



# HOUSE BILL 566: Private Protective Services Changes.

2017-2018 General Assembly

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<b>Committee:</b>	House Judiciary I. If favorable, re-refer to Finance	<b>Date:</b>	June 13, 2017
<b>Introduced by:</b>	Reps. Hardister, Burr, Faircloth, McNeill	<b>Prepared by:</b>	Jennifer H. Bedford
<b>Analysis of:</b>	PCS to First Edition H566-CSTT-30		Committee Counsel

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**OVERVIEW:** *The PCS for House Bill 299 would make a number of changes to the laws regulating the private protective services profession including authorizing certain late fees, and creating a firearms training exemption.*

\*As introduced, this bill was identical to S634, as introduced by Sen. Daniel, which is currently in Senate Rules and Operations of the Senate.

**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 the PCS 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 the PCS 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 executive approval).
- Adopt rules for the use of firearms or other weapons.
- Adopt and publish a code of professional conduct.

**Section 3** of the PCS would expand the power of the Secretary of Public Safety to investigate complaints to include individuals not yet licensed or not currently licensed.

**Section 4** of the PCS 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 three 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").

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**Section 5** of the PCS 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 \$100.00).

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

**Section 7** of the PCS 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 the PCS would extend the requirement of a Board-issued firearm registration permit to a propriety security organization that employs an armed security guard.

**Section 9** of the PCS 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 the PCS would authorize the Board to charge costs and attorney fees for proceedings related to this article.

**Section 11** of the PCS 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 the PCS would expand the exceptions to the restriction on carrying weapons into assemblies and establishments where alcohol is sold and consumed.

**EFFECTIVE DATE:** Section 12 of this act would become effective December 1, 2017. The remainder of this act would become effective July 1, 2017.