

ASSEMBLY, No. 324

STATE OF NEW JERSEY

213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblywoman JOAN M. QUIGLEY

District 32 (Bergen and Hudson)

Assemblyman JAMES W. HOLZAPFEL

District 10 (Monmouth and Ocean)

SYNOPSIS

Requires the licensing of certain security officers and the registration of their employers.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT providing for the licensing of certain security officers and
2 the registration of their employers and supplementing Title 45 of
3 the Revised Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. As used in this act:

9 "Armed security officer" means a person who is required by the
10 person's employer to carry a handgun or restraining device while in
11 the performance of duty and who is licensed as an armed security
12 officer under this act.

13 "Armored car company" means a company which, for itself or
14 under contract with another, transports currency, valuables, jewelry,
15 food stamps, or any other item which requires secured delivery
16 from one place to another with armed personnel.

17 "Armored car security officer" means an armed security officer
18 who is employed by an armored car company.

19 "Board" means the State Advisory Board on Security Officers
20 established pursuant to section 12 of this act.

21 "Employer" means the State or any agency or instrumentality of
22 the State, or any political subdivision of the State, or any agency or
23 instrumentality of such political subdivision that employs security
24 officers or a security officer company, an armored car company, or
25 agency that employs security officers or, in the case of security
26 officers employed for in-house service, a person that employs
27 security officers for that purpose, each of which are required to
28 register pursuant to this act.

29 "Restraining device" means a nightstick, billy club, blackjack,
30 tear gas or pepper spray.

31 "Security officer" a. means a person who is employed, part or
32 full time, in uniform or plain clothes, primarily to protect persons or
33 property, or both, for any purpose, including, but not limited to:

34 (1) The prevention of intrusion or entry, larceny, vandalism,
35 abuse, fire, trespass or any unauthorized activity on private
36 property;

37 (2) The control, regulation or direction of the flow or movements
38 of the public, whether by vehicle, on foot or otherwise on private
39 property, except for activities held on the premises of institutions of
40 higher education where students are performing monitoring
41 functions;

42 (3) The maintenance of order and safety at athletic,
43 entertainment or other public activities, except for activities held on
44 the premises of institutions of higher education where students are
45 performing monitoring functions;

46 (4) Providing canine services for guarding of premises or for the
47 detection of any unlawful device or substance; and

48 (5) The protection of individuals from bodily harm.

- 1 b. The term shall include:
- 2 (1) Security personnel employed for in-house service by any
3 organization;
- 4 (2) Except as otherwise provided, persons employed as
5 watchmen, guards and private patrolmen by a private detective
6 business which is licensed in accordance with "The Private
7 Detective Act of 1939," P.L.1939, c.369 (C.45:19-8 et seq.); and
- 8 (3) Armed security officers, unarmed security officers, and
9 armored car security officers.
- 10 c. The term shall not include:
- 11 (1) An employee whose duties are restricted to the central station
12 of a fire or burglar alarm company unless the employee physically
13 reports to the premises where the alarm originated;
- 14 (2) An employee whose duties are primarily internal audit and
15 credit functions and an employee who is engaged primarily in
16 management, clerical or secretarial functions;
- 17 (3) Air carriers regulated by the Federal Aviation Administration
18 pursuant to 14 C.F.R. ss.121.1 et seq. or 135.1 et seq., their
19 contractors, or air carrier security operations performed in
20 accordance with 14 C.F.R. ss.107.1 et seq. or 108.1 et seq;
- 21 (4) A security officer or security supervisor for a nuclear facility
22 existing under license of the federal Nuclear Regulatory
23 Commission;
- 24 (5) Law enforcement personnel who are active other than any
25 active law enforcement officer who is an owner of five percent or
26 more of a security company. An employer or potential employer,
27 however, may require training of a law enforcement officer;
- 28 (6) An employee of a business who is unarmed and in plain
29 clothes and whose primary responsibility is loss prevention and the
30 protection of the business's assets; and
- 31 (7) A person licensed to act as a port watchman pursuant to
32 Article X of Part I of chapter 23 of P.L.1953, c.202 (C.32:23-39 et
33 seq.) when acting in that capacity.
- 34 "State board" means the State Advisory Board on Armored Car
35 Security Officers established pursuant to section 13 of this act.
- 36 "Superintendent" means the Superintendent of the Division of
37 State Police in the Department of Law and Public Safety.
- 38 "Unarmed security officer" means a person who is not required
39 by the person's employer to carry a handgun while in the
40 performance of duty, and who is licensed as an unarmed security
41 officer.
- 42
- 43 2. a. The superintendent shall issue any of the following to a
44 person satisfying the requirements set forth in section 3 of this act:
- 45 (1) An "A" license for an unarmed security officer;
- 46 (2) A "B" license for an armed security officer;
- 47 (3) A "C" license for an armored car security officer.
- 48 b. The superintendent shall register an employer according to

