



# HOUSE BILL 566: Private Protective Services Changes.

**This Bill Analysis  
reflects the  
contents of the bill  
as it was presented  
in committee.**

2017-2018 General Assembly

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| <b>Committee:</b> House Finance                                 | <b>Date:</b> June 26, 2017     |
| <b>Introduced by:</b> Reps. Hardister, Burr, Faircloth, McNeill | <b>Prepared by:</b> Greg Roney |
| <b>Analysis of:</b> Second Edition                              | Committee Counsel              |

**OVERVIEW:** *House Bill 299 would make changes to the laws regulating the private protective services profession including authorizing a \$100 late fee and creating a firearms training exemption.*

**CURRENT LAW:** Under Chapter 74C, the Private Protective Services Board ("Board") regulates professions of security guards, private investigators, guard dog service, electronic countermeasures, detection of deception examiners, courier service, armored car, and special limited guards.

### BILL ANALYSIS:

**Section 1** of House Bill 299 would include listening equipment in the definition of "electronic countermeasure profession", and expand the defined private protection services profession to include "close personal protection."

**Section 2** of House Bill 299 would empower the Board to:

- Issue cease and desist letters (with the concurrence of the Secretary of Public Safety).
- Deal with real property in the same manner as a private person (subject to approval of Governor and the Council of State).
- Adopt rules for the use of firearms or other weapons.
- Adopt and publish a code of professional conduct.

**Section 3** of House Bill 299 would expand the power of the Secretary of Public Safety for investigation and enforcement to include individuals and firms that are not yet licensed or have lapsed or surrendered licenses.

**Section 4** of House Bill 299 would:

- Extend the time a business has to replace a qualifying agent to 90 days (currently 30 days).
- Reduce the additional time that the Board may grant a business that has not found a qualifying agent in the allotted time, to 30 days (currently up to an additional 3 months).
- Authorize the Board to impose a late fee for (i) failure to obtain a new qualifying agent; (ii) failure to pay the initial license fee; or (iii) failing to contribute to the Private Protective Services Education Fund ("Fund").

**Section 5** of House Bill 299 would expand the firearm registration permit fee to include all applicants and licensees under G.S. 74C-13 and authorize a late fee for certain applicants and businesses (not to exceed \$100).

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**Sections 6** of House Bill 299 would extend the liability insurance requirement to include a trainee supervised by a licensee.

**Section 7** of House Bill 299 would extend the Board's denial, suspension, and revocation powers to include trainees seeking certification. This section would also make a violation of any State or federal firearms law or a violation of the code of professional conduct grounds for denial, suspension, or revocation.

**Section 8** of House Bill 299 would extend the requirement of a Board-issued firearm registration permit to a proprietary security organization that employs an armed security guard.

**Section 9** of House Bill 299 would provide a firearms training exemption for:

- Basic Law Enforcement Training (BLET) graduates who have completed one year of employment.
- Retired sworn law enforcement officers who have retired within three years of the application.
- Honorably discharged Military Police, and military Criminal Investigations' personnel.
- Specific nuclear power plant employees.

**Section 10** of House Bill 299 would authorize the Board to charge costs and attorney fees for proceedings related to this article.

**Section 11** of House Bill 299 would limit the time that a new owner of a transferred business licensed under this Chapter has to provide the Director of the Board any changes in the list of a registrants and licensees affected by the transfer.

**Section 12** of House Bill 299 would expand the exception for armed security guards to carry weapons into assemblies and establishments where alcohol is sold and consumed.

**EFFECTIVE DATE:** Section 12 of House Bill 299 would become effective December 1, 2017. The remainder of House Bill 299 would become effective July 1, 2017.

*Jennifer Bedford with the Legislative Analysis Division substantially contributed to this summary.*