperate habits: conviction by any local,
13 State, federal, or military court of any crime involving the illegal use, carrying,
14 or possession of a firearm; conviction of any crime involving the illegal use,
15 possession, sale, manufacture, distribution, or transportation of a controlled
16 substance, drug, narcotic, or alcoholic beverages; conviction of a crime
17 involving ~~felonious~~ assault or an act of violence; conviction of a crime
18 involving unlawful breaking or entering, burglary or ~~larceny~~ or of any offense
19 ~~involving moral turpitude~~; larceny; conviction of a crime involving a sexual
20 offense; or a history of addiction to alcohol or a narcotic drug; provided that,
21 for purposes of this ~~subsection~~ subdivision, "conviction" means and includes
22 the entry of a plea of guilty, plea of no contest, or a verdict rendered in open
23 court by a judge or ~~jury~~; jury, including a prayer for judgment continued,
24 adjudication withheld, or equivalent.
- 25 (4) Previous denial under this Chapter or previous revocation for ~~cause~~; cause.
- 26 (5) Knowingly making any false statement or misrepresentation in an application
27 made to the Board for a license or registration.
- 28 (6) Being a registered sex offender in this State or any other state.

29 **"§ 74D-7. Form of license; term; assignability; renewal; posting; branch offices; fees.**

30 ...
31 (c) No licensee shall engage in any business regulated by this Chapter under a name other
32 than the ~~licensee~~ licensee's name or names which appear on the certificate issued by the Board.

33 (d) Any branch office ~~of an alarm in this State with a security~~ systems business shall
34 obtain a branch office certificate. A separate certificate stating the location and licensed
35 qualifying agent shall be posted at all times in a conspicuous place in each branch office. Every
36 business covered under the provisions of this Chapter shall file in writing with the Board the
37 addresses of each of its branch ~~offices~~ offices in this State. All licensees ~~of~~ with a branch office
38 shall notify the Board in writing before the establishment, closing, or changing of the location of
39 any branch ~~office~~. A licensed ~~qualifying agent may be responsible for more than one branch~~
40 ~~office of an alarm systems business with the prior approval of the Board~~ office in this State.
41 Temporary approval may be granted by the Director, upon application of the qualifying agent,
42 for a period of time not to exceed ~~40 working~~ 45 days after the adjournment of the next regularly
43 scheduled meeting of the Board unless the Board determines that the application should be
44 denied.

45 (e) The Board may charge the following fees, which must be expended, under the
46 direction of the Board, to defray the expense of administering this Chapter:

- 47 (1) A nonrefundable initial license application fee in an amount not to exceed ~~one~~
48 ~~hundred fifty dollars (\$150.00)~~ five hundred dollars (\$500.00).
- 49 (2) A new or renewal license fee in an amount not to exceed ~~five hundred dollars~~
50 ~~(\$500.00)~~ one thousand dollars (\$1,000).

- 1 (3) A late license renewal fee to be paid in addition to the renewal fee due in an
 2 amount not to exceed ~~one hundred dollars (\$100.00)~~, five hundred dollars
 3 (\$500.00) if the license has not been renewed on or before the expiration date
 4 of the license.
- 5 (4) A new or renewal registration fee in an amount not to exceed ~~fifty dollars~~
 6 ~~(\$50.00)~~ one hundred dollars (\$100.00) plus any fees charged to the board for
 7 background checks by the State Bureau of Investigation.
- 8 (5) A fee for reregistration of an employee who changes employment to another
 9 licensee, not to exceed ~~ten dollars (\$10.00)~~, twenty-five dollars (\$25.00).
- 10 (6) A branch office certificate fee not to exceed ~~one hundred fifty dollars~~
 11 ~~(\$150.00)~~ three hundred dollars (\$300.00).
- 12 ~~(7) A fee not to exceed fifty dollars (\$50.00) for each reconsideration of a license~~
 13 ~~or registration permit that has been filed or returned to the applicant for~~
 14 ~~correctable errors.~~
- 15 (8) A late registration fee, to be paid in addition to the registration renewal fee,
 16 not to exceed ~~twenty dollars (\$20.00)~~ forty dollars (\$40.00) for an application
 17 submitted no more than 30 days after the expiration of the registration permit.
 18 A registration application submitted more than 30 days after the registration
 19 has expired shall be registered as a new applicant.

20 **"§ 74D-8. Registration of persons employed.**

- 21 (a) (1) A licensee of ~~an alarm~~ a security systems business shall register with the
 22 Board within 30 days after the employment begins, all of the ~~following~~
 23 licensee's employees described in subdivision (1a) of this subsection that are
 24 within the State, unless in the discretion of the Director, the time period is
 25 extended for good ~~cause~~ cause.
- 26 (1a) The following employees shall be registered with the Board:
- 27 a. Any employee that has access to ~~confidential~~ any information
 28 detailing the design, installation, or application of any ~~location specific~~
 29 ~~electronic~~ security system or ~~that~~ has access to any code, number, or
 30 program that would allow the system to be modified, altered, or
 31 circumvented.
- 32 b. Any employee who conducts personal sales in a private residence or
 33 who installs or services an electronic a security system in a commercial
 34 business establishment or a personal residence.
- 35 c. Any employee who remotely monitors a security system, including
 36 cameras, unless the employee is registered as a security guard with a
 37 licensed security guard and patrol company under Chapter 74C of the
 38 General Statutes.
- 39 Employees engaged only in sales or marketing that does not involve any of
 40 the above are not required to be registered.
- 41 ~~(1a)~~ (1b) To register an employee, a licensee shall submit to the Board as to the
 42 employee: set(s) of classifiable fingerprints on standard F.B.I. applicant cards;
 43 recent color photograph(s) of acceptable quality for identification; and
 44 statements of any criminal records as deemed appropriate by the Board.
- 45 (2) Except during the period allowed for registration in subdivision (a)(1) of this
 46 section, no ~~alarm~~ security systems business may employ any employee
 47 required to be registered by this Chapter unless the employee's registration has
 48 been approved by the Board as set forth in this section.
- 49 (3) A licensee may employ an applicant for registration as a probationary
 50 employee for 20 consecutive days. Upon completion of the probationary
 51 period and the desire of the licensee to hire the registration applicant as a

regular employee, the licensee shall register the employee, as described in this subsection, with the Board within 30 days after the probationary employment period ends unless the Director, in the Director's discretion, extends the time period for good cause. Before a probationary employee engages in systems services, the employee shall complete any training requirements and the licensee shall conduct a criminal record check on the employee, as the Board deems appropriate. The licensee shall submit a list of the probationary employees to the Director on a monthly basis. The list shall include the name, address, social security number, and dates of employment of the employees.