1 the provisions of subsection a. of section 4 of this act.

2 c. The board and State board, after public hearings, shall each
3 establish fees to be imposed for the purposes of this act. These
4 fees, dedicated to the administration of this act, shall not be in
5 excess of the cost of administration.

6
7 3. a. A person shall meet the requirements for licensure under
8 this act prior to beginning or continuing in employment as a
9 watchman or guard under "The Private Detective Act of 1939,"
10 P.L.1939, c.369 (C.45:19-8 et seq.) or as a security officer under
11 this act. The superintendent shall issue an appropriate license to a
12 person who:

13 (1) Pursuant to a criminal history background check, including
14 fingerprint comparison, conducted through the Federal Bureau of
15 Investigation and the State Bureau of Identification in the Division
16 of State Police, has no record of conviction for a crime enumerated
17 in section 5 of this act. The result of the criminal history
18 background check shall be reported to the applicant and the
19 employer or prospective employer within five days after the
20 superintendent receives the information;

21 (2) Satisfactorily completes at least eight hours of training
22 approved by the board. This training shall include, but not be
23 limited to, report writing, fire detection, reporting, and safety
24 procedures, general crime prevention procedures and legal powers
25 and limitations of a security officer. Training shall be provided by
26 an instructor certified by the superintendent for the training of
27 security officers pursuant to section 10 of this act. The training
28 programs provided by employers with in-house security officers
29 shall meet the standards for training approved by the board. The
30 instructors for the training programs provided by employers with in-
31 house security officers shall be certified by the superintendent
32 according to standards recommended by the board. In lieu of the
33 training course approved by the board, an armored car security
34 officer shall satisfactorily complete at least eight hours of training
35 approved by the State board, which shall include, but not be limited
36 to, administration and armored car orientation, emergency and
37 defensive procedures, general duties, and legal powers and
38 limitations of an armored car security officer;

39 (3) Completes eight consecutive hours of on-the-job training
40 conducted by the employer or prospective employer. On-the-job
41 training shall include, but not be limited to, reviewing the layout of
42 the assigned workplace, site-specific emergency procedures and
43 phone numbers, contact persons, and existing security apparatus. In
44 lieu of this type of training, an armored car security officer shall
45 complete eight consecutive hours of on-the-job training conducted
46 by the employer, which shall include, but not be limited to, armored
47 car procedures in regard to prevention and detention, robbery and
48 loss, defensive and general operations, and documentation;

