



# Senate

General Assembly

**File No. 342**

January Session, 2015

Substitute Senate Bill No. 1011

*Senate, March 31, 2015*

The Committee on Public Safety and Security reported through SEN. LARSON of the 3rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## ***AN ACT CONCERNING THE TRAINING OF SECURITY PERSONNEL.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-161q of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 (a) Any security service or business may employ as many security  
4 officers as such security service or business deems necessary for the  
5 conduct of the business, provided such security officers are of good  
6 moral character and at least eighteen years of age.

7 (b) (1) No person hired or otherwise engaged to perform work as a  
8 security officer, as defined in section 29-152u, shall perform the duties  
9 of a security officer prior to being licensed as a security officer by the  
10 Commissioner of Emergency Services and Public Protection. Each  
11 applicant for a license shall complete a minimum of [~~eight~~] sixteen  
12 hours training in the following areas: Basic first aid, search and seizure  
13 laws and regulations, use of force, basic criminal justice, [and] public

14 safety issues, use of baton, nightstick and pepper spray, emergency  
15 response procedures and ethical considerations. The commissioner  
16 shall waive such training for any person who, (A) while serving in the  
17 armed forces or the National Guard, or (B) if such person is a veteran,  
18 within two years of such person's discharge from the armed forces,  
19 presents proof that such person has completed military training that is  
20 equivalent to the training required by this subsection, and, if  
21 applicable, such person's military discharge document or a certified  
22 copy thereof. For the purposes of this subsection, "veteran" means any  
23 person who was discharged or released under conditions other than  
24 dishonorable from active service in the armed forces, "armed forces"  
25 has the same meaning as provided in section 27-103, and "military  
26 discharge document" has the same meaning as provided in section 1-  
27 219. The training shall be approved by the commissioner in accordance  
28 with regulations adopted pursuant to section 29-161x.

29 [(1)] (2) On and after October 1, 2008, no person or employee of an  
30 association, corporation or partnership shall conduct such training  
31 without the approval of the commissioner except as provided in  
32 subdivision [(2)] (3) of this subsection. Application for such approval  
33 shall be submitted on forms prescribed by the commissioner and  
34 accompanied by a fee of forty dollars. Such application shall be made  
35 under oath and shall contain the applicant's name, address, date and  
36 place of birth, employment for the previous five years, education or  
37 training in the subjects required to be taught under this subsection, any  
38 convictions for violations of the law and such other information as the  
39 commissioner may require by regulation adopted pursuant to section  
40 29-161x to properly investigate the character, competency and integrity  
41 of the applicant. No person shall be approved as an instructor for such  
42 training who has been convicted of a felony, a sexual offense or a crime  
43 of moral turpitude or who has been denied approval as a security  
44 service licensee, a security officer or instructor in the security industry  
45 by any licensing authority, or whose approval has been revoked or  
46 suspended. The term for such approval shall not exceed two years. Not  
47 later than two business days after a change of address, any person  
48 approved as an instructor in accordance with this section shall notify

49 the commissioner of such change and such notification shall include  
50 both the old and new addresses.

51 ~~[(2)]~~ (3) If a security officer training course described in this  
52 subsection is approved by the commissioner on or before September  
53 30, 2008, the instructor of such course shall have until April 1, 2009, to  
54 apply for approval as an instructor in accordance with subdivision  
55 ~~[(1)]~~ (2) of this subsection.

56 ~~[(3)]~~ (4) Each person approved as an instructor in accordance with  
57 this section may apply for the renewal of such approval on a form  
58 approved by the commissioner, accompanied by a fee of forty dollars.  
59 Such form may require the disclosure of any information necessary for  
60 the commissioner to determine whether the instructor's suitability to  
61 serve as an instructor has changed since the issuance of the prior  
62 approval. The term of such renewed approval shall not exceed two  
63 years.