...
"§ 74D-8.1. Apprenticeship registration permit.

(a) The Board may issue an apprenticeship registration permit to an applicant who is 16 or 17 years old ~~and currently enrolled in high school~~ if the applicant ~~holds a valid drivers license and submits at least three letters of recommendation stating that the applicant is of good moral character as provided in G.S. 74D-2(d)(2). The letters of recommendation shall be from persons who are not related to the individual, and at least one of the letters shall be from an official at the school where the applicant is currently enrolled.~~ applicant.

...
"§ 74D-9. Certificate of liability insurance required; form and approval; suspension for noncompliance.

(d) No license shall be issued under this act unless the applicant files with the Board evidence of a policy of liability insurance which policy must provide for the following minimum coverage: ~~fifty two hundred fifty thousand dollars (\$50,000)~~ (\$250,000) because of bodily injury or death of one person as a result of the negligent act or acts of the principal insured or his agents operating in the course and scope of his employment; subject to said limit for one person, ~~one five hundred thousand dollars (\$100,000)~~ (\$500,000) because of bodily injury or death of two or more persons as the result of the negligent act or acts of the principal insured or his agent operating in the course and scope of his or her agency; ~~twenty one hundred thousand dollars (\$20,000)~~ (\$100,000) because of injury to or destruction of property of others as the result of the negligent act or acts of the principal insured or his agents operating in the course and scope of his or her agency.

...
"§ 74D-10. Suspension or revocation of licenses and registrations; appeal.

(a) The Board may, after notice and an opportunity for hearing, suspend or revoke a license or registration issued under this Chapter if it is determined that the licensee or registrant has:

- ...
 (3) Violated any rule ~~promulgated~~ adopted by the Board pursuant to the authority contained in this Chapter.
 (4) Been convicted of any ~~crime involving moral turpitude or any other crime involving violence or the illegal use, carrying, or possession of a dangerous weapon~~ felony as set forth in G.S. 74D-6(2) or any crime as set forth in G.S. 74D-6(3).
 ...
 (7) Engaged in or permitted any employee to engage in any ~~alarm-security~~ systems business when not lawfully in possession of a valid ~~license~~ registration issued under the provisions of this Chapter.
 (8) Committed an unlawful breaking or entering, burglary, larceny, sexual offense, trespass, fraud, assault, battery, or kidnapping.

- 1 (9) Committed any other act which is a ground for the denial of an application for
2 a license or registration under this Chapter.
- 3 (10) Failed to maintain the certificate of liability insurance required by this
4 Chapter.
- 5 ...
- 6 (15) Engaged in the ~~alarm~~-security systems profession under a name other than the
7 name under which the license was obtained under the provisions of this
8 Chapter.
- 9 ...
- 10 (19) Engaged in conduct that constitutes dereliction of duty or otherwise deceives,
11 defrauds, or harms the public in the course of professional activities or
12 ~~services~~-services, including fraudulently claiming a change in business
13 ownership, fraudulently claiming dissolution of a competing business,
14 fraudulently claiming to be a representative of the consumer's current service
15 provider, misrepresentation of employer, or misrepresenting an upgrade of
16 equipment as a sales tactic.
- 17 (20) Demonstrated a lack of financial responsibility.

18 ...
19 **"§ 74D-11. Enforcement.**

20 ...
21 (b) Any person, firm, association, corporation, or department or division of a firm,
22 association or corporation, or their agents and employees violating any of the provisions of this
23 Chapter or knowingly violating any rule promulgated to implement this Chapter shall be guilty
24 of a Class 1 misdemeanor. The Attorney General, or his or her representative, shall have
25 concurrent jurisdiction with the district attorneys of this State to prosecute violations of this
26 Chapter.

27 (c) ~~The regulation of alarm systems businesses shall be exclusive to the Board; however,~~
28 ~~any city or county shall be permitted to require an alarm systems business operating within its~~
29 ~~jurisdiction to register and to supply information regarding its license, and may adopt an~~
30 ~~ordinance to require users of alarm systems to obtain revocable permits when alarm usage~~
31 ~~involves automatic signal transmission to a law enforcement agency.~~

32 (d) In lieu of revocation of suspension of a license or registration under G.S. 74D-10, a
33 civil penalty of not more than two thousand dollars (\$2,000) per violation may be assessed by
34 the Board against any person that violates any provision of this Chapter or any rule of the Board
35 adopted pursuant to this Chapter. In determining the amount of any penalty, the Board shall
36 consider the degree and extent of harm caused by the violation. The clear proceeds of all penalties
37 collected under this section shall be remitted to the Civil Penalty and Forfeiture Fund in
38 accordance with G.S. 115C-457.2.

39 (e) Proceedings for the assessment of civil penalties shall be governed by Chapter 150B
40 of the General Statutes. If the person assessed a penalty fails to pay the penalty to the Board, the
41 Board may institute an action in the superior court of the county in which the person resides or
42 has his or her principal place of business to recover the unpaid amount of the penalty. An action
43 to recover a civil penalty under this section shall not relieve any party from any other penalty
44 prescribed by law.