- 1 (4) Satisfactorily completes a physical examination by a
2 physician licensed by the State of New Jersey, provided that the
3 guidelines of the board and the State board shall reflect the
4 requirements of the position;
- 5 (5) Satisfactorily completes a psychological examination
6 approved by the board, but such examination shall not be required
7 for any person applying as an unarmed security officer;
- 8 (6) Has not been disqualified for licensure pursuant to section 5
9 of this act;
- 10 (7) Successfully completes a written competency examination
11 approved by the board or the State board, as appropriate; and
- 12 (8) Furnishes in a timely manner the employee statement, as
13 required by section 7 of this act.
- 14 b. A security officer employed in this State on the effective date
15 of this act shall receive licensure if, within one year of the effective
16 date of this act, the person successfully completes the written
17 examination required by this section, or if within 120 days after
18 failing that examination, the person successfully completes the
19 course of instruction required pursuant to this section.
- 20 c. Any applicant for licensure who fails the written competency
21 examination required pursuant to paragraph (7) of subsection a. of
22 this section three times within one twelve month period shall not
23 receive licensure. Persons disqualified for licensure pursuant to this
24 subsection or section 5 of this act may not reapply for licensure
25 except under extraordinary circumstances, as established by the
26 superintendent.
- 27 d. A person holding a valid security officer license from another
28 state, which has licensing requirements which are substantially
29 similar to the licensing requirements of this act, shall provide
30 immediate notification of employment to the director and shall
31 receive licensure if, within 120 days of employment as a security
32 officer in this State, the person successfully completes the written
33 examination required pursuant to this section, or within 120 days of
34 failing that written examination, the person successfully completes
35 the course of instruction required pursuant to this section.
- 36 e. A license issued pursuant to subsection a. of this section shall
37 be reissued biennially by the superintendent upon completion by the
38 applicant of four hours of renewal training approved by the board or
39 the State board, as appropriate, and upon completion of any other
40 requirements recommended by the board or State board.
41 Notwithstanding the provisions of this subsection, an armored car
42 security officer and his employer shall comply with the
43 requirements of federal law pursuant to the "Armored Car Industry
44 Reciprocity Act of 1993," Pub.L.103-55 (15 U.S.C.s.5901 et seq.).
- 45 f. Notwithstanding the provisions of this section, (1) a person
46 who possesses an unarmed security officer license issued by
47 another state, an armed security officer license issued by another
48 state and a valid permit to carry a handgun pursuant to N.J.S.2C:58-

1 4, or an armored car security officer license issued by another state,
2 may be employed as an unarmed security officer, armed security
3 officer, or armored car security officer in this State for a period not
4 to exceed 120 days in one 12 month period, provided that the
5 license was issued by a state with licensing requirements
6 substantially similar to the requirements of this act; or (2) a person
7 who is employed as a security officer by an out-of-State employer
8 and who has completed a training program of an employer whose
9 training requirements are substantially similar to the requirements
10 of this act may be employed as an unarmed security officer in this
11 State for a period not to exceed 120 days in one 12 month period;
12 and

13 provided further that the licensee or person described in paragraph
14 (2) of this subsection:

15 (a) is on temporary assignment;

16 (b) performs the duties pursuant to the license, if applicable;

17 (c) continues to be employed by the employer from the state
18 where the license was issued or training given; and provided further
19 that the employer notifies the superintendent of the assignment.

20

21 4. a. No employer shall employ a security officer or offer
22 security officer services unless the employer is registered by the
23 superintendent according to the requirements recommended by the
24 board or State board, as appropriate. These requirements shall
25 include, but not be limited to, three letters of reference from other
26 citizens and a statement noting the primary place of business and
27 the locations of all other branches of business. The registration
28 shall be reissued biennially by the superintendent. The registration
29 shall be posted in a place visible to the public in the employer's
30 primary place of business.

31 b. Employers who employ security officers on the effective date
32 of this act may continue such employment without being registered
33 for no more than 120 days after that date. Any change in the
34 information required by the superintendent for registration shall be
35 reported to the superintendent within five days. The requirements
36 of this subsection shall not apply to any person who contracts with
37 an employer of security officers for the provision of security
38 officers.

39 c. An employer shall hire and retain in employment only those
40 security officers who are licensed by the superintendent or who are
41 in the process of applying for licensure pursuant to section 3 of this
42 act. An employer may issue a non-renewable, temporary license for
43 no more than 120 days, provided that the applicant has completed
44 the requirements of subsection a. of section 3 of this act and the
45 employer has no knowledge of the applicant's conviction of a crime
46 which would disqualify the applicant pursuant to section 5 of this
47 act. The superintendent may issue a 45-day special renewal license
48 beyond the 120-day period to any individual whose application is

1 otherwise complete and approvable except for the receipt of the
2 criminal background check.