64 (c) (1) Not later than two years after successful completion of the  
65 training required pursuant to subsection (b) of this section, or the  
66 waiver of such training, the applicant may submit an application for a  
67 license as a security officer on forms furnished by the commissioner  
68 and, under oath, shall give the applicant's name, address, date and  
69 place of birth, employment for the previous five years, experience in  
70 the position applied for, including military training and weapons  
71 qualifications, any convictions for violations of the law and such other  
72 information as the commissioner may require, by regulation, to  
73 properly investigate the character, competency and integrity of the  
74 applicant. Applicants shall submit with their application two sets of  
75 fingerprints of the employee and the Commissioner of Emergency  
76 Services and Public Protection shall require any applicant for a license  
77 under this section to submit to state and national criminal history  
78 records checks conducted in accordance with section 29-17a.  
79 Applicants shall submit with their application two sets of their  
80 fingerprints and two full-face photographs of them, two inches wide  
81 by two inches high, taken not earlier than six months prior to the date

82 of application, and a one-hundred-dollar licensing fee, made payable  
83 to the state. Applicants who received a waiver as provided in  
84 subsection (b) of this section shall be exempt from payment of such  
85 licensing fee. Subject to the provisions of section 46a-80, no person  
86 shall be approved for a license who has been convicted of a felony, any  
87 sexual offense or any crime involving moral turpitude, or who has  
88 been refused a license under the provisions of sections 29-161g to 29-  
89 161x, inclusive, for any reason except minimum experience, or whose  
90 license, having been granted, has been revoked or is under suspension.  
91 Upon being satisfied of the suitability of the applicant for licensure, the  
92 commissioner may license the applicant as a security officer.

93 (2) Each licensee shall complete a minimum of sixteen hours of  
94 continuing training every five years. Such five-year period shall  
95 commence on the first date of renewal of the licensee's license after  
96 January 1, 2016. Such training shall reflect the educational needs of the  
97 licensee and account for changes and developments in search and  
98 seizure laws and regulations, criminal justice and public safety issues.  
99 Each licensee shall obtain a certification of completion from the  
100 provider of continuing training for all continuing training hours  
101 successfully completed. Each licensee shall maintain such written  
102 documentation for a minimum of five years following the license  
103 renewal date for which the activity satisfies continuing training  
104 requirements. Each licensee shall submit a certificate of completion to  
105 the Department of Emergency Services and Public Protection not later  
106 than thirty days after a request by the department.

107 (3) [Such] Any license [shall] may be renewed every five years [for]  
108 by the commissioner provided the licensee (A) submits an application  
109 for renewal for a license as a security officer on forms furnished by the  
110 commissioner, (B) satisfies the continuing training requirements  
111 pursuant to subdivision (2) of this subsection, and (C) submits a one-  
112 hundred-dollar renewal fee.

113 (d) Upon the security officer's successful completion of training and  
114 licensing by the commissioner, or immediately upon hiring a licensed

115 security officer, the security service employing such security officer  
116 shall apply to register such security officer with the commissioner on  
117 forms provided by the commissioner. Such application shall be  
118 accompanied by payment of a forty-dollar application fee payable to  
119 the state. The Division of State Police within the Department of  
120 Emergency Services and Public Protection shall keep on file the  
121 completed registration form and all related material. An identification  
122 card with the name, date of birth, address, full-face photograph,  
123 physical descriptors and signature of the applicant shall be issued to  
124 the security officer, and shall be carried by the security officer at all  
125 times while performing the duties associated with the security officer's  
126 employment. Registered security officers, in the course of performing  
127 their duties, shall present such card for inspection upon the request of  
128 a law enforcement officer.

129 (e) The security service shall notify the commissioner not later than  
130 five days after the termination of employment of any registered  
131 employee.

132 (f) Any fee or portion of a fee paid pursuant to this section shall not  
133 be refundable.

134 (g) No person, firm or corporation shall employ or otherwise engage  
135 any person as a security officer, as defined in section 29-152u, unless  
136 such person is a licensed security officer.

137 (h) Any person, firm or corporation that violates any provision of  
138 subsection (b), (d), (e) or (g) of this section shall be fined seventy-five  
139 dollars for each offense. Each distinct violation of this section shall be a  
140 separate offense and, in the case of a continuing violation, each day  
141 thereof shall be deemed a separate offense.