45 (f) The sale, installation, or service of ~~an alarm~~-a security system by an unlicensed or
46 unregistered person shall constitute a threat to the public safety, and any contract for the sale,
47 installation, or service of ~~an alarm~~-a security system shall be deemed void and unenforceable.

48 ...
49 **~~"§ 74D-13. Transfer of funds.~~**

50 ~~All fees collected pursuant to Chapter 74C of the General Statutes from alarm systems~~
51 ~~businesses which have not been expended upon January 1, 1984, shall be transferred to the Board~~

1 by the ~~Private Protective Services Board~~ for the purpose of defraying the expenses of
 2 administering this act.

3 **"§ 74D-14. Proof of licensure to maintain or commence action.**

4 ~~An alarm~~ A security systems business may not maintain any action in any court of the State
 5 for the collection of compensation for performing an act for which a license or registration is
 6 required by this Chapter without alleging and proving that the ~~alarm~~ security systems business is
 7 appropriately licensed and the employee or agent of the ~~alarm~~ security systems business is
 8 appropriately registered upon entering into a contract with the consumer. ~~An alarm~~ A security
 9 systems installation, maintenance, or monitoring contract entered into with a consumer shall be
 10 void if the consumer confirms through records maintained by the Board that the ~~alarm~~ security
 11 systems business is not properly licensed or the consumer establishes through records maintained
 12 by the Board that the person enticing the consumer to enter into the contract is not properly
 13 registered by the Board. The sale, installation, or service of ~~an alarm~~ a security system by an
 14 unlicensed entity or unregistered employee shall be deemed an unfair and deceptive trade practice
 15 and shall be actionable under Chapter 75 of the General Statutes.

16"

17 **SECTION 1.(b)** Article 2 of Chapter 74D of the General Statutes reads as rewritten:

18 "Article 2.

19 "~~Alarm~~ Security Systems Education Fund.

20 **"§ 74D-30. ~~Alarm~~ Security Systems Education Fund created; payment to Fund;
 21 management; use of funds.**

22 (a) There is hereby created and established a special fund to be known as the "~~Alarm~~
 23 Security Systems Education Fund" (hereinafter Fund) which shall be set aside and maintained
 24 in the office of the State Treasurer. The Fund shall be used in the manner provided in this Article
 25 for the education of licensees and registrants.

26 ...

27 (c) In addition to the fees provided for elsewhere in this Chapter, the Board shall charge
 28 the following fees which shall be deposited into the Fund:

29 (1) ~~On July 1, 1985, the Board shall charge every licensee on that date a fee of~~
 30 ~~fifty dollars (\$50.00);~~

31 (2) The Board shall charge each new applicant for a license ~~fifty dollars (\$50.00),~~
 32 ~~provided that for purposes of this Article a new applicant is hereby defined as~~
 33 ~~an applicant who did not possess a license on July 1, 1985; and~~ fifty dollars
 34 (\$50.00).

35 (3) The Board is authorized to charge each licensee an additional amount, not to
 36 exceed fifty dollars (\$50.00), on July 1 of any year in which the balance of the
 37 Fund is less than twenty-five thousand dollars (\$25,000).

38 (d) The State Treasurer shall invest and reinvest the moneys in the Fund in a manner
 39 provided by law. The Board in its discretion, may use the Fund for any of the following purposes:

40 (1) To advance education and research in the ~~alarm~~ security systems field for the
 41 benefit of those licensed under the provisions of this Chapter and for the
 42 improvement of the ~~industry~~ industry.

43 (2) To underwrite educational seminars, training centers and other educational
 44 projects for the use and benefit generally of ~~licensees~~ licensees.

45 (3) To sponsor, contract for and to underwrite any and all additional educational
 46 training and research projects of a similar nature having to do with the
 47 advancement of the ~~alarm~~ security systems field in North Carolina."

48 **SECTION 1.(c)** The Alarm Systems Licensing Board may adopt rules to implement
 49 the provisions of this Part.

50 **SECTION 1.(d)** This Part becomes effective October 1, 2025.

PART II. PRIVATE PROTECTIVE SERVICES BOARD LAWS AMENDMENTS

SECTION 2.(a) G.S. 74C-2 reads as rewritten:

"§ 74C-2. Licenses required.

(a) No private person, firm, association, or corporation shall engage in, perform any services as, or in any way represent or hold itself out as engaging in a private protective services profession or activity in this State without having first complied with the provisions of this Chapter. Compliance with the licensing requirements of this Chapter shall not relieve any person, firm, association or corporation from compliance with any other licensing law.

(b) An individual in possession of a valid private protective services license or private detective trainee permit issued prior to October 1, 1989, shall not be subject to forfeiture of such license by virtue of this Chapter. Such license shall, however, remain subject to suspension, denial, or revocation in the same manner in which all other licenses issued pursuant to this Chapter are subject to suspension, denial, or revocation.

(c) In its discretion, the Private Protective Services Board may issue a trainee permit in lieu of a private ~~investigator~~ investigator, polygraph examiner, electronic countermeasures, or digital forensic examiner license provided that the applicant works under the direct supervision of a licensee."

SECTION 2.(b) G.S. 74C-3 reads as rewritten:

"§ 74C-3. Private protective services profession defined.

(a) As used in this Chapter, the term "private protective services profession" means and includes the following:

...

(6) Security guard and patrol profession. – Any person, firm, association or corporation that provides a security guard on a contractual basis for another person, firm, association, ~~or corporation~~ corporation, or unit of government for a fee or other valuable consideration and performs one or more of the following functions:

- a. Prevention or detection of intrusion, entry, larceny, vandalism, abuse, fire or trespass on private property.
- b. Prevention, observation, or detection of any unauthorized activity on public or private property.
- c. Protection of patrons and persons lawfully authorized to be on the premises or being escorted between premises of the person, firm, association, ~~or corporation~~ corporation, or unit of government that entered into the contract for security services.
- d. Control, regulation, or direction of the flow or movement of the public, whether by vehicle or otherwise, only to the extent and for the time directly and specifically required to assure the protection of properties.

