

Assembly Bill No. 229

Passed the Assembly September 8, 2021

Chief Clerk of the Assembly

Passed the Senate September 7, 2021

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2021, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 7583.2, 7583.3, 7587.8, and 7587.9 of, and to amend, repeal, and add Sections 7542, 7574.18, 7583.5, 7583.6, 7583.7, 7583.10, 7585, 7585.6, 7587.1, 7596, 7596.3, 7598.1, 7598.2, 7598.3, 7599.37, and 7599.38 of, the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 229, Holden. Private investigators, proprietary security services, private security services, and alarm companies: training: use of force.

(1) Existing law, the Private Investigator Act, provides for the licensure and regulation of private investigators by the Director of Consumer Affairs, and makes a violation of its provisions a crime. Existing law requires a licensee or qualified manager of a licensee who carries a deadly weapon in the course of that person's employment or business to complete a training course in the exercise of the power to arrest.

This bill, on and after January 1, 2023, would eliminate that requirement.

(2) Existing law, the Proprietary Security Services Act, provides for the licensure and regulation of proprietary private security officers by the director, and makes a violation of its provisions a crime. Existing law requires proprietary private security officers to complete a course of training in security officer skills developed by the Department of Consumer Affairs that includes power-to-arrest training.

This bill, on and after January 1, 2023, would instead require the course in security officer skills to include training in the exercise of the power to arrest and the appropriate use of force.

(3) (A) Existing law, the Private Security Services Act, provides for the regulation and licensure of private patrol operators and the registration of security guards by the director, and makes a violation of its provisions a crime. The act prohibits a person who is required to be registered as a security guard from carrying or using a firearm or baton unless they possess a valid and current

permit, and makes a first violation subject to a \$500 fine and each subsequent violation subject to a \$1,000 fine.

This bill would also prohibit a person required to be registered as a security guard from carrying or using a firearm or baton unless the security guard is an employee of a private patrol operator, the state, or a political subdivision of the state. By expanding the scope of a crime, the bill would impose a state-mandated local program.

(B) The act requires a licensed private patrol operator to deliver to the director within 7 days a written report describing the circumstances surrounding the discharge of any firearm or physical altercation with a member of the public while on duty by a licensee and specified others while acting within the course and scope of their employment. Existing law makes a violation of that provision subject to a \$1,000 fine for a first violation and a \$2,500 fine for each subsequent violation.

This bill would instead require the report to be delivered to the director within 7 business days and would revise the types of incidents required to be reported, including, among other things, requiring any physical use of force or violence on any person while on duty to be reported. The bill would increase the amount of the fine for any violation to \$5,000.

(C) The act requires each applicant for registration as a security guard to complete training in security officer skills, and requires the Bureau of Security and Investigative Services to develop a standard course and curriculum for the training.

This bill, on and after January 1, 2023, would require the bureau to develop an outline for the course and curriculum for security officer skills training in consultation with the Commission on Peace Officer Standards and Training.

(D) The act requires an applicant for a security guard registration to complete a course of training in the exercise of the power to arrest as a condition of the issuance of the registration, and specifies topics to be included in that course, including responsibilities and ethics in citizen arrest. The act requires a registrant and employing licensee to maintain the certificate of completion for the training course for at least 2 years. The act requires a private patrol operator to provide a copy of a department guidebook in the exercise of the power to arrest to employees.

This bill would instead require a registrant to maintain the certificate of completion for the course until their registration

expires or has been canceled, and would require a licensee to maintain the certificate for the duration of the registrant's employment. The bill would require a registrant who is unable to provide their employing licensee with a certificate of completion to complete the training within 6 months of the registrant's employment date. The bill, on and after January 1, 2023, would require each applicant to complete a course of training in the exercise of the power to arrest and the appropriate use of force, would require the subject of appropriate use of force to include specified topics, including legal standards for the use of force, and would require appropriate use of force to be conducted through traditional classroom instruction. The bill, on and after January 1, 2023, would authorize the department to review and provide more guidance on courses of training when best practices are updated and would delete the requirement that private patrol operators provide copies of the department guidebook to their employees.

(E) The act authorizes the director to deny, suspend, or revoke a license, firearm qualification card, or baton permit if the licensee or the licensee's manager, officer, director, or partner commits specified acts, including committing assault, battery, or kidnaping or for using force or violence on any person without proper justification.

This bill, on and after January 1, 2023, would also authorize the director deny, suspend, or revoke a license, firearm qualification card, or baton permit for use of force in violation of standards prescribed by the bureau by regulation.

(4) The Private Security Services Act and the Private Investigator Act require a private patrol operator, security guard, or private investigator to complete a course of training in the carrying and usage of firearms in order to obtain a firearms qualification card or firearms permit. Existing law requires the course of training in the carrying and usage of firearms to be in a format prescribed by the department and delineated in the Firearms Training Manual of the Bureau of Security and Investigative Services. Existing law requires any course textbook or manual to be used as a course in the carrying and usage of firearms to include aspects of employee restraint and defensive missions of security guards.

This bill, on and after January 1, 2023, would include appropriate use of force in the course of training and would delete the provision

requiring the textbook or manual to include aspects of employee restraint and defensive missions.

(5) Existing law, the Alarm Company Act, provides for the regulation and licensure of alarm company operators, the registration of alarm agents, and the certification of qualified managers by the director. The act requires a person who is licensed, registered, or designated as a branch office manager who carries a firearm in the course of their employment to complete a course of training in the carrying and use of firearms and obtain a firearms qualification card from the director. Existing law also requires those individuals to complete a course of training in the exercise of the power to arrest that is approximately 2 hours in length and covers various topics, including responsibilities and ethics in citizen arrest. Existing law requires every licensee and every person entering the employ of a licensee performing the function of an alarm agent to complete a course in the exercise of the power to arrest.

This bill, on and after January 1, 2023, would instead require those licensed, registered, or designated persons to complete a course of training in the exercise of the power to arrest and the appropriate use of force that is approximately 4 hours in length and would require the subject of appropriate use of force to be conducted through traditional classroom instruction and include specified topics, including legal standards for the use of force. The bill, on and after January 1, 2023, would require every licensee and every person entering the employ of a licensee performing the functions of an alarm agent to complete a course in the exercise of the power to arrest and the appropriate use of force.

(6) This bill would make conforming and other nonsubstantive changes.

(7) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(8) This bill would incorporate additional changes to Section 7596.3 of the Business and Professions Code proposed by AB 830 to be operative only if this bill and AB 830 are enacted and this bill is enacted last.

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

SECTION 1. Section 7542 of the Business and Professions Code is amended to read:

7542. (a) (1) A licensee or qualified manager of a licensee who, in the course of that person's employment or business, carries a deadly weapon shall do both of the following:

(A) Complete a training course in the exercise of the powers to arrest, as specified in Section 7583.7.

(B) Complete a training course in the carrying and use of firearms, as specified in Sections 7585, 7585.1, 7585.2, and 7585.6.

(2) A licensee or qualified manager of a licensee shall not carry or use a firearm unless that person has met the requirements of Sections 7542.2, 7542.3, and 7542.7 and possesses a valid firearms qualification card.