142 Sec. 2. Subsection (b) of section 29-161z of the general statutes is  
143 repealed and the following is substituted in lieu thereof (*Effective*  
144 *October 1, 2015*):

145 (b) The Commissioner of Emergency Services and Public Protection

146 may grant to any suitable employee of a licensed security service, or to  
147 an employee hired by a firm or corporation to perform work as a  
148 uniformed or nonuniformed security officer, a special permit to carry a  
149 pistol or revolver or other firearm while actually on duty on the  
150 premises of the employer, or, while directly en route to or from such  
151 employment, provided that such employee has proven to the  
152 satisfaction of the commissioner that such employee has successfully  
153 completed a course, approved by the commissioner, of training in the  
154 safety and use of firearms that is at least sixteen hours in duration. The  
155 commissioner may grant to such employee a temporary permit  
156 pending issuance of the permit, provided such employee has  
157 submitted an application and successfully completed such training  
158 course immediately following employment. All armed security officers  
159 shall complete such safety course and yearly complete a refresher  
160 safety course approved by the commissioner that is at least eight hours  
161 in duration. The commissioner shall adopt regulations in accordance  
162 with the provisions of chapter 54 concerning the approval of schools,  
163 institutions or organizations offering such courses, requirements for  
164 instructors and the required number of hours and content of such  
165 courses.

166 Sec. 3. Section 29-38 of the general statutes is repealed and the  
167 following is substituted in lieu thereof (*Effective October 1, 2015*):

168 (a) Any person who knowingly has, in any vehicle owned, operated  
169 or occupied by such person, any weapon, any pistol or revolver for  
170 which a proper permit has not been issued as provided in section 29-28  
171 or any machine gun which has not been registered as required by  
172 section 53-202, shall be guilty of a class D felony, and the presence of  
173 any such weapon, pistol or revolver, or machine gun in any vehicle  
174 shall be prima facie evidence of a violation of this section by the  
175 owner, operator and each occupant thereof. The word "weapon", as  
176 used in this section, means any BB. gun, any blackjack, any metal or  
177 brass knuckles, any police baton or nightstick, any dirk knife or switch  
178 knife, any knife having an automatic spring release device by which a  
179 blade is released from the handle, having a blade of over one and one-

180 half inches in length, any stiletto, any knife the edged portion of the  
181 blade of which is four inches or more in length, any martial arts  
182 weapon or electronic defense weapon, as defined in section 53a-3, or  
183 any other dangerous or deadly weapon or instrument.

184 (b) The provisions of this section shall not apply to: (1) Any officer  
185 charged with the preservation of the public peace while engaged in the  
186 pursuit of such officer's official duties; (2) any security [guard] officer,  
187 as defined in section 29-152u, having a baton or nightstick in a vehicle  
188 while engaged in the pursuit of such [guard's] officer's official duties;  
189 (3) any person enrolled in and currently attending a martial arts  
190 school, with official verification of such enrollment and attendance, or  
191 any certified martial arts instructor, having any such martial arts  
192 weapon in a vehicle while traveling to or from such school or to or  
193 from an authorized event or competition; (4) any person having a BB.  
194 gun in a vehicle provided such weapon is unloaded and stored in the  
195 trunk of such vehicle or in a locked container other than the glove  
196 compartment or console; and (5) any person having a knife, the edged  
197 portion of the blade of which is four inches or more in length, in a  
198 vehicle if such person is (A) any member of the armed forces of the  
199 United States, as defined in section 27-103, or any reserve component  
200 thereof, or of the armed forces of the state, as defined in section 27-2,  
201 when on duty or going to or from duty, (B) any member of any  
202 military organization when on parade or when going to or from any  
203 place of assembly, (C) any person while transporting such knife as  
204 merchandise or for display at an authorized gun or knife show, (D)  
205 any person while lawfully removing such person's household goods or  
206 effects from one place to another, or from one residence to another, (E)  
207 any person while actually and peaceably engaged in carrying any such  
208 knife from such person's place of abode or business to a place or  
209 person where or by whom such knife is to be repaired, or while  
210 actually and peaceably returning to such person's place of abode or  
211 business with such knife after the same has been repaired, (F) any  
212 person holding a valid hunting, fishing or trapping license issued  
213 pursuant to chapter 490 or any saltwater fisherman while having such  
214 knife in a vehicle for lawful hunting, fishing or trapping activities, or

215 (G) any person participating in an authorized historic reenactment.

