



General Assembly

January Session, 2015

Raised Bill No. 1011

LCO No. 4111



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

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 Section 29-161q of the general statutes is repealed and the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] twenty-
12 four hours training in the following areas: Basic first aid, search and
13 seizure laws and regulations, use of force, basic criminal justice, [and]
14 public safety issues, use of baton, nightstick and pepper spray,
15 emergency response procedures and ethical considerations. The

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

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

49 approved as an instructor in accordance with this section shall notify
50 the commissioner of such change and such notification shall include
51 both the old and new addresses.

52 ~~[(2)]~~ (3) If a security officer training course described in this
53 subsection is approved by the commissioner on or before September
54 30, 2008, the instructor of such course shall have until April 1, 2009, to
55 apply for approval as an instructor in accordance with subdivision
56 ~~[(1)]~~ (2) of this subsection.

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

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

81 fingerprints and two full-face photographs of them, two inches wide
82 by two inches high, taken not earlier than six months prior to the date
83 of application, and a one-hundred-dollar licensing fee, made payable
84 to the state. Applicants who received a waiver as provided in
85 subsection (b) of this section shall be exempt from payment of such
86 licensing fee. Subject to the provisions of section 46a-80, no person
87 shall be approved for a license who has been convicted of a felony, any
88 sexual offense or any crime involving moral turpitude, or who has
89 been refused a license under the provisions of sections 29-161g to 29-
90 161x, inclusive, for any reason except minimum experience, or whose
91 license, having been granted, has been revoked or is under suspension.
92 Upon being satisfied of the suitability of the applicant for licensure, the
93 commissioner may license the applicant as a security officer.

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

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

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

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

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

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

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

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

145 *October 1, 2015*):

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

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

169 (a) Any person who knowingly has, in any vehicle owned, operated
170 or occupied by such person, any weapon, any pistol or revolver for
171 which a proper permit has not been issued as provided in section 29-28
172 or any machine gun which has not been registered as required by
173 section 53-202, shall be guilty of a class D felony, and the presence of
174 any such weapon, pistol or revolver, or machine gun in any vehicle
175 shall be prima facie evidence of a violation of this section by the
176 owner, operator and each occupant thereof. The word "weapon", as

177 used in this section, means any BB. gun, any blackjack, any metal or
178 brass knuckles, any police baton or nightstick, any dirk knife or switch
179 knife, any knife having an automatic spring release device by which a
180 blade is released from the handle, having a blade of over one and one-
181 half inches in length, any stiletto, any knife the edged portion of the
182 blade of which is four inches or more in length, any martial arts
183 weapon or electronic defense weapon, as defined in section 53a-3, or
184 any other dangerous or deadly weapon or instrument.

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

210 person where or by whom such knife is to be repaired, or while
211 actually and peaceably returning to such person's place of abode or
212 business with such knife after the same has been repaired, (F) any
213 person holding a valid hunting, fishing or trapping license issued
214 pursuant to chapter 490 or any saltwater fisherman while having such
215 knife in a vehicle for lawful hunting, fishing or trapping activities, or
216 (G) any person participating in an authorized historic reenactment.

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

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

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

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

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

236 (a) No person shall carry or possess in any vehicle or snowmobile
237 any shotgun, rifle or muzzleloader of any gauge or caliber while such
238 shotgun, rifle or muzzleloader contains in the barrel, chamber or
239 magazine any loaded shell or cartridge capable of being discharged or

240 when such muzzleloader has a percussion cap in place or when the
241 powder pan of a flintlock contains powder. As used in this subsection,
242 "muzzleloader" means a rifle or shotgun that is incapable of firing a
243 self-contained cartridge and must be loaded at the muzzle end.

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

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

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

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

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

270 (b) The provisions of this section shall not apply to (1) any officer
271 charged with the preservation of the public peace while engaged in the
272 pursuit of such officer's official duties; (2) the carrying of a baton or
273 nightstick by a security [guard] officer, as defined in section 29-152u,
274 while engaged in the pursuit of such [guard's] officer's official duties;
275 (3) the carrying of a knife, the edged portion of the blade of which is
276 four inches or more in length, by (A) any member of the armed forces
277 of the United States, as defined in section 27-103, or any reserve
278 component thereof, or of the armed forces of the state, as defined in
279 section 27-2, when on duty or going to or from duty, (B) any member
280 of any military organization when on parade or when going to or from
281 any place of assembly, (C) any person while transporting such knife as
282 merchandise or for display at an authorized gun or knife show, (D)
283 any person who is found with any such knife concealed upon one's
284 person while lawfully removing such person's household goods or
285 effects from one place to another, or from one residence to another, (E)
286 any person while actually and peaceably engaged in carrying any such
287 knife from such person's place of abode or business to a place or
288 person where or by whom such knife is to be repaired, or while
289 actually and peaceably returning to such person's place of abode or
290 business with such knife after the same has been repaired, (F) any
291 person holding a valid hunting, fishing or trapping license issued
292 pursuant to chapter 490 or any saltwater fisherman carrying such knife
293 for lawful hunting, fishing or trapping activities, or (G) any person
294 while participating in an authorized historic reenactment; (4) the
295 carrying by any person enrolled in or currently attending, or an
296 instructor at, a martial arts school of a martial arts weapon while in a
297 class or at an authorized event or competition or while transporting
298 such weapon to or from such class, event or competition; (5) the
299 carrying of a BB. gun by any person taking part in a supervised event
300 or competition of the Boy Scouts of America or the Girl Scouts of
301 America or in any other authorized event or competition while taking
302 part in such event or competition or while transporting such weapon
303 to or from such event or competition; and (6) the carrying of a BB. gun

304 by any person upon such person's own property or the property of
305 another person provided such other person has authorized the
306 carrying of such weapon on such property, and the transporting of
307 such weapon to or from such property.

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

Statement of Purpose:

To increase the minimum training requirements and establish minimum continuing training requirements for unarmed and armed security officers.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]