...

(7) Guard dog service profession. – Any person, firm, association or corporation which for a fee or other valuable consideration contracts with another person, firm, association, ~~or corporation~~ corporation, law enforcement agency, or unit of government to place, lease, rent, or sell a trained dog for the purpose of protecting lives or property.

...."

SECTION 2.(c) G.S. 74C-9 reads as rewritten:

"§ 74C-9. Form of license; term; renewal; posting; branch offices; not assignable; late renewal fee.

...

(e) The Board is authorized to charge reasonable application and license fees as follows:

...

1 (17) An application for approval of a continuing legal education course not to
2 exceed one hundred dollars (\$100.00).

3 Except as provided in G.S. 74C-13(k), all fees collected pursuant to this section shall be
4 expended, under the direction of the Board, for the purpose of defraying the expenses of
5 administering this Chapter.

6 ...

7 (h) Trainee permits shall not be issued to applicants that qualify for a private ~~detective~~
8 investigator license.

9 (i) A licensed private ~~detective~~—investigator, polygraph examiner, electronic
10 countermeasures professional, or digital forensic examiner may supervise no more than five
11 trainees at any given time."

12 **SECTION 2.(d)** G.S. 74C-11 reads as rewritten:

13 **"§ 74C-11. Probationary employees and registration of regular employees; unarmed**
14 **security guard—guards and unarmed armored car guards required to have**
15 **registration card.**

16 (a) ~~All licensees~~ A security guard and patrol company or armored car company may
17 employ unarmed ~~security~~ guards as probationary employees for 20 consecutive calendar days.
18 Upon completion of the probationary period and the desire of the ~~licensee~~ security guard and
19 patrol company or armored car company to hire an unarmed ~~security~~ guard as a regular employee,
20 the ~~licensee~~ security guard and patrol company or armored car company shall register the
21 employee who will be engaged in providing private protective services covered by this Chapter
22 with the Board within 30 days after the probationary employment period ends, unless the
23 Director, in the Director's discretion, extends the time period, for good cause. Before a
24 probationary employee engages in private protective services, the employee shall complete any
25 training requirements, and the licensee shall conduct a criminal record check on the employee,
26 as the Board deems appropriate. The ~~licensee~~ security guard and patrol company or armored car
27 company shall submit a list of the probationary employees to the Director on a monthly basis.
28 The list shall include the name, address, social security number, and dates of employment of the
29 employees.

30 To register an employee after the probationary period ends, a ~~licensee~~ security guard and
31 patrol company or armored car company must give the Board the following:

- 32 (1) Set(s) of classifiable fingerprints on standard F.B.I. applicant cards; recent
33 photograph(s) of acceptable quality for identification; and
34 (2) Statements of any criminal records obtained from the appropriate authority in
35 each area where the employee has resided within the immediately 48
36 preceding months.

37 (b) A security guard and patrol company or armored car company may not employ an
38 unarmed ~~security~~ guard in a regular position unless the guard has a registration card issued under
39 subsection (d) of this section. ~~A person engaged in a private protective services profession section~~
40 and may not employ an armed ~~security~~ guard unless the guard has a firearm registration permit
41 issued under G.S. 74C-13.

42 (c) The Director shall be notified in writing of the termination of any regular employee
43 registered under subsection (a) of this section within 10 days after the termination.

44 (d) An unarmed security guard shall make application to the Director for an unarmed
45 registration card which the Director shall issue to the applicant after receipt of the information
46 required to be submitted by the applicant's employer pursuant to subsection (a) of this section,
47 and after meeting any additional requirements which the Board, in its discretion, deems to be
48 necessary. The unarmed ~~security~~ guard registration card shall be in the form of a pocket card
49 designed by the Board, shall be issued in the name of the applicant, and may have the applicant's
50 photograph affixed to the card. The unarmed ~~security~~ guard registration card shall expire one
51 year after its date of issuance and shall be renewed every year. The Board may require all

1 registration holders to complete continuing education courses approved by the Board before
2 renewal of their registrations. If an unarmed registered ~~security~~-guard is terminated by a ~~licensee~~
3 security guard and patrol company or armored car company and changes employment to another
4 security guard and patrol company, company or armored car company, the ~~security~~-guard's
5 registration card shall remain valid, provided the ~~security~~-guard pays the unarmed guard
6 registration transfer fee to the Board and a new unarmed ~~security~~-guard registration card is issued.
7 An unarmed ~~security~~-guard whose transfer registration application and transfer fee have been
8 sent to the Board may work with a copy of the transfer application until the registration card is
9 issued.

10 (e) Notwithstanding the provisions of this section, a ~~licensee~~-security guard and patrol
11 company or armored car company may employ a person properly registered or licensed as an
12 unarmed ~~security~~-guard in another state for a period not to exceed 10 days in any given month;
13 provided the ~~licensee~~, security guard and patrol company or armored car company, prior to
14 employing the unarmed ~~security~~-guard, submits to the Director the name, address, and social
15 security number of the unarmed guard and the name of the state of current registration or
16 licensing, and the Director approves the employment of the unarmed guard in this State.

17 (f) Repealed by Session Laws 2005-211, s. 1, effective July 20, 2005.

18 (g) Notwithstanding the provisions of this section, during a disaster declaration or state
19 of emergency declared by the Governor pursuant to Article 1A of Chapter 166A of the General
20 Statutes, a ~~licensee~~-security guard and patrol company or armored car company may employ a
21 person properly registered or licensed as an armed ~~security~~-guard in another state, provided that
22 the ~~licensee~~, security guard and patrol company or armored car company prior to deploying the
23 armed ~~security~~-guard in this State, submit to the Director all of the following:

- 24 (1) The name, address, and social security number of the armed ~~security~~-guard.
- 25 (2) The name of the state of current registration or licensing of the armed ~~security~~-
26 guard.
- 27 (3) Proof of completion of the 4-hour training course mandated by
28 G.S. 74C-13(h)(1)a. and 14B NCAC 116 .0807(c)(1), administered by a North
29 Carolina certified trainer.
- 30 (4) Qualification by a firearms instructor certified by the North Carolina Private
31 Protective Services Board, based on the firearm the armed ~~security~~-guard
32 intends to carry, meeting the qualification requirements approved by the
33 Board and the Secretary of Public Safety for each firearm.