(b) A licensee or qualified manager of a licensee who possesses a valid firearms qualification card shall comply with, and be subject to, Sections 7542.4, 7542.5, 7542.6, 7542.9, 7542.10, 7542.11, and 7542.12.

(c) A licensee or qualified manager of a licensee who possesses a valid firearms qualification card may carry a firearm capable of being concealed upon the person in a concealed manner if that person complies with applicable provisions set forth in Chapter 4 (commencing with Section 26150) of Division 5 of Title 4 of Part 6 of the Penal Code.

(d) If a firearms qualification card is denied, the denial shall be in writing and shall describe the basis for the denial. The denial shall inform the applicant that if the applicant desires a review by the Private Investigator Disciplinary Review Committee to contest the denial, the review shall be requested of the director within 30 days following the issuance of the denial. A review or hearing shall be held pursuant to Section 7519.3. However, no review or hearing shall be granted to an individual who is otherwise prohibited by law from carrying a firearm.

(e) (1) If a firearms qualification card is denied on the basis of the results of an assessment pursuant to Section 7583.47, the denial shall be in writing and shall describe the basis for the denial. The denial shall inform the applicant that if the applicant desires to contest the denial, the applicant shall request a hearing within 30 days of the issuance of the denial.

(2) Appeals of denials pursuant to this subdivision shall be in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(f) (1) Subparagraph (A) of paragraph (1) of subdivision (a) shall not apply to either of the following:

(A) A peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, who has successfully completed a course of study, approved by the Commission on Peace Officer Standards and Training, in the exercise of the power to arrest.

(B) A federal qualified law enforcement officer, as defined in Section 926B of Title 18 of the United States Code, who has successfully completed a course of study in the exercise of the power to arrest.

(2) Subparagraph (B) of paragraph (1) of subdivision (a) shall not apply to either of the following:

(A) A peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, who has successfully completed a course of study in the use of firearms.

(B) A federal qualified law enforcement officer, as defined in Section 926B of Title 18 of the United States Code, who has successfully completed a course of study in the use of firearms.

(g) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 2. Section 7542 is added to the Business and Professions Code, to read:

7542. (a) (1) A licensee or qualified manager of a licensee who, in the course of that person's employment or business, carries a deadly weapon shall complete a training course in the carrying and use of firearms, as specified in Sections 7585, 7585.1, 7585.2, and 7585.6.

(2) A licensee or qualified manager of a licensee shall not carry or use a firearm unless that person has met the requirements of Sections 7542.2, 7542.3, and 7542.7 and possesses a valid firearms qualification card.

(b) A licensee or qualified manager of a licensee who possesses a valid firearms qualification card shall comply with, and be subject to, Sections 7542.4, 7542.5, 7542.6, 7542.9, 7542.10, 7542.11, and 7542.12.

(c) A licensee or qualified manager of a licensee who possesses a valid firearms qualification card may carry a firearm capable of being concealed upon the person in a concealed manner if that person complies with applicable provisions set forth in Chapter 4 (commencing with Section 26150) of Division 5 of Title 4 of Part 6 of the Penal Code.

(d) If a firearms qualification card is denied, the denial shall be in writing and shall describe the basis for the denial. The denial shall inform the applicant that if the applicant desires a review by the Private Investigator Disciplinary Review Committee to contest the denial, the review shall be requested of the director within 30 days following the issuance of the denial. A review or hearing shall be held pursuant to Section 7519.3. However, no review or hearing shall be granted to an individual who is otherwise prohibited by law from carrying a firearm.

(e) (1) If a firearms qualification card is denied on the basis of the results of an assessment pursuant to Section 7583.47, the denial shall be in writing and shall describe the basis for the denial. The denial shall inform the applicant that if the applicant desires to contest the denial, the applicant shall request a hearing within 30 days of the issuance of the denial.

(2) Appeals of denials pursuant to this subdivision shall be in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(f) Paragraph (1) of subdivision (a) shall not apply to either of the following:

(1) A peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, who has successfully completed a course of study in the use of firearms.

(2) A federal qualified law enforcement officer, as defined in Section 926B of Title 18 of the United States Code, who has successfully completed a course of study in the use of firearms.

(g) This section shall become operative on January 1, 2023.

SEC. 3. Section 7574.18 of the Business and Professions Code is amended to read:

7574.18. (a) Except for a person who has completed the course of training required by Section 7583.45, a person registered and hired as a proprietary private security officer shall complete training in security officer skills within six months from the date upon

which registration is issued, or within six months of their employment with a proprietary private security employer.

(b) (1) Except as provided in paragraph (2), a course provider shall issue a certificate to a proprietary private security officer upon satisfactory completion of a required course, conducted in accordance with the department's requirements.

(2) If a proprietary private security employer administers a course of training pursuant to this section, that proprietary private security employer shall issue a certificate to a proprietary private security officer for the completion of training in security officer skills that each proprietary private security officer is required to complete, as determined by the department, including, but not limited to, power-to-arrest training. However, the employer shall not be required to provide a certificate for training courses provided pursuant to a curriculum adopted by the department that are specific to that employer's business and where the subject of training is not specifically required by the department.

(c) An employer of a proprietary private security officer may provide training programs and courses in addition to the training required in this section.

(d) The department shall develop and establish by regulation a standard course and curriculum, which shall include a minimum number of hours of instruction, for the skills training required by subdivision (a) to promote and protect the safety of persons and the security of property. For this purpose, the regulations adopted by the department pursuant to Section 7574.5, as added by Chapter 721 of the Statutes of 2007, are continued in existence, and shall be amended by the department as necessary.

(e) The course of training required by subdivision (a) may be administered, tested, and certified by any proprietary private security employer, organization, or school approved by the department. The department may approve any proprietary private security employer, organization, or school to teach the course.

(f) (1) A proprietary private security employer shall annually provide each employee registered pursuant to this chapter with specifically dedicated review or practice of security officer skills prescribed in the training required in this section. The bureau shall adopt and approve by regulation the minimum number of hours required for annual review.

(2) A proprietary private security employer shall maintain at the principal place of business or branch office a record verifying completion of the review or practice training for a period of not less than two years. The records shall be available for inspection by the department upon request.

(g) This section does not apply to a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, who has successfully completed a course of study in the exercise of the power to arrest approved by the Commission on Peace Officer Standards and Training. This section does not apply to armored vehicle guards.

(h) A person registered and hired as a proprietary private security officer may submit Verification of Military Experience and Training (VMET) records that document that the person has completed equivalent military training in lieu of completing a course of training in security officer skills pursuant to subdivision (a). The department shall determine the type of equivalent military training that qualifies to serve as a substitute.

(i) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 4. Section 7574.18 is added to the Business and Professions Code, to read:

7574.18. (a) Except for a person who has completed the course of training required by Section 7583.45, a person registered and hired as a proprietary private security officer shall complete training in security officer skills within six months from the date upon which registration is issued, or within six months of their employment with a proprietary private security employer.

(b) (1) Except as provided in paragraph (2), a course provider shall issue a certificate to a proprietary private security officer upon satisfactory completion of a required course, conducted in accordance with the department's requirements.