216 Sec. 4. Section 29-136a of the general statutes is repealed and the  
217 following is substituted in lieu thereof (*Effective October 1, 2015*):

218 (a) A patron of an amusement, as defined in section 29-133, or of a  
219 public amusement park, as described in section 29-129, shall obey the  
220 patron safety regulations adopted by the Commissioner of Consumer  
221 Protection pursuant to subsection (e) of section 29-136.

222 (b) A security [guard] officer, as defined in section 29-152u, or law  
223 enforcement officer may detain a patron of an amusement for a  
224 reasonable time for the purpose of summoning a police officer to the  
225 premises of such amusement if such [guard or] officer has reasonable  
226 cause to believe that the patron has violated the patron safety  
227 regulations adopted by the commissioner pursuant to subsection (e) of  
228 section 29-136.

229 (c) Nothing in this section shall be construed as limiting or  
230 otherwise affecting the liability of the owner of an amusement or  
231 relieving the owner's responsibility to provide reasonable supervision  
232 of patrons.

233 Sec. 5. Section 53-205 of the general statutes is repealed and the  
234 following is substituted in lieu thereof (*Effective October 1, 2015*):

235 (a) No person shall carry or possess in any vehicle or snowmobile  
236 any shotgun, rifle or muzzleloader of any gauge or caliber while such  
237 shotgun, rifle or muzzleloader contains in the barrel, chamber or  
238 magazine any loaded shell or cartridge capable of being discharged or  
239 when such muzzleloader has a percussion cap in place or when the  
240 powder pan of a flintlock contains powder. As used in this subsection,  
241 "muzzleloader" means a rifle or shotgun that is incapable of firing a  
242 self-contained cartridge and must be loaded at the muzzle end.

243 (b) The enforcement officers of the Department of Energy and  
244 Environmental Protection are empowered to enforce this section.

245 (c) The provisions of this section shall not apply to members of the  
246 military departments of the government or state while on duty or  
247 while traveling to or from assignments, or to enforcement officers,  
248 security [guards] officers, as defined in section 29-152u, or other  
249 persons employed to protect public or private property while in the  
250 performance of such duties.

251 (d) Any person who violates any provision of this section shall be  
252 guilty of a class D misdemeanor.

253 Sec. 6. Section 53-206 of the general statutes is repealed and the  
254 following is substituted in lieu thereof (*Effective October 1, 2015*):

255 (a) Any person who carries upon his or her person any BB. gun,  
256 blackjack, metal or brass knuckles, or any dirk knife, or any switch  
257 knife, or any knife having an automatic spring release device by which  
258 a blade is released from the handle, having a blade of over one and  
259 one-half inches in length, or stiletto, or any knife the edged portion of  
260 the blade of which is four inches or more in length, any police baton or  
261 nightstick, or any martial arts weapon or electronic defense weapon, as  
262 defined in section 53a-3, or any other dangerous or deadly weapon or  
263 instrument, shall be guilty of a class E felony. Whenever any person is  
264 found guilty of a violation of this section, any weapon or other  
265 instrument within the provisions of this section, found upon the body  
266 of such person, shall be forfeited to the municipality wherein such  
267 person was apprehended, notwithstanding any failure of the judgment  
268 of conviction to expressly impose such forfeiture.

269 (b) The provisions of this section shall not apply to (1) any officer  
270 charged with the preservation of the public peace while engaged in the  
271 pursuit of such officer's official duties; (2) the carrying of a baton or  
272 nightstick by a security [guard] officer, as defined in section 29-152u,  
273 while engaged in the pursuit of such [guard's] officer's official duties;  
274 (3) the carrying of a knife, the edged portion of the blade of which is  
275 four inches or more in length, by (A) any member of the armed forces  
276 of the United States, as defined in section 27-103, or any reserve  
277 component thereof, or of the armed forces of the state, as defined in