3 d. An employer may pay all or part of the costs of licensure and
4 the costs of the training required pursuant to this act. An individual
5 seeking security officer licensure may pay the costs of licensure and
6 the costs of the training required pursuant to this act.

7 e. An employer shall be required to maintain comprehensive
8 general liability insurance for death, personal injury, false arrest,
9 false imprisonment, malicious prosecution, libel, slander and
10 violation of the right of privacy, in an amount not less than
11 \$100,000 per occurrence and \$300,000 in the aggregate, except that
12 employers of armored car companies shall be required to maintain
13 comprehensive general liability insurance in an amount not less
14 than \$500,000 per occurrence and \$1,000,000 in the aggregate.

15 f. An employer of armored car security officers shall be required
16 to maintain all-risk insurance coverage in an amount not less than
17 \$3 million and maintain such additional amounts as are sufficient to
18 cover the value of each valuable cargo co-signed in transit or while
19 safeguarded in an employer's vault.

20 g. Failure by an employer to maintain either comprehensive
21 general liability insurance in an amount as required in subsection e.
22 of this section or all-risk insurance coverage if, and in an amount
23 as, required in subsection f. of this section shall be grounds for the
24 superintendent to refuse to issue or renew an employer's registration
25 or to suspend or revoke that registration.

26 h. All insurance coverage required by this section shall be issued
27 by an insurance company licensed to do business in this State or
28 otherwise be procured by a duly licensed surplus lines broker, and
29 shall not be canceled unless 30 days' notice of the cancellation is
30 given to the superintendent.

31 i. An emergency situation shall exist if a temporary, unforeseen
32 combination of circumstances requires immediate action to secure
33 or protect personnel, property, or both. In an emergency situation,
34 an employer may employ for no more than 48 hours unarmed
35 security officers that have not yet completed the training required in
36 paragraph (3) of subsection a. of section 3 of this act. Unarmed
37 security officers employed in an emergency situation shall complete
38 the on-the-job training required by this act as soon as is reasonable.

39

40 5. a. A person shall not be licensed or, if licensed, shall lose
41 licensure as a security officer if the person has been convicted of a
42 crime of the first or second degree or has been convicted more than
43 once of a crime of the third or fourth degree or their equivalents in
44 any jurisdiction, and who has not, subsequent to such conviction,
45 received executive pardon therefor. All licensees shall report any
46 disqualifying conviction to the superintendent within 24 hours of
47 the conviction.

48 b. Any person whose private detective or investigator's license

1 under "The Private Detective Act of 1939," P.L.1939, c.369
2 (C.45:19-8 et seq.) was revoked or application for the license was
3 denied by the superintendent or by the authorities of any other state
4 or territory because of conviction for any of the crimes or offenses
5 specified in this section shall not be licensed unless the licensing
6 action has been nullified by a court of competent jurisdiction.

7 c. The superintendent shall conduct a cross reference criminal
8 history check of each licensed security officer at least annually with
9 the national and State crime registries. The cost of the annual
10 cross-reference criminal history check shall be included in the
11 license and registration fees approved by the board and State board.
12

13 6. a. An armed security officer shall complete, in addition to the
14 training required by section 3 of this act, a firearms training
15 program and annual firearms refresher course which shall be
16 approved by the Police Training Commission in the Department of
17 Law and Public Safety established pursuant to P.L.1961, c.56
18 (C.52:17B-66 et seq.), and which shall comply with standards
19 substantially based on the firearms training course and range
20 qualification course established at the Monmouth County Police
21 Academy, and which shall be taught by an instructor certified by
22 the superintendent. The firearms training program and annual
23 firearms refresher course shall consist of a written examination on
24 which an applicant must obtain a score of 90% or above and shall
25 consist of actual firing range experience at which an applicant must
26 obtain an average score of 80% or above.