(2) If a proprietary private security employer administers a course of training pursuant to this section, that proprietary private security employer shall issue a certificate to a proprietary private security officer for the completion of training in security officer skills that each proprietary private security officer is required to complete, as determined by the department, including, but not limited to, training in the exercise of the power to arrest and the appropriate use of force. However, the employer shall not be

required to provide a certificate for training courses provided pursuant to a curriculum adopted by the department that are specific to that employer's business and where the subject of training is not specifically required by the department.

(c) An employer of a proprietary private security officer may provide training programs and courses in addition to the training required in this section.

(d) The department shall develop and establish by regulation a standard course and curriculum, which shall include a minimum number of hours of instruction, for the skills training required by subdivision (a) to promote and protect the safety of persons and the security of property. For this purpose, the regulations adopted by the department pursuant to Section 7574.5, as added by Chapter 721 of the Statutes of 2007, are continued in existence, and shall be amended by the department as necessary.

(e) The course of training required by subdivision (a) may be administered, tested, and certified by any proprietary private security employer, organization, or school approved by the department. The department may approve any proprietary private security employer, organization, or school to teach the course.

(f) (1) A proprietary private security employer shall annually provide each employee registered pursuant to this chapter with specifically dedicated review or practice of security officer skills prescribed in the training required in this section. The bureau shall adopt and approve by regulation the minimum number of hours required for annual review.

(2) A proprietary private security employer shall maintain at the principal place of business or branch office a record verifying completion of the review or practice training for a period of not less than two years. The records shall be available for inspection by the department upon request.

(g) This section does not apply to a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, who has successfully completed a course of study in the exercise of the power to arrest and the appropriate use of force approved by the Commission on Peace Officer Standards and Training. This section does not apply to armored vehicle guards.

(h) A person registered and hired as a proprietary private security officer may submit Verification of Military Experience and

Training (VMET) records that document that the person has completed equivalent military training in lieu of completing a course of training in security officer skills pursuant to subdivision (a). The department shall determine the type of equivalent military training that qualifies to serve as a substitute.

(i) This section shall become operative on January 1, 2023.

SEC. 5. Section 7583.2 of the Business and Professions Code is amended to read:

7583.2. A person licensed as a private patrol operator shall not do any of the following:

(a) Fail to properly maintain an accurate and current record of all firearms or other deadly weapons that are in the possession of the licensee or of any employee while on duty. Within seven days after a licensee or the licensee's employees discover that a deadly weapon that has been recorded as being in the licensee's possession has been misplaced, lost, or stolen, or is in any other way missing, the licensee or their manager shall mail or deliver to any local law enforcement agency that has jurisdiction, a written report concerning the incident. The report shall describe fully the circumstances surrounding the incident, any injuries or damages incurred, the identity of all participants, and whether a police investigation was conducted.

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

(c) Fail to properly maintain an accurate and current record of proof of completion by each employee of the licensee of the trainings and for the retention period specified in Section 7583.6.

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

(e) Permit any employee to carry a firearm or other deadly weapon without first ascertaining that the employee is proficient in the use of each weapon to be carried. With respect to firearms, evidence of proficiency shall include a certificate from a firearm training facility approved by the director certifying that the employee is proficient in the use of that specified caliber of firearm and a current and valid firearm qualification permit issued by the department. With respect to other deadly weapons, evidence of proficiency shall include a certificate from a training facility

approved by the director certifying that the employee is proficient in the use of that particular deadly weapon.

(f) Fail to deliver to the director a written report describing the circumstances surrounding the discharge of any firearm, or physical altercation with a member of the public while on duty, by a licensee or any officer, partner, or employee of a licensee while acting within the course and scope of their employment within seven business days after the qualifying incident. For the purposes of this subdivision, a report shall be required only for physical altercations that result in any of the following: (1) the arrest of a security guard, (2) the filing of a police report by a member of the public, (3) a member of the public requiring any type of first aid or other medical attention, (4) the discharge, suspension, or reprimand of a security guard by their employer, or (5) any physical use of force or violence on any person while on duty. The report shall include, but not be limited to, a description of any injuries or damages incurred, the identity of all participants, and whether a police investigation was conducted. Any report may be investigated by the director to determine if any disciplinary action is necessary.

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

(h) Fail to administer to each registered employee of the licensee, the review or practice training required by subdivision (e) of Section 7583.6.

SEC. 6. Section 7583.3 of the Business and Professions Code is amended to read:

7583.3. No person required to be registered as a security guard pursuant to this chapter shall do any of the following:

(a) Fail to carry on their person, while on duty, a valid and current security guard registration card, or if pending receipt of the registration card after the bureau's approval, a hardcopy printout of the approved security guard registration information from the bureau's internet website and a valid picture identification pursuant to Section 7583.17.

(b) Fail to carry on their person when carrying a firearm on duty either a valid and current firearms permit, or if pending receipt of the permit after the bureau's approval, a hardcopy printout of the approved firearms permit information from the bureau's internet

website and a valid picture identification pursuant to Section 7583.12.

(c) Carry or use a firearm unless they possess a valid and current firearms permit that is associated with a valid and current security guard registration issued pursuant to this chapter.

(d) Fail to report to their employer within 24 hours of the incident the circumstances surrounding any incident involving the discharge of any firearm in which they are involved while acting within the course and scope of their employment.

(e) Carry or use a firearm or baton, as authorized by this chapter, unless the security guard is an employee of a private patrol operator licensee or an employee of the state or a political subdivision of the state.

SEC. 7. Section 7583.5 of the Business and Professions Code is amended to read:

7583.5. (a) Every licensee and any person employed and compensated by a licensee, other lawful business, or public agency as a security guard or patrolperson, and who in the course of that employment or business carries a firearm, shall complete a course of training in the exercise of the powers to arrest and a course of training in the carrying and use of firearms. This subdivision shall not apply to armored vehicle guards hired prior to January 1, 1977. Armored vehicle guards hired on or after January 1, 1977, shall complete a course of training in the carrying and use of firearms, but shall not be required to complete a course of training in the exercise of the powers to arrest. The course of training in the carrying and use of firearms shall not be required of any employee who is not required or permitted by a licensee to carry or use firearms. The course in the carrying and use of firearms and the course of training in the exercise of the powers to arrest shall meet the standards which shall be prescribed by the Department of Consumer Affairs. The department shall encourage restraint and caution in the use of firearms.

(b) No licensee or uniformed employee of a licensee shall carry or use any firearm unless the licensee or employee has in their possession a valid firearms qualification card.

(c) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 8. Section 7583.5 is added to the Business and Professions Code, to read:

7583.5. (a) Every licensee and any person employed and compensated by a licensee, other lawful business, or public agency as a security guard or patrolperson, and who in the course of that employment or business carries a firearm, shall complete a course of training in the exercise of the power to arrest and the appropriate use of force and a course of training in the carrying and use of firearms. This subdivision shall not apply to armored vehicle guards hired prior to January 1, 1977. Armored vehicle guards hired on or after January 1, 1977, shall complete a course of training in the carrying and use of firearms, but shall not be required to complete a course of training in the exercise of the power to arrest and the appropriate use of force. The course of training in the carrying and use of firearms shall not be required of any employee who is not required or permitted by a licensee to carry or use firearms. The course in the carrying and use of firearms and the course of training in the exercise of the power to arrest and the appropriate use of force shall meet the standards which shall be prescribed by the Department of Consumer Affairs. The department shall encourage restraint and caution in the use of firearms.

