

AMENDED IN ASSEMBLY APRIL 10, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2220

Introduced by Assembly Member Daly

February 20, 2014

An act to amend ~~Section~~ *Sections 7583.32 and 7583.40* of, and to repeal and add Section 7583.39 of, the Business and Professions Code, relating to private security services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2220, as amended, Daly. Private security services: ~~insurance policies~~; *private patrol operators*.

The Private Security Services Act provides for the licensure and regulation of private patrol operators by the Bureau of Security and Investigative Services in the Department of Consumer Affairs. ~~Existing law~~ *The act* requires a private patrol operator employing a security guard who carries a firearm to maintain an insurance policy that provides minimum limits of insurance of \$500,000 for any one loss due to bodily injury or death and \$500,000 for any one loss due to injury or destruction of property.

This bill would instead require the bureau to require *a* private patrol operator or applicant for licensure, as a condition precedent to licensure or continued licensure, to file or have on file with the bureau an insurance policy that provides minimum limits of insurance of \$1,000,000 for any one loss due to bodily injury or death and \$1,000,000 for any one loss due to injury or destruction of property *as well as a certificate of workers' compensation coverage for its employees issued by an admitted insurer*.

The act requires a private patrol operator licensee, qualified manager of a licensee, or security guard who, in the course of his or her employment, may be required to carry a firearm to satisfy specified requirements prior to carrying a firearm, including the completion of a course of training in the carrying and use of firearms. Existing law exempts from this requirement a duly appointed peace officer, as defined. The act prohibits the bureau from renewing an expired firearms qualification card unless the applicant has requalified on the range and successfully passed a written examination, as specified.

This bill would exempt a duly appointed peace officer, as defined, from the requirements of requalifying on the range and passing the written examination.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 7583.32 of the Business and Professions
- 2 Code is amended to read:
- 3 7583.32. (a) A firearms qualification card expires two years
- 4 from the date of issuance, if not renewed. A person who wishes
- 5 to renew a firearms qualification card shall file an application for
- 6 renewal at least 60 days prior to the card’s expiration. A person
- 7 whose card has expired shall not carry a firearm until he or she
- 8 has been issued a renewal card by the bureau.
- 9 (b) The bureau shall not renew a firearms qualification card
- 10 unless all of the following conditions are satisfied:
- 11 (1) The cardholder has filed with the bureau a completed
- 12 application for renewal of a firearms qualification card, on a form
- 13 prescribed by the director, dated and signed by the applicant under
- 14 penalty of perjury certifying that the information on the application
- 15 is true and correct.
- 16 (2) The applicant has requalified on the range and has
- 17 successfully passed a written examination based on course content
- 18 as specified in the firearms training manual approved by the
- 19 department and taught at a training facility approved by the bureau.
- 20 (3) The application is accompanied by a firearms requalification
- 21 fee as prescribed in this chapter.
- 22 (4) The applicant has produced evidence to the firearm training
- 23 facility, either upon receiving his or her original qualification card

1 or upon filing for renewal of that card, that he or she is a citizen
2 of the United States or has permanent legal alien status in the
3 United States. Evidence of citizenship or permanent legal alien
4 status is that deemed sufficient by the bureau to ensure compliance
5 with federal laws prohibiting possession of firearms by persons
6 unlawfully in the United States and may include, but not be limited
7 to, Department of Justice, Immigration and Naturalization Service
8 Form I-151 or I-551, Alien Registration Receipt Card,
9 naturalization documents, or birth certificates evidencing lawful
10 residence or status in the United States.

11 (c) An expired firearms qualification card may not be renewed.
12 A person with an expired registration is required to apply for a
13 new firearms qualification in the manner required of persons not
14 previously registered. A person whose card has expired shall not
15 carry a firearm until he or she has been issued a new firearms
16 qualification card by the bureau.

17 (d) *Paragraph (2) of subdivision (b) shall not apply to a duly*
18 *appointed peace officer, as defined in Chapter 4.5 (commencing*
19 *with Section 830) of Title 3 of Part 2 of the Penal Code.*

20 ~~SECTION 1.~~

21 *SEC. 2.* Section 7583.39 of the Business and Professions Code
22 is repealed.

23 ~~SEC. 2.~~

24 *SEC. 3.* Section 7583.39 is added to the Business and
25 Professions Code, to read:

26 7583.39. The bureau shall require, as a condition precedent to
27 the issuance, reinstatement, reactivation, renewal, or continued
28 maintenance of a license, that the applicant or licensee file or have
29 on file *with the bureau the following:* ~~an~~

30 (a) An insurance policy, as defined in Section 7583.40.

31 (b) A certificate of workers' compensation coverage for its
32 employees issued by an admitted insurer.

33 ~~SEC. 3.~~

34 *SEC. 4.* Section 7583.40 of the Business and Professions Code
35 is amended to read:

36 7583.40. "Insurance policy," as used in this article, means a
37 contract of liability insurance issued by an insurance company
38 authorized to transact business in this state that provides minimum
39 limits of insurance of one million dollars (\$1,000,000) for any one
40 loss due to bodily injury or death and one million dollars

1 (\$1,000,000) for any one loss due to injury or destruction of
2 property.

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