27 b. (1) An armored car security officer shall complete, in addition
28 to the training required by section 3 of this act, a firearms training
29 program and an annual firearms refresher course which shall be
30 approved by the Police Training Commission in the Department of
31 Law and Public Safety established pursuant to P.L.1961, c.56
32 (C.52:17B-66 et seq.), and which shall include an approved
33 standard gun training and qualification program with each type and
34 caliber of firearm an armored car security officer may have access
35 to while on duty, and which shall be taught by an instructor
36 certified by the superintendent.

37 (2) The firearms training program shall consist of:

38 (a) At least eight hours of firearms classroom training, which
39 shall include: the proper care of the weapon; civil liability of the
40 use of firearms; criminal liability of the use of firearms; deadly
41 physical force; justifiable use of deadly physical force; range safety;
42 practical firearms handling; principles of marksmanship; and
43 written examination, except that the training program for armored
44 car security officers shall be specific and germane to the armored
45 car industry;

46 (b) Range experience that provides adequate and practical
47 firearms training to an armored car security officer;

48 (c) At the option of the employer at least one hour of shoulder

- 1 fired weapon training, which shall include: the proper care and
2 handling of the weapon; nomenclature; positions and loading
3 techniques; and written examination; and
- 4 (d) Range experience that provides adequate and practical
5 shotgun training to an armored car security officer.
- 6 (3) The annual firearms refresher course shall consist of not less
7 than two hours of firearms classroom and firing range training and
8 each applicant must requalify under the supervision of an instructor
9 certified by the superintendent.
- 10 c. All armed security officers and armored car security officers
11 shall be exempt from the requirements of N.J.S.2C:58-4 for a
12 permit to carry a handgun, but shall complete the requirements for a
13 security officer and armored car security officer, respectively, under
14 this act.
- 15
- 16 7. a. Notwithstanding any provisions to the contrary for
17 watchmen, guards or private patrolmen under section 9 of P.L.1939,
18 c.369 (C.45:19-16), the employer or prospective employer of a
19 person who applies to be a licensed security officer shall submit to
20 the superintendent a statement, executed by the employee or
21 prospective employee, to be known as an "employee statement,"
22 setting forth the following:
- 23 (1) Full name, age, residence address, and place and date of
24 birth;
- 25 (2) The country of which the applicant is a citizen;
- 26 (3) The businesses or occupations engaged in for the five years
27 immediately preceding the date of the filing of the statement,
28 setting forth the place or places where such businesses or
29 occupations were engaged in, and the name or names of employers,
30 if any;
- 31 (4) Convictions of crimes or offenses involving moral turpitude
32 or of any of the crimes or offenses referred to or described in
33 section 5 of this act;
- 34 (5) The names and addresses of three personal references; and
- 35 (6) Any further information that the superintendent may by rule
36 require to show the good character, competency and integrity of the
37 applicant.
- 38 b. An employer or prospective employer shall make every
39 reasonable effort to verify an employee statement as required
40 pursuant to subsection a. of this section.
- 41
- 42 8. For each application for licensure as a security officer, the
43 superintendent shall:
- 44 a. Assemble all records and other information concerning the
45 applicant required for licensure pursuant to section 3 of this act.
- 46 b. Evaluate the qualifications of an applicant for licensure in
47 accordance with the requirements of this act.
- 48 c. Notify by regular mail the applicant, and the employer or the

1 prospective employer, of the superintendent's determination within
2 five days of the receipt of the State criminal background check.
3 Failure of the superintendent to receive a report of federal
4 fingerprint files shall not alone constitute a ground for denying a
5 license to an applicant.

6 d. The denial of licensure as a security officer under this section
7 shall be reviewable by an administrative adjudication as set forth in
8 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
9 seq.).

10
11 9. a. The superintendent shall maintain a computerized registry
12 of all persons who apply for licensure or have been licensed as a
13 security officer. The employer or potential employer shall obtain
14 only the name, date of birth, registration number, employment
15 history and security officer license status of the employee or
16 potential employee.

17 b. The superintendent shall maintain all records collected from
18 applicants pursuant to this act for a period of five years after the
19 applicant's termination as a security officer, resignation, retirement
20 or non-renewal of the applicant's license. An employer shall notify
21 the superintendent whenever a security officer in that employer's
22 employ is terminated, resigns or retires.

