

STATEMENT TO
ASSEMBLY, No. 5094

with Senate Floor Amendments
(Proposed by Senator BEACH)

ADOPTED: JANUARY 8, 2024

Assembly Bill No. 5094 concerns the licensing of security officer companies. Under the Security Officer Registration Act, a person is not to engage in the business of a security officer company, or advertise or hold out a business to be a security officer company, unless the business is licensed by the Superintendent of State Police.

As introduced, the bill expanded the definition of owner or operator as set forth under current law to include nonprofit organizations in addition to private security companies. These Senate amendments remove nonprofit organizations from this definition.

In addition, the Senate amendments include in the definition of “security officer company” as set forth under current law, an entity that is organized for the purpose of or primarily engages in the business of furnishing for a fee, hire, reward, or compensation one or more security officers and is established by a non-profit organization. The Senate amendments also include a non-profit organization in the definition of a “company maintaining a proprietary or in-house security function.”

Further, current law requires an application a security officer company license to be submitted to the superintendent by each owner and operator of the company who are also required to have certain law enforcement experience or experience working for a licensed security officer company.

As introduced, the bill clarified that either the owner or operator is required to have law enforcement experience or experience working for a licensed security officer company as set forth under current law and provided that the superintendent is not to require both the owner and operator to have law enforcement experience or experience working for a licensed security officer company as set forth under current law.

These Senate amendments change this provision to instead provide that if a security officer company will be owned by a non-profit organization, only the operator or operators are required to have law enforcement experience or experience working for a licensed security officer company.

Finally, these Senate amendments provide that with regard to an application that is submitted by a security officer company that will be

owned by a non-profit organization, to the extent applicable, the requirements set forth under current law are to be satisfied by the submission of information regarding an appropriate officer, director, member, or associate of the non-profit organization.