(b) No licensee or uniformed employee of a licensee shall carry or use any firearm unless the licensee or employee has in their possession a valid firearms qualification card.

(c) This section shall become operative on January 1, 2023.

SEC. 9. Section 7583.6 of the Business and Professions Code is amended to read:

7583.6. (a) Each applicant for a security guard registration shall complete a course in the exercise of the power to arrest as a condition for the issuance of the registration. A course provider authorized to provide the training pursuant to Section 7583.7 shall issue a certificate of completion to the person upon satisfactory completion of the training. The course provider shall conduct the training in accordance with Section 7583.7 and any applicable regulations adopted by the bureau.

(b) Except for a registrant who has completed the course of training required by Section 7583.45, a security guard registrant shall complete not less than 32 hours of training in security officer skills within six months from the date an initial registration is issued. A security guard registrant shall complete 16 of the 32 hours within 30 days from the date the registration is issued.

(c) A course provider, which is authorized to provide the training required by subdivision (b) pursuant to subdivision (f), shall issue a certificate of completion to a registrant after the registrant completes each training course. The course provider shall conduct the trainings in accordance with any applicable regulations adopted by the bureau subject to this chapter.

(d) (1) A registrant who is unable to provide their employing licensee the certificate of satisfactory completion of the training required by subdivision (a) shall complete the training within six months of the registrant's employment date.

(2) A registrant who is unable to provide their employing licensee the certificate of satisfactory completion of the training required by subdivision (b) shall complete 16 hours of the training within 30 days of the registrant's employment date and shall complete the 16 remaining hours within six months of the registrant's employment date.

(e) A registrant shall annually complete eight hours of specifically dedicated review or practice of security officer skills prescribed in this section, Section 7583.7, or by the bureau by regulation.

(f) The trainings specified in this section may be administered, tested, and certified by one of the following:

(1) Any licensee.

(2) Any training facility certified pursuant to this chapter.

(3) Any organization or school approved by the bureau. The bureau shall approve any instructor of an organization or school who will administer the trainings specified in this section to ensure that the organization or school complies with the requirements of this chapter, as well as any applicable regulations.

(g) (1) A registrant shall maintain the certificate of completion the registrant received for each training course prescribed in this section until the registration expires or has been canceled. The registrant shall provide the records to the bureau upon request.

(2) A licensee shall maintain at the principal place of business or branch office a record for each of its registrant employees verifying completion of the trainings required by this section for the duration of the registrant's employment. The records shall be available for inspection by the bureau upon request.

(h) This section does not apply to a peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2

of the Penal Code who has successfully completed a course of study in the exercise of the power to arrest approved by the Commission on Peace Officer Standards and Training, or a federal qualified law enforcement officer, as defined in Section 926B of Title 18 of the United States Code, who has successfully completed a course of study in the exercise of the power to arrest. This section does not apply to armored vehicle guards.

(i) The bureau shall develop and approve by regulation a standard course and curriculum for the skills trainings required by this section to promote and protect the safety of persons and the security of property.

(j) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 10. Section 7583.6 is added to the Business and Professions Code, to read:

7583.6. (a) Each applicant for a security guard registration shall complete a course in the exercise of the power to arrest and the appropriate use of force as a condition for the issuance of the registration. A course provider authorized to provide the training pursuant to Section 7583.7 shall issue a certificate of completion to the person upon satisfactory completion of the training. The course provider shall conduct the training in accordance with Section 7583.7 and any applicable regulations adopted by the bureau.

(b) Except for a registrant who has completed the course of training required by Section 7583.45, a security guard registrant shall complete not less than 32 hours of training in security officer skills within six months from the date an initial registration is issued. A security guard registrant shall complete 16 of the 32 hours within 30 days from the date the registration is issued.

(c) A course provider, which is authorized to provide the training required by subdivision (b) pursuant to subdivision (f), shall issue a certificate of completion to a registrant after the registrant completes each training course. The course provider shall conduct the trainings in accordance with any applicable regulations adopted by the bureau subject to this chapter.

(d) (1) A registrant who is unable to provide their employing licensee the certificate of satisfactory completion of the training required by subdivision (a) shall complete the training within six months of the registrant's employment date.

(2) A registrant who is unable to provide their employing licensee the certificate of satisfactory completion of the training required by subdivision (b) shall complete 16 hours of the training within 30 days of the registrant's employment date and shall complete the 16 remaining hours within six months of the registrant's employment date.

(e) A registrant shall annually complete eight hours of specifically dedicated review or practice of security officer skills prescribed in this section, Section 7583.7, or by the bureau by regulation.

(f) The trainings specified in this section may be administered, tested, and certified by one of the following:

(1) Any licensee.

(2) Any training facility certified pursuant to this chapter.

(3) Any organization or school approved by the bureau. The bureau shall approve any instructor of an organization or school who will administer the trainings specified in this section to ensure that the organization or school complies with the requirements of this chapter, as well as any applicable regulations.

(g) (1) A registrant shall maintain the certificate of completion the registrant received for each training course prescribed in this section until the registration expires or has been canceled. The registrant shall provide the records to the bureau upon request.

(2) A licensee shall maintain at the principal place of business or branch office a record for each of its registrant employees verifying completion of the trainings required by this section for the duration of the registrant's employment. The records shall be available for inspection by the bureau upon request.

(h) This section does not apply to a peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code who has successfully completed a course of study in the exercise of the power to arrest and the appropriate use of force approved by the Commission on Peace Officer Standards and Training or a federal qualified law enforcement officer, as defined in Section 926B of Title 18 of the United States Code, who has successfully completed a course of study in the exercise of the power to arrest and the appropriate use of force.

(i) This section does not apply to armored vehicle guards.

(j) (1) The bureau shall develop and approve by regulation a standard course and curriculum for the skills trainings required by

this section to promote and protect the safety of persons and the security of property.

(2) The bureau shall develop an outline for the course and curriculum described in paragraph (1) in consultation with the Commission on Peace Officer Standards and Training.

(k) This section shall become operative on January 1, 2023.

SEC. 11. Section 7583.7 of the Business and Professions Code is amended to read:

7583.7. (a) The course of training in the exercise of the power to arrest may be administered, tested, and certified by any licensee or by any organization or school approved by the department. The department may approve any person or school to teach the course in the exercise of the power to arrest. The course of training shall be approximately eight hours in length and shall cover the following topics:

- (1) Responsibilities and ethics in citizen arrest.
 - (2) Relationship between a security guard and a peace officer in making an arrest.
 - (3) Limitations on security guard power to arrest.
 - (4) Restrictions on searches and seizures.
 - (5) Criminal and civil liabilities.
 - (A) Personal liability.
 - (B) Employer liability.
 - (6) Trespass law.
 - (7) Ethics and communications.
 - (8) Emergency situation response, including response to medical emergencies.
 - (9) Security officer safety.
 - (10) Any other topic deemed appropriate by the bureau.
- (b) The majority of the course shall be taught by means of verbal instruction. This instruction may include the use of a video presentation.
- (c) The department shall make available a guidebook as a standard for teaching the course in the exercise of the power to arrest. The department shall encourage additional training and may provide a training guide recommending additional courses to be taken by security personnel.
- (d) Private patrol operators shall provide a copy of the guidebook described in subdivision (c) to each person that they currently employ as a security guard and to each individual that they intend

to hire as a security guard. The private patrol operator shall provide the guidebook to each person they intend to hire as a security guard a reasonable time prior to the time the person begins the course in the exercise of the power to arrest.