34 (h) The Director may approve the employment of the armed ~~security~~-guard in this State,
35 if the person meets all of the requirements of subsection (g) of this section. Qualification under
36 subsection (g) of this section shall be valid for a 12-month period. The duration of the deployment
37 of an armed ~~security~~-guard from another state by a ~~licensee~~-security guard and patrol company
38 or armored car company shall not exceed the length of the disaster declaration or state of
39 emergency."

40 **SECTION 2.(e)** G.S. 74C-12 reads as rewritten:

41 "**§ 74C-12. Denial, suspension, or revocation of license, registration, or permit; duty to**
42 **report criminal arrests.**

43 (a) The Board may, after compliance with Chapter 150B of the General Statutes, deny,
44 suspend or revoke a license, certification, registration or permit issued under this Chapter if it is
45 determined that the applicant, licensee, trainee, registrant or permit holder has done any of the
46 following acts:

- 47 (1) Made any false statement or given any false information in connection with
48 any application for a license, registration, certification, ~~or permit~~ permit, or
49 audit or for the renewal or reinstatement of a license, certification, registration
50 or permit.

51 ...

1 (9) Committed an unlawful larceny, burglary, breaking or entering, assault,
2 battery, sexual offense, kidnapping, forgery, or violated any State or federal
3 firearms law.

4 ...

5 (27) Worn, carried, or accepted any badge or shield purporting to indicate that the
6 person is a law enforcement officer while licensed or registered under the
7 provisions of this ~~Chapter as a private investigator.~~ Chapter.

8"

9 **SECTION 2.(f)** G.S. 74C-13 reads as rewritten:

10 **"§ 74C-13. Armed licensee or registered employee required to have firearm registration**
11 **permit; firearms training.**

12 ...

13 (b) It shall be unlawful for any person, firm, association, or corporation and its agents
14 and employees to hire an armed ~~security guard or an armed private investigator licensee~~ and
15 knowingly authorize or permit the armed ~~security guard or armed private investigator licensee~~ to
16 carry a firearm during the course of performing his or her duties ~~as an armed security guard or~~
17 ~~an armed private investigator~~ if the Board has not issued him or her a firearm registration permit
18 under this section, or if the person, firm, association, or corporation permits an armed ~~security~~
19 ~~guard or an armed private investigator licensee~~ to carry a firearm during the course of performing
20 his or her duties whose firearm registration permit has been suspended, revoked, or has otherwise
21 expired:

22 (1) A firearm registration permit grants authority to the armed ~~security guard or~~
23 ~~armed private investigator, guard or licensee,~~ while in the performance of his
24 or her duties or traveling directly to and from work, to carry any firearm
25 approved by the Board and not otherwise prohibited by law. The use of any
26 firearm not approved by the Board is prohibited.

27 (2) All firearms carried by authorized armed ~~security guards~~ or armed licensees
28 in the performance of their duties shall be owned or leased by the employer.
29 Personally owned firearms not leased to the employer shall not be carried by
30 an armed ~~security guard~~ or armed licensee in the performance of his or her
31 duties.

32 (c) The applicant for a firearm registration permit shall submit an application to the Board
33 on a form provided by the Board.

34 (d) Each firearm registration permit issued under this section to an armed ~~security guard~~
35 shall be in the form of a pocket card designed by the Board and shall identify the contract security
36 ~~company, company, armored car company,~~ or proprietary security organization by whom the
37 holder of the firearm registration permit is employed. A firearm registration permit issued to an
38 armed ~~security guard~~ expires one year after the date of its issuance and must be renewed annually
39 unless the permit holder's employment terminates before the expiration of the permit. The Board
40 may require all permit holders to complete continuing education courses approved by the Board
41 before renewal of their permits.

42 (d1) Each firearm registration permit issued under this section to an armed ~~private~~
43 ~~investigator licensee~~ shall be in the form of a pocket card designed by the Board and shall identify
44 the name of the armed ~~private investigator, licensee.~~ While carrying a firearm and engaged in
45 private protective services, the armed ~~private investigator licensee~~ shall carry the firearms
46 registration permit issued by the Board, together with valid identification, and shall disclose to
47 any law enforcement officer that the person holds a valid permit and is carrying a firearm,
48 whether concealed or in plain view, when approached or addressed by the law enforcement
49 officer, and shall display both the permit and the proper identification upon the request of a law
50 enforcement officer. A ~~private investigator licensee's~~ firearm registration permit expires one year
51 from the date of issuance and shall be renewed annually. The Board may require all permit

1 holders to complete continuing education courses approved by the Board before renewal of their
2 permits.

3 (d2) A proprietary security organization that employs an armed ~~security-guard~~ shall submit
4 an application to the Board for a license on a form, provided by the Board. A proprietary security
5 organization shall renew its license every two years.

6 (e) If an armed ~~security-guard~~ terminates his or her employment with the contract security
7 ~~company-company, armored car company,~~ or proprietary security organization, the firearm
8 registration permit expires and must be returned to the Board within 15 working days of the date
9 of termination of the employee.

10 (f) A contract security ~~company-company, armored car company,~~ or proprietary security
11 organization shall be allowed to employ an individual for 30 days as an armed ~~security-guard~~
12 pending completion of the firearms training required by this Chapter, if the contract security
13 ~~company-company, armored car company,~~ or proprietary security organization obtains prior
14 approval from the Director. The Board and the Secretary of Public Safety shall provide by rule
15 the procedure by which an armed ~~private investigator, licensee,~~ a contract security company,
16 ~~armored car company,~~ or a proprietary security organization applicant may be issued a temporary
17 firearm registration permit by the Director of the Board pending a determination by the Board of
18 whether to grant or deny an applicant a firearm registration permit.

