

ASSEMBLY BILL

No. 759

Introduced by Assembly Member Daly

February 21, 2013

An act to amend Section 7583.2 of the Business and Professions Code, relating to private patrol operators.

LEGISLATIVE COUNSEL'S DIGEST

AB 759, as introduced, Daly. Private patrol operators.

Existing law establishes licenses for private patrol operators. Existing law requires that, among other things, within 7 days after a licensed private patrol operator or his or her employees discover that a deadly weapon that has been recorded as being in his or her possession has been misplaced, lost, stolen, or is in any other way missing, the licensee or his or her manager mail or deliver to any local law enforcement agency that has jurisdiction, a written report concerning the incident.

This bill would make a technical, nonsubstantive change to these provisions.

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

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

- 1 SECTION 1. Section 7583.2 of the Business and Professions
- 2 Code is amended to read:
- 3 7583.2. No person licensed as a private patrol operator shall
- 4 do any of the following:
- 5 (a) Fail to properly maintain an accurate and current record of
- 6 all firearms or other deadly weapons that are in the possession of

1 the licensee or of any employee while on duty. Within seven days
2 after a licensee or his or her employees discover that a deadly
3 weapon that has been recorded as being in his or her possession
4 has been misplaced, lost, ~~or~~ stolen, or is in any other way missing,
5 the licensee or his or her manager shall mail or deliver to any local
6 law enforcement agency that has jurisdiction, a written report
7 concerning the incident. The report shall describe fully the
8 circumstances surrounding the incident, any injuries or damages
9 incurred, the identity of all participants, and whether a police
10 investigation was conducted.

11 (b) Fail to properly maintain an accurate and current record of
12 the name, address, commencing date of employment, and position
13 of each employee, and the date of termination of employment when
14 an employee is terminated.

15 (c) Fail to properly maintain an accurate and current record of
16 proof of completion by each employee of the licensee of the course
17 of training in the exercise of the power to arrest as required by
18 Section 7583.5, the security officer skills training required by
19 subdivision (b) of Section 7583.6, and the annual practice and
20 review required by subdivision (f) of Section 7583.6.

21 (d) Fail to certify an employee's completion of the course of
22 training in the exercise of the power to arrest prior to placing the
23 employee at a duty station.

24 (e) Fail to certify proof of current and valid registration for each
25 employee who is subject to registration.

26 (f) Permit any employee to carry a firearm or other deadly
27 weapon without first ascertaining that the employee is proficient
28 in the use of each weapon to be carried. With respect to firearms,
29 evidence of proficiency shall include a certificate from a firearm
30 training facility approved by the director certifying that the
31 employee is proficient in the use of that specified caliber of firearm
32 and a current and valid firearm qualification permit issued by the
33 department. With respect to other deadly weapons, evidence of
34 proficiency shall include a certificate from a training facility
35 approved by the director certifying that the employee is proficient
36 in the use of that particular deadly weapon.

37 (g) Fail to deliver to the director a written report describing fully
38 the circumstances surrounding the discharge of any firearm, or
39 physical altercation with a member of the public while on duty,
40 by a licensee or any officer, partner, or employee of a licensee

1 while acting within the course and scope of his or her employment
2 within seven days after the incident. For the purposes of this
3 subdivision, a report shall be required only for physical altercations
4 that result in any of the following: (1) the arrest of a security guard,
5 (2) the filing of a police report by a member of the public, (3)
6 injury on the part of a member of the public that requires medical
7 attention, or (4) the discharge, suspension, or reprimand of a
8 security guard by his or her employer. The report shall include,
9 but not be limited to, a description of any injuries or damages
10 incurred, the identity of all participants, and whether a police
11 investigation was conducted. Any report may be investigated by
12 the director to determine if any disciplinary action is necessary.

13 (h) Fail to notify the bureau in writing and within 30 days that
14 a manager previously qualified pursuant to this chapter is no longer
15 connected with the licensee.

16 (i) Fail to administer to each registered employee of the licensee,
17 the review or practice training required by subdivision (f) of
18 Section 7583.6.