(e) The bureau may inspect, supervise, or view the administration of the test at any time and without any prior notification. Any impropriety in the administration of the course or the test shall constitute grounds for disciplinary action.

(f) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 12. Section 7583.7 is added to the Business and Professions Code, to read:

7583.7. (a) The course of training in the exercise of the power to arrest and the appropriate use of force may be administered, tested, and certified by any licensee or by any organization or school approved by the department. The department may approve any person or school to teach the course in the exercise of the power to arrest and the appropriate use of force. The department may review and provide more guidance on courses of training when best practices are updated. The course of training shall be approximately eight hours in length and shall cover all of the following topics:

- (1) Responsibilities and ethics in citizen arrest.
- (2) Relationship between a security guard and a peace officer in making an arrest.
- (3) Limitations on security guard power to arrest.
- (4) Restrictions on searches and seizures.
- (5) Criminal and civil liabilities, including both of the following:
 - (A) Personal liability.
 - (B) Employer liability.
- (6) Trespass law.
- (7) Ethics and communications.
- (8) Emergency situation response, including response to medical emergencies.
- (9) Security officer safety.
- (10) The appropriate use of force, including all of the following topics:
 - (A) Legal standards for use of force.
 - (B) Duty to intercede.
 - (C) The use of objectively reasonable force.

(D) Supervisory responsibilities.

(E) Use of force review and analysis.

(F) Deescalation and interpersonal communication training, including tactical methods that use time, distance, cover, and concealment, to avoid escalating situations that lead to violence.

(G) Implicit and explicit bias and cultural competency.

(H) Skills, including deescalation techniques, to effectively, safely, and respectfully interact with people with disabilities or behavioral health issues.

(I) Use of force scenario training, including simulations of low-frequency, high-risk situations and calls for service, shoot-or-don't-shoot situations, and real-time force option decisionmaking.

(J) Mental health and policing, including bias and stigma.

(K) Active shooter situations.

(11) Any other topic deemed appropriate by the bureau, excluding Weapons of Mass Destruction and Terrorism Awareness, which may be an elective topic only.

(b) (1) The majority of the course shall be taught by means of verbal instruction. This instruction may include the use of a video presentation.

(2) Paragraph (10) of subdivision (a) shall be conducted through traditional classroom instruction. For the purposes of this paragraph, "traditional classroom instruction" means instruction where the instructor is physically present with students in a classroom for a minimum of 50 percent of the course and is available at all times, including during instruction provided through distance learning or remote platforms, to answer students' questions while providing the required training. In this setting, the instructor provides demonstrations and hands-on instruction in order to establish each student's proficiency as to the course content.

(c) The department shall make available a guidebook as a standard for teaching the course in the exercise of the power to arrest and the appropriate use of force. The department shall encourage additional training and may provide a training guide recommending additional courses to be taken by security personnel.

(d) Private patrol operators may provide a copy of the guidebook described in subdivision (c) to each person that they currently employ as a security guard. The private patrol operator may provide the guidebook to each person the private patrol operator intends

to hire as a security guard a reasonable time prior to the time the person begins the course in the exercise of the power to arrest and the appropriate use of force.

(e) The bureau may inspect, supervise, or view the administration of the test at any time and without any prior notification. Any impropriety in the administration of the course or the test shall constitute grounds for disciplinary action.

(f) This section shall become operative on January 1, 2023.

SEC. 13. Section 7583.10 of the Business and Professions Code is amended to read:

7583.10. The application shall be verified and shall include all of the following:

(a) The full name, residence address, telephone number, and date of birth of the applicant.

(b) The name of the entity that administered the course in the exercise of the power to arrest to the applicant.

(1) If the course provider is a licensee, the bureau-issued license number and the license expiration date.

(2) If the course provider is a certified firearms training facility or baton training facility, the bureau-issued facility certificate number and the certificate expiration date.

(3) If the course provider is an approved trainer in the exercise of the power to arrest, the approved trainer number issued by the bureau.

(c) The name of the person who taught the course in the exercise of the power to arrest completed by the applicant.

(d) The serial number on the certificate of completion the course provider issued to the applicant upon completion of the course in the exercise of the power to arrest.

(e) A statement that the applicant has completed the training course in the exercise of the power to arrest, as specified in Section 7583.7.

(f) A statement as to whether the applicant has been convicted of a misdemeanor, excluding minor traffic violations.

(g) A statement as to whether the applicant has been convicted of a felony.

(h) The application fee provided for in this chapter or the regulations adopted pursuant thereto, except as provided in Section 7583.9.

(i) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 14. Section 7583.10 is added to the Business and Professions Code, to read:

7583.10. The application shall be verified and shall include all of the following:

(a) The full name, residence address, telephone number, and date of birth of the applicant.

(b) The name of the entity that administered the course in the exercise of the power to arrest and the appropriate use of force to the applicant.

(1) If the course provider is a licensee, the bureau-issued license number and the license expiration date.

(2) If the course provider is a certified firearms training facility or baton training facility, the bureau-issued facility certificate number and the certificate expiration date.

(3) If the course provider is an approved trainer in the exercise of the power to arrest and the appropriate use of force, the approved trainer number issued by the bureau.

(c) The name of the person who taught the course in the exercise of the power to arrest and the appropriate use of force completed by the applicant.

(d) The serial number on the certificate of completion the course provider issued to the applicant upon completion of the course in the exercise of the power to arrest and the appropriate use of force.

(e) A statement that the applicant has completed the training course in the exercise of the power to arrest and the appropriate use of force, as specified in Section 7583.7.

(f) A statement as to whether the applicant has been convicted of a misdemeanor, excluding minor traffic violations.

(g) A statement as to whether the applicant has been convicted of a felony.

(h) The application fee provided for in this chapter or the regulations adopted pursuant thereto, except as provided in Section 7583.9.

(i) This section shall become operative on January 1, 2023.

SEC. 15. Section 7585 of the Business and Professions Code is amended to read:

7585. The course of training in the carrying and usage of firearms, the satisfactory completion of which shall be required

of applicants who wish to obtain a firearms qualification card, shall be in the format prescribed by the Department of Consumer Affairs as delineated in the bureau's "Firearms Training Manual." The course of training contained in the manual shall include, but not be limited to, the following:

- (a) Moral and legal aspects of firearms usage.
- (b) Firearms nomenclature and maintenance.
- (c) Weapon handling and shooting fundamentals.
- (d) Emergency procedures.
- (e) Prequalification range training, including the firing of practice rounds.
- (f) Qualification course of fire.
- (g) Examination which has been provided by the bureau of the subject matter taught.
- (h) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 16. Section 7585 is added to the Business and Professions Code, to read:

7585. The course of training in the carrying and usage of firearms, the satisfactory completion of which shall be required of applicants who wish to obtain a firearms qualification card, shall be in the format prescribed by the Department of Consumer Affairs as delineated in the bureau's "Firearms Training Manual." The course of training contained in the manual shall include, but not be limited to, the following:

- (a) Moral and legal aspects of firearms usage.
- (b) Firearms nomenclature and maintenance.
- (c) Weapon handling and shooting fundamentals.
- (d) Emergency procedures.
- (e) Prequalification range training, including the firing of practice rounds.
- (f) Qualification course of fire.
- (g) Examination which has been provided by the bureau of the subject matter taught.
- (h) The appropriate use of force, as described in paragraph (10) of subdivision (a) of Section 7583.7.
- (i) This section shall become operative on January 1, 2023.