23
24 10. a. No instructor shall teach a course of instruction required
25 by this act unless the instructor is certified by the superintendent
26 according to standards recommended by the board or State board, as
27 appropriate.

28 b. A course of instruction required by this act shall be certified
29 by the board or State board, as appropriate.

30 c. The superintendent shall monitor the course of instruction
31 offered by any certified instructor at least annually, without notice,
32 to ensure compliance with the standards promulgated pursuant to
33 this act.

34

35 11. a. Any security officer who willfully violates a provision of
36 this act shall be guilty of a disorderly persons offense.

37 b. Any employer who violates a provision of this act shall be
38 assessed by the board or State board, as appropriate, a civil
39 administrative penalty in an amount not more than \$1,000 for each
40 violation. The penalty may be recovered in a summary proceeding
41 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999,
42 c.274 (C.2A:58-10 et seq.). The penalties collected pursuant to this
43 subsection shall be deposited in the "Body Armor Replacement"
44 fund established pursuant to section 1 of P.L.1997, c.177
45 (C.52:17B-4.4).

46

47 12. a. There is created in the Department of Law and Public
48 Safety a State Advisory Board on Security Officers consisting of 15

1 members, nine of whom shall be appointed by the Governor, with
2 the advice and consent of the Senate. The membership of the board
3 shall be as follows: the Attorney General, or his designee, who
4 shall serve ex officio; the Superintendent of State Police, or his
5 designee, who shall serve ex officio; the nine appointed members,
6 including a representative of the New Jersey State Association of
7 Chiefs of Police; a representative from the National Association of
8 Security Companies; one public member who is not affiliated with
9 the private security industry and one other public member; three
10 representatives of proprietary or contract corporations employing
11 security officers; a representative of the burglar alarm industry; and
12 a representative of private industry who hires contract security
13 officers; and four further public members, one of whom shall be
14 appointed by the President of the Senate, one of whom shall be
15 appointed by the Senate Minority Leader, one of whom shall be
16 appointed by the Speaker of the General Assembly, and one of
17 whom shall be appointed by the Assembly Minority Leader.

18 The term of office of each appointed board member shall be four
19 years; except that of the members first appointed, three shall serve
20 for two years, three shall serve for three years, and three shall serve
21 for four years. Vacancies shall be filled for the unexpired terms
22 only. No member may be appointed for more than two consecutive
23 terms.

24 The organization, meetings and management of the board shall
25 be established in regulations promulgated by the Attorney General.

26 The officers and members of the board shall not be compensated,
27 but shall be reimbursed for actual expenses reasonably incurred in
28 the performance of their duties.

29 The Attorney General shall maintain within any public building,
30 whether owned or leased by the State, suitable quarters for the
31 board's office and meeting place, except that no office or meeting
32 place shall be within premises owned by any officer or member of
33 the board or occupied by an officer or member of the board other
34 than the Attorney General.

35 The executive secretary of the board shall be appointed by the
36 Attorney General and shall serve at his pleasure.

37 The Attorney General shall provide staffing and any
38 administrative assistance that he may deem necessary in order for
39 the board to carry out its duties pursuant to this act.

40 b. The duties of the board shall be as follows: to establish
41 standards for the training and examination of security officers
42 except those employed by armored car companies; to recommend
43 standards for the certification of instructors; to establish standards
44 for the registration of employers; to recommend to the
45 superintendent and the Attorney General regulations necessary to
46 effectuate the provisions of this act; to participate in the formulation
47 of rules and regulations, the hearing of grievances, the
48 establishment of standards, and the issuance and revocation of

1 licenses, registrations and certificates; to monitor and regulate
2 misleading advertising of security officer services by employers; to
3 establish fees pursuant to the provisions of section 2 of this act for
4 the licensing of security officers, the registration of employers and
5 the certification of instructors; to oversee the implementation of this
6 act by the superintendent and the Attorney General; and to report to
7 the Legislature on the effectiveness of this act and to recommend
8 any changes in the law necessary to provide competent and
9 trustworthy security officer services to the general public.