19 (g) The Board may suspend, revoke, or deny a firearm registration permit if the holder or
20 applicant has been convicted of any crime set forth in G.S. 74C-8(d) or for violation of this
21 section or rules promulgated by the Board to implement this section. The Director may
22 summarily suspend a firearm registration permit pending resolution of charges for any of the
23 offenses set forth in G.S. 74C-12 or any crime set forth in G.S. 74C-8(d).

24 (h) The Board and the Secretary of Public Safety shall establish a firearms training
25 program for licensees and registered employees to be conducted by agencies and institutions
26 approved by the Board and the Secretary of Public Safety. The Board and the Secretary of Public
27 Safety may approve training programs conducted by a contract security ~~company-company,~~
28 ~~armored car company,~~ and the security department of a proprietary security organization, if the
29 contract security ~~company-company, armored car company,~~ or security department of a
30 proprietary security organization offers the courses listed in subdivision (1) of this subsection
31 and if the instructors of the training program are certified trainers approved by the Board and the
32 Secretary of Public Safety.

33 (1) The basic training course approved by the Board and the Secretary of Public
34 Safety shall consist of a minimum of four hours of classroom training which
35 shall include all of the following:

- 36 a. Legal limitations on the use of firearms and on the powers and
37 authority of an armed ~~security-guard~~ guards and licensees.
- 38 b. Familiarity with this section.
- 39 c. Range firing and procedure and firearm safety and maintenance.
- 40 d. Any other topics of ~~armed security-guard~~ firearms training curriculum
41 which the Board deems necessary.

42 (2) An applicant for a firearm registration permit must fire a minimum qualifying
43 score to be determined by the Board and the Secretary of Public Safety on any
44 approved target course approved by the Board and the Secretary of Public
45 Safety.

46 (3) A firearms registrant must complete a refresher course and shall requalify on
47 the prescribed target course prior to the renewal of his or her firearm
48 registration permit.

49 (4) The Board and the Secretary of Public Safety shall have the authority to
50 promulgate all rules necessary to administer the provisions of this section
51 concerning the training requirements of this section.

1 (i) The Board may not issue a firearm registration permit to an applicant until the
2 applicant's employer submits evidence satisfactory to the Board that the applicant:

3 (1) Has satisfactorily completed an approved training course.

4 (2) Meets all the qualifications established by this section and the rules
5 promulgated to implement this section.

6 (3) Is mentally and physically capable of handling a firearm within the guidelines
7 set forth by the Board and the Secretary of Public Safety.

8 (j) The Board and the Secretary of Public Safety are authorized to prescribe reasonable
9 rules to implement this section, including rules for periodic requalification with the firearm and
10 for the maintenance of records relating to persons issued a firearm registration permit by the
11 Board.

12 (k) All fees collected pursuant to G.S. 74C-9(e)(7) and (8) shall be expended, under the
13 direction of the Board, for the purpose of defraying the expense of administering the firearms
14 provisions of this Chapter.

15 (l) The Board and the Secretary of Public Safety shall establish a training program for
16 certified trainers to be conducted by agencies and institutions approved by the Board and the
17 Secretary of Public Safety. The Board or the Secretary of Public Safety shall have the authority
18 to promulgate all rules necessary to administer the provisions of this subsection.

19 (1) The Board and the Secretary of Public Safety shall also establish renewal
20 requirements for certified trainers. The Board may require all certified trainers
21 to complete continuing education courses approved by the Board before
22 renewal of their certifications.

23 (2) No certified firearms trainer shall certify a licensee or registrant unless the
24 licensee or registrant has successfully completed the firearms training
25 requirements set out above in subsection (h) of this section.

26 (m) The Board and the Secretary of Public Safety shall establish a training program for
27 unarmed security guards to be conducted by agencies and institutions approved by the Board and
28 the Secretary of Public Safety. The Board and the Secretary of Public Safety shall have the
29 authority to promulgate all rules necessary to administer the provisions of this subsection.

30 (n) A ~~private investigator licensee~~ shall be permitted to carry a concealed weapon during
31 the performance of his or her ~~duties as a private investigator~~ ~~private protective services duties~~
32 upon: (i) obtaining a concealed ~~weapon-handgun~~ permit issued pursuant to G.S. 14-415.11; (ii)
33 successfully completing the firearms training course approved by the Board and the Secretary of
34 Public Safety; and (iii) having a notation affixed to the face of the firearms registration card
35 designating that the armed ~~private investigator licensee~~ is allowed to carry a concealed ~~weapon-~~
36 ~~handgun~~. A ~~private investigator licensee~~ who does not carry a ~~weapon-handgun~~ during the course
37 of his or her duties as a private investigator but who wishes to carry a concealed ~~weapon-handgun~~
38 while not engaged in ~~private investigative~~ ~~private protective services~~ duties shall be permitted to
39 do so upon completion of the requirements set forth in Article 54B of Chapter 14 of the General
40 Statutes.

41 (o) The Board shall not knowingly issue a firearm registration permit to an individual
42 who is prohibited by federal or State law from possessing a firearm.

43 (p) Notwithstanding subsection (n) of this section, a licensee who is authorized pursuant
44 to section 926B or 926C of the United States Code to carry a concealed handgun and is in
45 compliance with the requirements of those sections, is exempt from obtaining the permit
46 described in G.S. 14-415.11."

47 **SECTION 2.(g)** The Private Protective Services Board may adopt rules to implement
48 the provisions of this Part.