SEC. 17. Section 7585.6 of the Business and Professions Code is amended to read:

7585.6. (a) All firearms course material provided to the certificate holder in the “Firearms Training Manual” issued by the bureau shall be covered in each class session. Any course textbook or manual developed to be used by a firearm training facility as a course in the carrying and usage of firearms shall include the aspects of employee restraint and defensive missions of security guards in addition to following the format delineated in the bureau’s “Firearms Training Manual” and shall be examined and approved by the bureau prior to use. Once the bureau has approved the textbooks or manuals, all firearm training facilities shall be required to instruct in accordance with one of the textbooks or manuals. In no event shall the class instruction total less than eight hours for the initial firearms qualification.

The range instruction for the initial firearms qualification shall not exceed eight hours and shall cover the following subjects:

- (1) Range safety and procedure.
- (2) Demonstration and dry firing.
- (3) Practice rounds.
- (4) Qualification firing.

(b) If a person fails to successfully complete the range instruction, that person may, at the discretion of the firearms training facility, continue range instruction for an additional eight hours. However, the person shall, in order to receive a firearms qualification card, be required to successfully pass the range instruction within 30 days of the passage of the classroom instruction.

(c) Prior to range instruction a person shall participate in the classroom instruction and pass a bureau-developed examination of the subject matter with a minimum score of 85 percent. If a person fails to pass the written examination, they shall once more participate in the entire classroom instruction prior to retaking the examination. In no event shall a firearm instructor review the examination question by question with a person, allow a person to review the examination questions and answers, or in any manner assist a person with the examination.

(d) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 18. Section 7585.6 is added to the Business and Professions Code, to read:

7585.6. (a) All firearms course material provided to the certificate holder in the “Firearms Training Manual” issued by the bureau shall be covered in each class session. In no event shall the class instruction total less than eight hours for the initial firearms qualification.

The range instruction for the initial firearms qualification shall not exceed eight hours and shall cover the following subjects:

- (1) Range safety and procedure.
- (2) Demonstration and dry firing.
- (3) Practice rounds.
- (4) Qualification firing.

(b) If a person fails to successfully complete the range instruction, that person may, at the discretion of the firearms training facility, continue range instruction for an additional eight hours. However, the person shall, in order to receive a firearms qualification card, be required to successfully pass the range instruction within 30 days of the passage of the classroom instruction.

(c) Prior to range instruction a person shall participate in the classroom instruction and pass a bureau-developed examination of the subject matter with a minimum score of 85 percent. If a person fails to pass the written examination, they shall once more participate in the entire classroom instruction prior to retaking the examination. In no event shall a firearm instructor review the examination question by question with a person, allow a person to review the examination questions and answers, or in any manner assist a person with the examination.

(d) This section shall become operative on January 1, 2023.

SEC. 19. Section 7587.1 of the Business and Professions Code is amended to read:

7587.1. Notwithstanding Section 477, a firearm qualification card and a baton permit shall be considered a license subject to the terms of this section.

Notwithstanding the assessment or payment of fines for any violations of this chapter, the director may deny, suspend, or revoke a license issued under this chapter if they determine that the licensee or their manager, if an individual, or if the licensee is a person other than an individual, that any of its officers, directors, partners, or its manager, has:

(a) Made any false statement or given any false information in connection with an application for a license or a renewal or reinstatement of a license.

(b) Violated any provisions of this chapter.

(c) Violated any rule of the director adopted pursuant to the authority contained in this chapter.

(d) Committed any act or crime constituting grounds for denial of licensure under Section 480, including illegally using, carrying, or possessing a deadly weapon.

(e) Impersonated, or permitted or aided and abetted an employee to impersonate a law enforcement officer or employee of the United States of America, or of any state or political subdivision thereof.

(f) Committed or permitted any employee to commit any act, while the license was expired which would be cause for the suspension or revocation of a license, or grounds for the denial of an application for a license.

(g) Willfully failed or refused to render to a client services or a report as agreed between the parties and for which compensation has been paid or tendered in accordance with the agreement of the parties.

(h) Committed assault, battery, or kidnapping, or used force or violence on any person, without proper justification.

(i) Knowingly violated, or advised, encouraged, or assisted the violation of any court order or injunction in the course of business as a licensee.

(j) Acted as a runner or capper for any attorney.

(k) Been convicted of a violation of Section 148 of the Penal Code.

(l) Committed any act which is a ground for denial of an application for a license under this chapter.

(m) Committed any act prohibited by Chapter 1.5 (commencing with Section 630) of Title 15 of Part 1 of the Penal Code.

(n) Purchased, possessed, or transported any tear gas weapon except as authorized by law. A violation of this subdivision may be punished by the suspension of a license for a period to be determined by the director.

(o) Been convicted of a violation of Section 95.3 of the Penal Code.

(p) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 20. Section 7587.1 is added to the Business and Professions Code, to read:

7587.1. Notwithstanding Section 477, a firearm qualification card and a baton permit shall be considered a license subject to the terms of this section.

Notwithstanding the assessment or payment of fines for any violations of this chapter, the director may deny, suspend, or revoke a license issued under this chapter if they determine that the licensee or their manager, if an individual, or if the licensee is a person other than an individual, that any of its officers, directors, partners, or its manager, has:

(a) Made any false statement or given any false information in connection with an application for a license or a renewal or reinstatement of a license.

(b) Violated any provisions of this chapter.

(c) Violated any rule of the director adopted pursuant to the authority contained in this chapter.

(d) Committed any act or crime constituting grounds for denial of licensure under Section 480, including illegally using, carrying, or possessing a deadly weapon.

(e) Impersonated, or permitted or aided and abetted an employee to impersonate a law enforcement officer or employee of the United States of America, or of any state or political subdivision thereof.

(f) Committed or permitted any employee to commit any act, while the license was expired which would be cause for the suspension or revocation of a license, or grounds for the denial of an application for a license.

(g) Willfully failed or refused to render to a client services or a report as agreed between the parties and for which compensation has been paid or tendered in accordance with the agreement of the parties.

(h) Committed assault, battery, or kidnapping, or used force or violence on any person, without proper justification or any use of force in violation of the standards prescribed by the bureau by regulation.

(i) Knowingly violated, or advised, encouraged, or assisted the violation of any court order or injunction in the course of business as a licensee.

(j) Acted as a runner or capper for any attorney.

(k) Been convicted of a violation of Section 148 of the Penal Code.

(l) Committed any act which is a ground for denial of an application for a license under this chapter.

