

ASSEMBLY CONSUMER AFFAIRS AND REGULATED
PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1043

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 16, 1996

The Assembly Consumer Affairs and Regulated Professions Committee reports favorably and with committee amendments Assembly Bill No. 1043.

As amended, this bill requires the licensing of security officers by the Director of the Division of State Licensing of Security Officers, which is established by the bill in the Department of Law and Public Safety. The bill also creates in the Department of Law and Public Safety a State Advisory Board on Security Officers to consist of eleven members, ten of whom shall be appointed by the Governor with the advice and consent of the Senate, and an eleventh member who shall be the Attorney General, or his designee, who shall serve ex officio.

The bill requires the director to issue an unarmed security officer license, an armed security officer license or an armored car security officer license to anyone satisfying the respective licensing requirements. Applicants for licensure must satisfy the following requirements: a State or federal criminal history background check which reveals no convictions for crimes of the first, second or third degree or not more than one conviction of a crime of the fourth degree; completion of eight hours of training approved by the board; completion of eight consecutive hours of on-the-job training; completion of a physical and psychological examination; completion of a written competency exam; and timely execution of an employee statement.

The bill's licensing requirements do not apply to: employees whose duties are restricted to the central station of a fire or burglar alarm company unless the employee physically reports to the premises where the alarm originated; employees whose duties are primarily internal audit and credit functions; employees of a business who are unarmed and in plain clothes and whose primary responsibility is loss prevention and the protection of the business's assets; air carriers, their contractors or air carrier security operations regulated by the Federal Aviation Administration; and to security officers or security

supervisors for a nuclear facility existing under license of the federal Nuclear Regulatory Commission. Active or retired law enforcement personnel are not subject to the bill's licensing requirements; however, they may be required by their employers to satisfy training requirements.

Security officers employed on the bill's effective date shall receive licensure if they pass the written exam within one year after the effective date or if they complete the training requirements within 90 days after failing the written exam.

A person holding a security guard license from another state, which has licensing requirements substantially similar to the licensing requirements of this act, shall receive licensure if, within 90 days of employment as a security officer in this State, he successfully completes the written examination or if he successfully completes the course of instruction within 90 days after failing the examination. All security officer licenses shall be reissued biennially by the director upon completion by the applicant of four hours of renewal training approved by the board and any other requirements recommended by the board.

In addition to the other licensing requirements of the bill, armed security officers must complete a firearms training program and an annual firearms refresher course approved by the Police Training Commission in the Department of Law and Public Safety and substantially based upon the firearms training course established at the Monmouth County Police Academy.

Instructors who teach courses of instruction required by the bill shall be certified by the Director of the Division of State Licensing of Security Officers according to standards recommended by the board and all courses of instruction shall be certified by the board. The board is also empowered to establish fees which shall not be in excess of the prorated direct costs of administering the bill's requirements.

The bill also provides that it shall be a disorderly persons offense for any security officer or employer to violate a provision of the bill. In addition, the bill subjects employers to a fine not to exceed \$1,000 for each offense and provides that fines collected from employers who violate the bill's provisions shall be deposited in the General Fund.

The committee amended the bill to exempt from its licensing requirements an employee of a business who is unarmed and in plain clothes and whose primary responsibility is loss prevention and the protection of the business's assets.

This bill was pre-filed for introduction in the 1996 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.