49 **SECTION 2.(h)** This Part becomes effective October 1, 2025.
50

1 **PART III. ENHANCE BACKGROUND CHECK ABILITIES OF PRIVATE**
2 **PROTECTIVE SERVICES BOARD AND SECURITY SYSTEMS LICENSING BOARD**

3 **SECTION 3.(a)** G.S. 14-415.12 reads as rewritten:

4 **"§ 14-415.12. Criteria to qualify for the issuance of a permit.**

5 (a) The sheriff shall issue a permit to an applicant if the applicant qualifies under the
6 following criteria:

7 (1) The applicant is a citizen of the United States or has been lawfully admitted
8 for permanent residence as defined in 8 U.S.C. § 1101(a)(20), and has been a
9 resident of the State 30 days or longer immediately preceding the filing of the
10 application.

11 (2) The applicant is 21 years of age or older.

12 (3) The applicant does not suffer from a physical or mental infirmity that prevents
13 the safe handling of a handgun.

14 (4) The applicant has successfully completed an approved firearms safety and
15 training course which involves the actual firing of handguns and instruction
16 in the laws of this State governing the carrying of a concealed handgun and
17 the use of deadly force. The North Carolina Criminal Justice Education and
18 Training Standards Commission shall prepare and publish general guidelines
19 for courses and qualifications of instructors which would satisfy the
20 requirements of this subdivision. An approved course shall be any course
21 which satisfies the requirements of this subdivision and is certified or
22 sponsored by any of the following:

23 a. The North Carolina Criminal Justice Education and Training
24 Standards Commission.

25 b. The National Rifle Association.

26 b1. The United States Concealed Carry Association.

27 c. A law enforcement agency, college, private or public institution or
28 organization, or firearms training school, taught by instructors
29 certified by the North Carolina Criminal Justice Education and
30 Training Standards Commission, the United States Concealed Carry
31 Association, or the National Rifle Association.

32 d. The North Carolina Private Protective Services Board and Secretary
33 of Public Safety pursuant to G.S. 74C-13.

34 Every instructor of an approved course shall file a copy of the firearms course
35 description, outline, and proof of certification annually, or upon modification
36 of the course if more frequently, with the North Carolina Criminal Justice
37 Education and Training Standards Commission."

38 **SECTION 3.(b)** G.S. 15A-151(a) reads as rewritten:

39 **"§ 15A-151. Confidential agency files; exceptions to expunction.**

40 (a) The Administrative Office of the Courts shall maintain a confidential file for
41 expungements containing the petitions granted under this Article and the names of those people
42 for whom it received a notice under G.S. 15A-150. The information contained in the file may be
43 disclosed only as follows:

44 ...

45 (10) Upon request of the North Carolina Private Protective Services Board or the
46 North Carolina Security Systems Licensing Board, if the criminal record was
47 expunged under this Chapter for licensure or registration purposes only."

48 **SECTION 3.(c)** G.S. 93B-8.1 reads as rewritten:

49 **"§ 93B-8.1. Use of criminal history records.**

50 ...

1 (d) This section does not apply to the North Carolina Criminal Justice Education and
2 Training Standards ~~Commission and Commission~~, the North Carolina Sheriff's Education and
3 Training Standards ~~Commission-Commission~~, and the North Carolina Private Protective
4 Services Board, and the North Carolina Security Systems Licensing Board."

5 **SECTION 3.(d)** The Alarm Systems Licensing Board and the Private Protective
6 Services Board may adopt rules to implement the provisions of this Part.

7 **SECTION 3.(e)** This Part becomes effective October 1, 2025.

9 **PART IV. ENHANCE ABC COMMISSION OVERSIGHT AUTHORITY**

10 **SECTION 4.(a)** G.S. 18B-203 reads as rewritten:

11 "**§ 18B-203. Powers and duties of the Commission.**

12 (a) Powers. – The Commission shall have authority to:

13 ...

14 (23) Provide for a method for permittees and applicants to establish compliance
15 with all local ordinances, and State and federal laws.

16"

17 **SECTION 4.(b)** This Part becomes effective October 1, 2025.

18 **PART V. MODIFY LAW REGARDING NOTICE OF CERTAIN VIOLATIONS TO ABC** 19 **PERMIT HOLDERS**

20 **SECTION 5.** G.S. 18B-502(c) reads as rewritten:

21 "~~(c) If any alcohol law enforcement agent or local ABC officer issues a citation to an~~
22 ~~employee of a permitted establishment, who is not the named holder of an ABC permit for the~~
23 ~~establishment, for conduct occurring on the premises of the establishment that is a violation of~~
24 ~~this Chapter or Chapter 14 of the General Statutes, the alcohol law enforcement agent or local~~
25 ~~ABC officer shall send notice by electronic means or certified mail to the holder of the permit~~
26 ~~within five business days of the issuance of the citation.~~ Notice to Permit Holders. – If the
27 Commission receives a report from a law enforcement agency other than the Division of Alcohol
28 Law Enforcement of the Department of Public Safety or a local ABC officer documenting
29 violations of this Chapter or Chapter 14 of the General Statutes for conduct occurring on the
30 premises of a permitted establishment, the Commission shall send notice of the alleged violation
31 to the holder of the permit within five business days of receipt of the law enforcement agency
32 report. The written notice shall identify the currently alleged violations and the involved
33 employee. Nothing in this subsection shall prevent or limit the Commission from taking any
34 additional action warranted by the circumstances of the violation."

35 **PART VI. REVIEW OF PERSONNEL RECORDS**

36 **SECTION 6.(a)** Article 1 of Chapter 17C of the General Statutes is amended by
37 adding a new section to read:

38 "**§ 17C-10.2. Transfer of certified law enforcement officers.**

39 (a) Notwithstanding any other provision of law, a North Carolina law enforcement
40 agency considering an applicant for employment as a sworn law enforcement officer shall request
41 access to and review the complete personnel file of the applicant maintained by or on behalf of
42 any North Carolina law enforcement agency where the applicant was employed for any part of
43 the five-year period preceding the current application.

44 (b) With a release signed by the applicant, any North Carolina law enforcement agency
45 or any entity maintaining records of a law enforcement agency that previously employed the
46 applicant shall grant access to and may, if requested, provide a copy of the applicant's complete
47 personnel file, including confidential information as defined by G.S. 153A-98, 160A-168, and
48 126-24 to the law enforcement agency considering the applicant for employment.

