

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 778
Judiciary II Committee Substitute Adopted 5/26/05

Short Title: Amend Private Protective Services Laws.

(Public)

Sponsors:

Referred to:

March 22, 2005

A BILL TO BE ENTITLED

AN ACT AMENDING CERTAIN LAWS REGULATING PERSONS ENGAGED IN PROVIDING PRIVATE PROTECTIVE SERVICES TO ALLOW FOR PROBATIONARY EMPLOYEES AND THE REGISTRATION OF REGULAR EMPLOYEES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 74C-11 reads as rewritten:

"§ 74C-11. Registration of permanent and temporary Probationary employees and registration of regular employees; unarmed security guard required to have registration card.

(a) All licensees may employ unarmed security guards as probationary employees for 20 calendar days. Upon completion of the probationary period and the desire of the licensee to hire an unarmed security guard as a regular employee, the licensee shall register ~~their employees~~the employee who will be engaged in providing private protective services covered by this Chapter with the Board within 20-30 days after the probationary employment begins, period ends, unless the Director, in his-the Director's discretion, extends the time period, for good cause. Before a probationary employee engages in private protective services, the employee shall complete any training requirements, and the licensee shall conduct a criminal record check on the employee, as the Board deems appropriate. The licensee shall submit a list of the probationary employees to the Director on a monthly basis. The list shall include the name, address, social security number, and dates of employment of the employees.

To register an ~~employee, employee~~ after the probationary period ends, a licensee must give the Board the following:

- (1) Set(s) of classifiable fingerprints on standard F.B.I. applicant cards; recent photograph(s) of acceptable quality for identification; and
- (2) Statements of any criminal records obtained from the appropriate authority in each area where the employee has resided within the immediately preceding 48 months.

1 (b) A security guard and patrol company may not employ an unarmed security
2 guard in a regular position unless the guard has a registration card issued under
3 subsection (d) of this section. A person engaged in a private protective services
4 profession may not employ an armed security guard unless the guard has a firearm
5 registration permit issued under G.S. 74C-13.

6 (c) The Director shall be notified in writing of the termination of any regular
7 employee registered under subsection (a) of this section within 10 days after ~~said~~the
8 termination.

9 (d) An unarmed security guard shall make application to the Director for an
10 unarmed registration card which the Director shall issue to said applicant after receipt of
11 the information required to be submitted by his employer pursuant to subsection (a), and
12 after meeting any additional requirements which the Board, in its discretion, deems to
13 be necessary. The unarmed security guard registration card shall be in the form of a
14 pocket card designed by the Board, shall be issued in the name of the applicant, and
15 may have the applicant's photograph affixed thereto. The unarmed security guard
16 registration card shall expire one year after its date of issuance and shall be renewed
17 every year. If an unarmed registered security guard is terminated by a licensee and
18 changes employment to another security guard and patrol company, the security guard's
19 registration card shall remain valid, provided the security guard pays the unarmed guard
20 registration transfer fee to the Board and a new unarmed security guard registration card
21 is issued. An unarmed security guard whose transfer registration application and transfer
22 fee have been sent to the Board may work with a copy of the transfer application until
23 the registration card is issued.

24 (e) Notwithstanding the provisions of this section, a licensee may employ a
25 person properly registered or licensed as an unarmed security guard in another state for
26 a period not to exceed 10 days in any given month; provided the licensee, prior to
27 employing the unarmed security guard, submits to the Director the name, address, and
28 social security number of the unarmed guard and the name of the state of current
29 registration or licensing, and the Director approves the employment of the unarmed
30 guard in this State.

31 ~~(f) Notwithstanding the provisions of this section, a licensee may employ a~~
32 ~~person as an unarmed security guard for a period not to exceed 30 days in any given~~
33 ~~calendar year without registering that employee in accordance with this section;~~
34 ~~provided that the licensee submits to the Director a quarterly report, within 30 days after~~
35 ~~the end of the quarter in which the temporary employee worked, which provides the~~
36 ~~Director with the name, address, social security number, and dates of employment of~~
37 ~~such employee."~~

38 **SECTION 2.** This act is effective when it becomes law.