10 c. All information gathered by the board relating to employer
11 personnel matters shall be kept strictly confidential unless otherwise
12 noted in this act.

13
14 13. a. There is created in the Department of Law and Public
15 Safety a State Advisory Board on Armored Car Security Officers
16 consisting of 15 members, nine of whom shall be appointed by the
17 Governor, with the advice and consent of the Senate. The
18 membership of the board shall be as follows: the Attorney General,
19 or his designee, who shall serve ex officio; the Superintendent of
20 State Police, or his designee, who shall serve ex officio; the nine
21 members appointed by the Governor, including a representative of
22 the New Jersey State Association of Chiefs of Police; three
23 representatives of the armored car industry; one public member who
24 is not affiliated with the armored car industry; a representative of
25 the Police Training Commission in the Department of Law and
26 Public Safety; and three representatives of the Armored Motor
27 Carriers Association of New Jersey; and four further public
28 members who are not affiliated with the armored car industry, one
29 of whom shall be appointed by the President of the Senate, one of
30 whom shall be appointed by the Senate Minority Leader, one of
31 whom shall be appointed by the Speaker of the General Assembly,
32 and one of whom shall be appointed by the Assembly Minority
33 Leader.

34 The term of office of each appointed State board member shall
35 be four years; except that of the members first appointed, two shall
36 serve for two years, three shall serve for three years, and three shall
37 serve for four years. Vacancies shall be filled for the unexpired
38 terms only. No member may be appointed for more than two
39 consecutive terms.

40 The organization, meetings and management of the State board
41 shall be established in regulations promulgated by the Attorney
42 General.

43 The officers and members of the State board shall not be
44 compensated, but shall be reimbursed for actual expenses
45 reasonably incurred in the performance of their duties.

46 The Attorney General shall maintain within any public building,
47 whether owned or leased by the State, suitable quarters for the State
48 board's office and meeting place, except that no office or meeting

1 place shall be within premises owned by any officer or member of
2 the State board or occupied by an officer or member of the State
3 board other than the Attorney General.

4 The executive secretary of the State board shall be appointed by
5 the Attorney General and shall serve at his pleasure.

6 The Attorney General shall provide staffing and any
7 administrative assistance that he may deem necessary in order for
8 the State board to carry out its duties pursuant to this act.

9 b. The duties of the State board shall be as follows: to establish
10 standards for the training and examination of armored car security
11 officers; to recommend standards for the certification of instructors;
12 to establish standards for the registration of employers; to
13 recommend to the superintendent and the Attorney General
14 regulations necessary to effectuate the provisions of this act; to
15 participate in the formulation of rules and regulations, the hearing
16 of grievances, the establishment of standards, and the issuance and
17 revocation of licenses, registrations and certificates; to monitor and
18 regulate misleading advertising of armored car security officer
19 services by employers; to establish fees pursuant to the provisions
20 of section 2 of this act for the licensing of armored car security
21 officers, the registration of employers and the certification of
22 instructors; to oversee the implementation of this act by the
23 superintendent and the Attorney General; and to report to the
24 Legislature on the effectiveness of this act and to recommend any
25 changes in the law necessary to provide competent and trustworthy
26 services to the general public.

27 c. All information gathered by the State board relating to
28 employer personnel matters shall be kept strictly confidential unless
29 otherwise noted in this act.

30

31 14. The Attorney General shall promulgate rules and regulations
32 recommended by the board and the State board pursuant to the
33 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
34 seq.) in order to effectuate the provisions of this act.

35

36 15. This act shall take effect immediately, provided however
37 that sections 1 through 11 shall remain inoperative until one year
38 after enactment.

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STATEMENT

42

43 This bill requires the licensing of private security officers and
44 the security officers of State and local governments and their
45 agencies by the Department of Law and Public Safety.

46 The bill establishes in the Department of Law and Public Safety
47 a State Advisory Board on Security Officers (the board) and a State
48 Advisory Board on Armored Car Security Officers (the State

1 board).