1 (c) To the extent that confidential information as defined by G.S. 153A-98, 160A-168,
2 or 126-24 is maintained in the personnel file of any law enforcement agency or entity maintaining
3 records of a law enforcement agency that previously employed the applicant, that information
4 shall remain confidential in the files of any law enforcement agency obtaining the information
5 pursuant to this section.

6 (d) A law enforcement agency, any entity maintaining records of a law enforcement
7 agency, and the personnel of such agency or entity providing or receiving access to or copies of
8 an applicant's personnel file pursuant to subsections (a) and (b) of this section shall not be held
9 civilly or criminally liable for doing so."

10 **SECTION 6.(b)** Article 2 of Chapter 17E of the General Statutes is amended by
11 adding a new section to read:

12 **"§ 17E-7.1. Transfer of certified law enforcement officers.**

13 (a) Notwithstanding any other provision of law, a sheriff considering an applicant for
14 employment as a deputy sheriff shall request access to and review the complete personnel file of
15 the applicant maintained by or on behalf of any North Carolina law enforcement agency where
16 the applicant was employed for any part of the five-year period preceding the current application.

17 (b) With a release signed by the applicant, any North Carolina law enforcement agency
18 or any entity maintaining records of a law enforcement agency that previously employed the
19 applicant shall grant access to and may, if requested, provide a copy of the applicant's complete
20 personnel file, including confidential information as defined by G.S. 153A-98, 160A-168, and
21 126-24 to the sheriff's office considering the applicant for employment.

22 (c) To the extent that confidential information as defined by G.S. 153A-98, 160A-168,
23 or 126-24 is maintained in the personnel file of any law enforcement agency or entity maintaining
24 records of a law enforcement agency that previously employed the applicant, that information
25 shall remain confidential in the files of any sheriff's office obtaining the information pursuant to
26 this section.

27 (d) A law enforcement agency, any entity maintaining records of a law enforcement
28 agency, and the personnel of such law enforcement agency or entity providing or receiving access
29 to or copies of an applicant's personnel file pursuant to subsections (a) and (b) of this section
30 shall not be held civilly or criminally liable for doing so."

31
32 **PART VII. REINSTATE G.S. 102-1.1**

33 **SECTION 7.** Section 2(a) of S.L. 2023-92 is repealed.

34
35 **PART VIII. MILITARY JUDGES OF THE NCGG APPOINTMENT MODIFICATIONS**

36 **SECTION 8.(a)** G.S. 127A-50 reads as rewritten:

37 **"§ 127A-50. Summary courts-martial.**

38 (a) In the North Carolina National Guard, not in the service of the United States, summary
39 courts-martial may be appointed by any of the following:

- 40 (1) Any person who may convene a general or special court-martial.
- 41 (2) The commander of a battalion, comparable or higher command of the North
42 Carolina Army National Guard, provided that the commander is an officer of
43 the grade of major or above.
- 44 (3) The commander of a detached squadron, comparable or higher command of
45 the North Carolina Air National Guard, provided that the commander is an
46 officer of the grade of major or above.

47 (b) ~~The court acting under this section shall consist of one officer who shall have the~~
48 ~~power to administer oaths and try enlisted personnel of each respective command for breaches~~
49 ~~of discipline and violations of laws governing those organizations. These courts shall also have~~
50 ~~the power to impose punishments in like manner and to the extent prescribed by the Uniform~~
51 ~~Code of Military Justice and Manual for Courts Martial, United States, as shall be in use by the~~

1 ~~Armed Forces of the United States at the time of the offense, except that no officer, the state~~
2 ~~military judge, and a judge advocate detailed to the court as a hearing officer. A summary~~
3 ~~court-martial shall have the authority to impose fines of not more than five hundred dollars~~
4 ~~(\$500.00), to impose forfeitures of two-thirds pay for one month, to restrict to limits, to impose~~
5 ~~extra duty, and to reduce the rank of enlisted persons E7 and above by up to two ranks and~~
6 ~~enlisted persons E6 and below to the rank of E1.~~

7 (c) No court acting under this section shall have the authority to impose confinement as
8 part of a sentence.

9 (d) There shall be no right during summary courts-martial to demand trial by
10 court-martial."

11 **SECTION 8.(b)** G.S. 127A-50.1 reads as rewritten:

12 "**§ 127A-50.1. Military judges.**

13 The Adjutant General shall appoint military judges to preside over courts-martial of the North
14 Carolina National Guard not in federal service. Minimum requirements for appointment as a
15 military judge ~~are:~~ are the following:

16 (1) ~~Certification as a military judge by the Judge Advocate General of the United~~
17 ~~States Army, Air Force, Navy, Marines, or Coast Guard.~~

18 (2) Designation as a judge advocate by the Judge Advocate General of the United
19 States Army, Navy, Air Force, Marines, or Coast Guard.

20 (3) Membership in the North Carolina National Guard, the National Guard of
21 another state, or the active or reserve components of the Armed Forces of the
22 United States.

23 (4) A member in good standing for at least 10 years of either of the following:

24 a. The bar of the highest court of this or any other state.

25 b. The bar of a federal court.

26 (5) Hold the rank of lieutenant colonel or above."

27 **SECTION 8.(c)** Section 8(a) of this Part is effective when it becomes law and applies
28 to summary courts-martial initiated on or after that date. Section 8(b) of this Part is effective
29 when it becomes law and applies to military judges serving on or after that date, except the
30 requirements of G.S. 127A-50.1, as amended by Section 8(b) of this Part, shall only apply to
31 appointments made on or after that date. The remainder of this Part is effective when it becomes
32 law.

33 **PART IX. EFFECTIVE DATE**

34 **SECTION 9.** Except as otherwise provided, this act is effective when it becomes
35 law.
36