278 section 27-2, when on duty or going to or from duty, (B) any member  
 279 of any military organization when on parade or when going to or from  
 280 any place of assembly, (C) any person while transporting such knife as  
 281 merchandise or for display at an authorized gun or knife show, (D)  
 282 any person who is found with any such knife concealed upon one's  
 283 person while lawfully removing such person's household goods or  
 284 effects from one place to another, or from one residence to another, (E)  
 285 any person while actually and peaceably engaged in carrying any such  
 286 knife from such person's place of abode or business to a place or  
 287 person where or by whom such knife is to be repaired, or while  
 288 actually and peaceably returning to such person's place of abode or  
 289 business with such knife after the same has been repaired, (F) any  
 290 person holding a valid hunting, fishing or trapping license issued  
 291 pursuant to chapter 490 or any saltwater fisherman carrying such knife  
 292 for lawful hunting, fishing or trapping activities, or (G) any person  
 293 while participating in an authorized historic reenactment; (4) the  
 294 carrying by any person enrolled in or currently attending, or an  
 295 instructor at, a martial arts school of a martial arts weapon while in a  
 296 class or at an authorized event or competition or while transporting  
 297 such weapon to or from such class, event or competition; (5) the  
 298 carrying of a BB. gun by any person taking part in a supervised event  
 299 or competition of the Boy Scouts of America or the Girl Scouts of  
 300 America or in any other authorized event or competition while taking  
 301 part in such event or competition or while transporting such weapon  
 302 to or from such event or competition; and (6) the carrying of a BB. gun  
 303 by any person upon such person's own property or the property of  
 304 another person provided such other person has authorized the  
 305 carrying of such weapon on such property, and the transporting of  
 306 such weapon to or from such property.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	29-161q
Sec. 2	October 1, 2015	29-161z(b)
Sec. 3	October 1, 2015	29-38

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Sec. 4	<i>October 1, 2015</i>	29-136a
Sec. 5	<i>October 1, 2015</i>	53-205
Sec. 6	<i>October 1, 2015</i>	53-206

**PS**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill modifies training and education requirements for security officers licensed by the Department of Emergency Services and Public Protection. As training and educational costs are borne by applicants, there is no fiscal impact to state or municipal agencies.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis****sSB 1011****AN ACT CONCERNING THE TRAINING OF SECURITY PERSONNEL.****SUMMARY:**

This bill increases training requirements for security officers. It:

1. increases the number of training hours and expands the subject matter included in the training for initial licensure;
2. establishes continuing education training to account for changes in laws and regulations, as a condition of the five-year license renewal; and
3. establishes a minimum number of hours for the currently required initial and annual training a security officer must complete to get and keep a permit to carry firearms on the job.

The bill also makes technical changes.

EFFECTIVE DATE: October 1, 2015

**SECURITY OFFICERS*****Initial Licensure Training***

By law, security officers must be licensed by the Department of Emergency Services and Public Protection (DESPP). As a condition of being licensed, the bill increases, from eight to 16, the minimum number of hours of training they must complete. It expands the type of training they must receive to include the use of baton, nightstick, and pepper spray; emergency response procedures, and ethical considerations. The training already covers basic first aid, search and seizure laws and regulations, use of force, basic criminal justice, and public safety issues.

By law, training is waived for (1) Connecticut National Guard members and (2) veterans within two years of discharge from the armed forces, provided they present proof of having completed military training equivalent to the required training and their military discharge document or a certified copy.

### ***Continuing Training Required for License Renewal***

As a condition of license renewal, the bill requires security officers to complete at least 16 hours of continuing training every five years. The training must reflect the licensee's educational needs and account for changes and developments in search and seizure laws and regulations, criminal justice, and public safety issues. The training commences on the first date of the license renewal after January 1, 2016.

The licensee must obtain a certification of completion from the trainer for all continuing training hours successfully completed. He or she must maintain the certificate for at least five years following the license renewal date and submit it to DESPP no later than 30 days after DESPP requests it.

By law, the security officer's license must be renewed every five years. As a condition of renewal, the bill requires that the officer satisfy the continuing training requirements.

### ***Training for Armed Security Officers***

By law, anyone seeking to carry a handgun in Connecticut must have a DESPP gun permit. Security officers who carry firearms on the job must also get a special DESPP permit. As a prerequisite for getting and keeping this special permit, an applicant must have the basic DESPP gun permit and successfully complete approved firearm safety and use training and annual refresher safety training. The bill establishes a minimum of 16 hours of training for the initial training and at least eight hours for the refresher training.

## **COMMITTEE ACTION**

Public Safety and Security Committee

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Joint Favorable Substitute

Yea 25 Nay 0 (03/12/2015)