(m) Committed any act prohibited by Chapter 1.5 (commencing with Section 630) of Title 15 of Part 1 of the Penal Code.

(n) Purchased, possessed, or transported any tear gas weapon except as authorized by law. A violation of this subdivision may be punished by the suspension of a license for a period to be determined by the director.

(o) Been convicted of a violation of Section 95.3 of the Penal Code.

(p) This section shall become operative on January 1, 2023.

SEC. 21. Section 7587.8 of the Business and Professions Code is amended to read:

7587.8. The director may assess fines for the following acts pursuant to Article 4 (commencing with Section 7583) only as follows:

(a) Violation of subdivisions (a), (b), and (c) of Section 7583.2; five hundred dollars (\$500) per violation.

(b) Violation of subdivisions (g) and (h) of Section 7583.2; two hundred fifty dollars (\$250) per violation.

(c) Violation of subdivision (f) of Section 7583.2; five thousand dollars (\$5,000).

(d) Violation of subdivision (e) of Section 7583.2; two thousand five hundred dollars (\$2,500) per violation, notwithstanding any other provision of law.

SEC. 22. Section 7587.9 of the Business and Professions Code is amended to read:

7587.9. The director may assess fines for the following acts pursuant to Article 4 (commencing with Section 7583) only as follows:

(a) Violation of subdivisions (a) and (b) of Section 7583.3; one hundred fifty dollars (\$150) per violation.

(b) Violation of subdivision (c) or (e) of Section 7583.3; five hundred dollars (\$500) for the first violation and one thousand dollars (\$1,000) per violation for each violation thereafter.

(c) Violation of Section 7583.4; five hundred dollars (\$500) per violation.

SEC. 23. Section 7596 of the Business and Professions Code is amended to read:

7596. (a) Every person licensed, registered, or designated under this chapter, who in the course of their employment carries a firearm, shall complete a course of training in the carrying and use of firearms and shall receive a firearms qualification card prior to the carrying of such a firearm and shall complete a course in the exercise of the powers to arrest. A registration card issued by the bureau pursuant to Section 7598.14 may also serve as a firearms qualification card if so indicated on the face of the card.

(b) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 24. Section 7596 is added to the Business and Professions Code, to read:

7596. (a) Every person licensed, registered, or designated under this chapter, who in the course of their employment carries a firearm, shall complete a course of training in the carrying and use of firearms and shall receive a firearms qualification card prior to the carrying of such a firearm and shall complete a course in the exercise of the power to arrest and the appropriate use of force. A registration card issued by the bureau pursuant to Section 7598.14 may also serve as a firearms qualification card if so indicated on the face of the card.

(b) This section shall become operative on January 1, 2023.

SEC. 25. Section 7596.3 of the Business and Professions Code is amended to read:

7596.3. The director shall issue a firearms permit when all of the following conditions exist:

(a) The applicant is a licensee, a qualified manager of a licensee, a designated branch office manager of a licensee, or a registered alarm agent. A firearms permit may only be associated with the following:

- (1) A sole owner of a sole ownership licensee.
- (2) A partner of a partnership licensee.
- (3) A qualified manager of a licensee.
- (4) A designated branch office manager of a licensee.
- (5) A registered alarm agent.

(b) The applicant has filed with the bureau a classifiable fingerprint card, a completed application for a firearms permit on a form prescribed by the director, dated and signed by the applicant,

certifying under penalty of perjury that the information in the application is true and correct. In lieu of a classifiable fingerprint card, the applicant may submit fingerprints into an electronic fingerprinting system administered by the Department of Justice. An applicant who submits their fingerprints by electronic means shall have their fingerprints entered into the system through a terminal operated by a law enforcement agency or other facility authorized by the Department of Justice to conduct electronic fingerprinting. The terminal operator may charge a fee sufficient to reimburse it for the costs incurred in providing this service.

(c) A certified firearms training instructor certifies that the applicant has successfully completed the bureau-approved training course in the carrying and use of firearms.

(d) The applicant has provided the bureau with evidence that the applicant has completed a course in the exercise of the powers to arrest.

(e) The applicant is at least 21 years of age and the bureau has determined, after investigation, that the carrying and use of a firearm by the applicant, in the course of their duties, presents no apparent threat to the public safety, or the carrying and use of a firearm by the applicant is not in violation of the Penal Code.

(f) The applicant has produced evidence to the firearm training facility that the applicant is a citizen of the United States or has permanent legal immigration status in the United States. Evidence of citizenship or permanent legal immigration status shall be that deemed sufficient by the bureau to ensure compliance with federal laws prohibiting possession of firearms by persons unlawfully in the United States and may include, but not be limited to, Department of Justice, Immigration and Naturalization Service Form I-151 or United States Citizenship and Immigration Services Form I-551 (Permanent Resident Card), naturalization documents, or birth certificates evidencing lawful residence or status in the United States.

(g) The application is accompanied by the fee prescribed in this chapter.

(h) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 25.5. Section 7596.3 of the Business and Professions Code is amended to read:

7596.3. The director shall issue a firearms permit when all of the following conditions exist:

(a) The applicant is a licensee, a qualified manager of a licensee, a designated branch office manager of a licensee, or a registered alarm agent. A firearms permit may only be associated with the following:

- (1) A sole owner of a sole ownership licensee.
- (2) A partner of a partnership licensee.
- (3) A qualified manager of a licensee.
- (4) A designated branch office manager of a licensee.
- (5) A registered alarm agent.

(b) The applicant has filed with the bureau a classifiable fingerprint card, a completed application for a firearms permit on a form prescribed by the director, dated and signed by the applicant, certifying under penalty of perjury that the information in the application is true and correct. In lieu of a classifiable fingerprint card, the applicant may submit fingerprints into an electronic fingerprinting system administered by the Department of Justice. An applicant who submits their fingerprints by electronic means shall have their fingerprints entered into the system through a terminal operated by a law enforcement agency or other facility authorized by the Department of Justice to conduct electronic fingerprinting. The terminal operator may charge a fee sufficient to reimburse it for the costs incurred in providing this service.

(c) (1) A bureau-certified firearms training instructor certifies that the applicant has successfully completed a written examination prepared by the bureau and a training course in the carrying and use of firearms approved by the bureau.

(2) An applicant who is a bureau-certified firearms training instructor is prohibited from self-certifying as having successfully carried out the requirement of paragraph (1) and shall instead carry out the requirements under another bureau-certified firearms training instructor.

(d) The applicant has provided the bureau with evidence that the applicant has completed a course in the exercise of the powers to arrest.

(e) The applicant is at least 21 years of age and the bureau has determined, after investigation, that the carrying and use of a firearm by the applicant, in the course of their duties, presents no

apparent threat to the public safety, or the carrying and use of a firearm by the applicant is not in violation of the Penal Code.

(f) The applicant has produced evidence to the firearm training facility that the applicant is a citizen of the United States or has permanent legal immigration status in the United States. Evidence of citizenship or permanent legal immigration status shall be that deemed sufficient by the bureau to ensure compliance with federal laws prohibiting possession of firearms by persons unlawfully in the United States and may include, but not be limited to, Department of Justice, Immigration and Naturalization Service Form I-151 or United States Citizenship and Immigration Services Form I-551 (Permanent Resident Card), naturalization documents, or birth certificates evidencing lawful residence or status in the United States.