2 The bill institutes three classes of licenses: an unarmed security
3 officer license, an armed security officer license and an armored car
4 security officer license. Licensees must pass a criminal history
5 background check, complete eight hours of board-approved or State
6 board-approved training; complete eight consecutive hours of on-
7 the-job training; complete a physical and psychological
8 examination, except that the psychological examination shall not be
9 required for any person applying as an unarmed security officer;
10 complete a written competency exam; and timely execute an
11 employee statement.

12 Exempted from licensure requirements are: employees of a
13 business who are unarmed and in plain clothes and whose primary
14 responsibility is loss prevention and the protection of the business's
15 assets; air carriers, their contractors or air carrier security operations
16 regulated by the Federal Aviation Administration; certain persons
17 licensed to act as port watchmen; and security officers or security
18 supervisors for a nuclear facility existing under license of the
19 federal Nuclear Regulatory Commission. Active law enforcement
20 personnel are not required to be licensed; however, they may be
21 required by their employers to satisfy training requirements.

22 Security officers employed in New Jersey on the bill's effective
23 date shall receive licensure if they pass the written exam within one
24 year after the effective date or if they complete the training
25 requirements within 120 days after failing the written exam.

26 A person holding a security officer license from another state
27 that has licensing requirements substantially similar to the licensing
28 requirements of this bill, shall receive licensure if, within 120 days
29 of employment as a security officer in this State, the officer
30 successfully completes the written examination or if the officer
31 successfully completes the course of instruction within 120 days
32 after failing the examination.

33 All security officer licenses shall be reissued biennially by the
34 director upon completion by the applicant of four hours of renewal
35 training approved by the board or State board and any other
36 requirements recommended by the board or State board. The
37 department will maintain a registry of all persons who apply for
38 licensure or who have been licensed.

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

45 Instructors who teach courses of instruction required by the bill
46 shall be certified by the Superintendent of State Police according to
47 standards recommended by the board or State board and all courses
48 of instruction shall be certified by the board or State board.

1 The board and the State board are also empowered to establish
2 fees which shall not be in excess of the costs of administering the
3 bill's requirements.

4 Employers of security officers must register with the director
5 according to board and State board requirements. Employers must
6 maintain comprehensive general liability insurance of not less than
7 \$100,000 per occurrence and \$300,000 in the aggregate, provided
8 that armored car companies must maintain coverage of not less than
9 \$500,000 per occurrence and \$1,000,000 in the aggregate and
10 additional all-risk coverage of not less than \$3 million. An
11 employer may hire and employ only licensed security officers or
12 those in the process of becoming licensed. Employers submit the
13 statements of good character executed by license applicants; an
14 employer must make every reasonable effort to verify an applicant's
15 statement.

16 The bill also establishes a disorderly persons offense for any
17 security officer who violates a provision of the bill. In addition, the
18 bill subjects employers to a civil penalty not to exceed \$1,000 for
19 each offense and provides that the penalties collected from
20 employers who violate the bill's provisions shall be deposited in the
21 "Body Armor Replacement" fund.

22 The State Advisory Board on Security Officers will consist of
23 fifteen members, nine of whom shall be appointed by the Governor
24 with the advice and consent of the Senate, two of whom are the
25 Attorney General and the Superintendent of State Police or their
26 designees and four of whom are public members, appointed by the
27 Senate President, the Senate Minority Leader, the Speaker of the
28 General Assembly and the Assembly Minority Leader respectively.

29 The State Advisory Board on Armored Car Security Officers will
30 consist of fifteen members, nine of whom shall be appointed by
31 the Governor with the advice and consent of the Senate, two of
32 whom are the Attorney General and the Superintendent of State
33 Police or their designees and four of whom are public members,
34 appointed by the Senate President, the Senate Minority Leader, the
35 Speaker of the General Assembly and the Assembly Minority
36 Leader respectively.

37 The bill will take effect one year after its enactment, however,
38 the provisions with respect to the establishment of the State
39 Advisory Board on Security Officers and the State Advisory Board
40 on Armored Car Security Officers are effective immediately.