



General Assembly

February Session, 2022

Raised Bill No. 370

LCO No. 2837



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

AN ACT CONCERNING THE CONDITIONS UNDER WHICH PRIVATE INVESTIGATORS AND SECURITY GUARDS MAY PERFORM DUTIES WHILE LICENSE APPLICATIONS ARE PENDING.

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

1 Section 1. Section 29-156a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Any licensee may employ as many private investigators as such
4 licensee deems necessary for the conduct of such licensee's business,
5 provided such employees shall be of good moral character and at least
6 eighteen years of age.

7 (b) Immediately upon hiring a private investigator, the licensee shall
8 apply to register such employee with the Commissioner of Emergency
9 Services and Public Protection. Such application shall be made on forms
10 furnished by the commissioner, and, under oath of the employee, shall
11 give the employee's name, address, date and place of birth, employment
12 for the past five years, experience in the position applied for, any
13 convictions for violations of the law and such other information as the
14 commissioner may require, by regulation, to properly investigate the

15 character, competency and integrity of the employee.

16 (c) The Commissioner of Emergency Services and Public Protection
17 shall require any applicant for registration under this section to submit
18 to state and national criminal history records checks conducted in
19 accordance with section 29-17a. The application for registration shall be
20 accompanied by two sets of fingerprints of the employee and two full-
21 face photographs of the employee, two inches wide by two inches high,
22 taken no earlier than six months prior to the date of application for
23 registration, and a forty-dollar registration fee payable to the state.
24 Subject to the provisions of section 46a-80, no person shall be registered
25 who has been convicted of a felony, any sexual offense or any crime
26 involving moral turpitude, or who has been refused a license under the
27 provisions of this chapter for any reason except lack of minimum
28 experience, or whose license, having been granted, has been revoked or
29 is under suspension. The commissioner shall register all qualified
30 employees and so notify the licensee and place the registration form and
31 all related material on file with the Division of State Police within the
32 Department of Emergency Services and Public Protection.

33 (d) A licensee may employ an individual to perform the duties of a
34 private detective while such individual's application for licensure as a
35 private investigator, pursuant to section 29-154a, is pending, and while
36 such individual's application for registration pursuant to subsection (b)
37 of this section is pending, provided the licensee conducts, or has a
38 consumer reporting agency regulated under the federal Fair Credit
39 Reporting Act conduct, a state and national criminal history records
40 check and determines the applicant meets the requirements of section
41 29-154a for licensure and subsection (b) of this section for registration as
42 a private investigator. Such individual shall cease to perform such
43 duties pursuant to this subsection when the commissioner (1) grants
44 both the pending application for a private detective license and the
45 pending application for registration, or (2) denies either the pending
46 application for a private detective license or the pending application for
47 registration.

48 ~~[(d)]~~ (e) The licensee shall notify the commissioner not later than five
49 days after the termination of employment of any registered employees.

50 ~~[(e)]~~ (f) Any person, firm or corporation that violates any provision of
51 this section shall be fined seventy-five dollars for each offense. Each
52 distinct violation of this section shall be a separate offense and, in the
53 case of a continuing violation, each day thereof shall be deemed a
54 separate offense.

55 Sec. 2. Subsection (h) of section 29-161q of the 2022 supplement to the
56 general statutes is repealed and the following is substituted in lieu
57 thereof (*Effective from passage*):

58 (h) During the time that an application for a license as a security
59 officer is pending with the commissioner, the applicant may perform the
60 duties of security officer, provided (1) the security service employing
61 the applicant conducts, or has a consumer reporting agency regulated
62 under the federal Fair Credit Reporting Act conduct, a state and national
63 criminal history records check and determines the applicant meets the
64 requirements of subsection (c) of this section to be a security officer, (2)
65 the applicant ~~[(A)]~~ successfully completed the training required
66 pursuant to subsection (b) of this section, or obtained a waiver of such
67 training, ~~[and (B) performs the duties of a security officer under the~~
68 ~~direct on-site supervision of a licensed security officer with at least one~~
69 ~~year of experience as a licensed security officer,]~~ and (3) the applicant
70 has not been decertified as a police officer or otherwise had his or her
71 certification canceled, revoked or refused renewal pursuant to
72 subsection (c) of section 7-294d or under the laws of any other
73 jurisdiction. The applicant shall not perform such duties at a public or
74 private preschool, elementary or secondary school or at a facility
75 licensed and used exclusively as a child care center, as described in
76 subdivision (1) of subsection (a) of section 19a-77. The applicant shall
77 cease to perform such duties pursuant to this subsection when the
78 commissioner grants or denies the pending application for a security
79 license under this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	29-156a
Sec. 2	<i>from passage</i>	29-161q(h)

Statement of Purpose:

To allow individuals to be employed as and perform the duties of private investigators while awaiting licensure and registration under certain circumstances and eliminate the requirement for supervision of individuals working as security guards while awaiting licensure.

[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.]