(g) The application is accompanied by the fee prescribed in this chapter.

(h) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 26. Section 7596.3 is added to the Business and Professions Code, to read:

7596.3. The director shall issue a firearms permit when all of the following conditions exist:

(a) The applicant is a licensee, a qualified manager of a licensee, a designated branch office manager of a licensee, or a registered alarm agent. A firearms permit may only be associated with the following:

- (1) A sole owner of a sole ownership licensee.
- (2) A partner of a partnership licensee.
- (3) A qualified manager of a licensee.
- (4) A designated branch office manager of a licensee.
- (5) A registered alarm agent.

(b) The applicant has filed with the bureau a classifiable fingerprint card, a completed application for a firearms permit on a form prescribed by the director, dated and signed by the applicant, certifying under penalty of perjury that the information in the application is true and correct. In lieu of a classifiable fingerprint card, the applicant may submit fingerprints into an electronic fingerprinting system administered by the Department of Justice. An applicant who submits their fingerprints by electronic means shall have their fingerprints entered into the system through a

terminal operated by a law enforcement agency or other facility authorized by the Department of Justice to conduct electronic fingerprinting. The terminal operator may charge a fee sufficient to reimburse it for the costs incurred in providing this service.

(c) A certified firearms training instructor certifies that the applicant has successfully completed the bureau-approved training course in the carrying and use of firearms.

(d) The applicant has provided the bureau with evidence that the applicant has completed a course in the exercise of the power to arrest and the appropriate use of force.

(e) The applicant is at least 21 years of age and the bureau has determined, after investigation, that the carrying and use of a firearm by the applicant, in the course of their duties, presents no apparent threat to the public safety, or the carrying and use of a firearm by the applicant is not in violation of the Penal Code.

(f) The applicant has produced evidence to the firearm training facility that the applicant is a citizen of the United States or has permanent legal immigration status in the United States. Evidence of citizenship or permanent legal immigration status shall be that deemed sufficient by the bureau to ensure compliance with federal laws prohibiting possession of firearms by persons unlawfully in the United States and may include, but not be limited to, Department of Justice, Immigration and Naturalization Service Form I-151 or United States Citizenship and Immigration Services Form I-551 (Permanent Resident Card), naturalization documents, or birth certificates evidencing lawful residence or status in the United States.

(g) The application is accompanied by the fee prescribed in this chapter.

(h) This section shall become operative on January 1, 2023.

SEC. 26.5. Section 7596.3 is added to the Business and Professions Code, to read:

7596.3. The director shall issue a firearms permit when all of the following conditions exist:

(a) The applicant is a licensee, a qualified manager of a licensee, a designated branch office manager of a licensee, or a registered alarm agent. A firearms permit may only be associated with the following:

- (1) A sole owner of a sole ownership licensee.
- (2) A partner of a partnership licensee.

- (3) A qualified manager of a licensee.
- (4) A designated branch office manager of a licensee.
- (5) A registered alarm agent.

(b) The applicant has filed with the bureau a classifiable fingerprint card, a completed application for a firearms permit on a form prescribed by the director, dated and signed by the applicant, certifying under penalty of perjury that the information in the application is true and correct. In lieu of a classifiable fingerprint card, the applicant may submit fingerprints into an electronic fingerprinting system administered by the Department of Justice. An applicant who submits their fingerprints by electronic means shall have their fingerprints entered into the system through a terminal operated by a law enforcement agency or other facility authorized by the Department of Justice to conduct electronic fingerprinting. The terminal operator may charge a fee sufficient to reimburse it for the costs incurred in providing this service.

(c) (1) A bureau-certified firearms training instructor certifies that the applicant has successfully completed a written examination prepared by the bureau and a training course in the carrying and use of firearms approved by the bureau.

(2) An applicant who is a bureau-certified firearms training instructor is prohibited from self-certifying as having successfully carried out the requirement of paragraph (1) and shall instead carry out the requirements under another bureau-certified firearms training instructor.

(d) The applicant has provided the bureau with evidence that the applicant has completed a course in the exercise of the power to arrest and the appropriate use of force.

(e) The applicant is at least 21 years of age and the bureau has determined, after investigation, that the carrying and use of a firearm by the applicant, in the course of their duties, presents no apparent threat to the public safety, or the carrying and use of a firearm by the applicant is not in violation of the Penal Code.

(f) The applicant has produced evidence to the firearm training facility that the applicant is a citizen of the United States or has permanent legal immigration status in the United States. Evidence of citizenship or permanent legal immigration status shall be that deemed sufficient by the bureau to ensure compliance with federal laws prohibiting possession of firearms by persons unlawfully in the United States and may include, but not be limited to,

Department of Justice, Immigration and Naturalization Service Form I-151 or United States Citizenship and Immigration Services Form I-551 (Permanent Resident Card), naturalization documents, or birth certificates evidencing lawful residence or status in the United States.

(g) The application is accompanied by the fee prescribed in this chapter.

(h) This section shall become operative on January 1, 2023.

SEC. 27. Section 7598.1 of the Business and Professions Code is amended to read:

7598.1. (a) Every person entering the employ of a licensee, performing the function of an alarm agent who responds to alarm systems shall complete a course in the exercise of the power to arrest, prior to being assigned to a duty location responding to an alarm system.

(b) Evidence of completion shall consist of certification by the licensee or instructor that the exercise of the power to arrest course has been taught, the date the course was taught, and certification by the employee that the instruction was received. Evidence of completion of the power to arrest course shall be maintained in the licensee's employee records and made available to the bureau upon request.

(c) A qualified manager is not required to register under this article.

(d) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 28. Section 7598.1 is added to the Business and Professions Code, to read:

7598.1. (a) Every person entering the employ of a licensee, performing the function of an alarm agent who responds to alarm systems shall complete a course in the exercise of the power to arrest and the appropriate use of force, prior to being assigned to a duty location responding to an alarm system.

(b) Evidence of completion shall consist of certification by the licensee or instructor that the course in the exercise of the power to arrest and the appropriate use of force has been taught, the date the course was taught, and certification by the employee that the instruction was received. Evidence of completion of the course in the exercise of the power to arrest and the appropriate use of force

shall be maintained in the licensee's employee records and made available to the bureau upon request.

(c) A qualified manager is not required to register under this article.

(d) This section shall become operative on January 1, 2023.

SEC. 29. Section 7598.2 of the Business and Professions Code is amended to read:

7598.2. (a) The course of training in the exercise of the power to arrest may be administered, tested, and certified by any licensee. The department may approve any person or school to teach the course in the exercise of the power to arrest. The course of training shall be approximately two hours in length and cover the following topics:

- (1) Responsibilities and ethics in citizen arrest.
- (2) Relationship with the public police in arrest.
- (3) Limitations on security guard power to arrest.
- (4) Restrictions on searches and seizures.
- (5) Criminal and civil liabilities.
- (A) Personal liability.
- (B) Employer liability.

(b) The department shall make available a guidebook as a standard for teaching the course in the exercise of the power to arrest. The department shall encourage additional training and may provide a training guide recommending additional courses.

(c) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 30. Section 7598.2 is added to the Business and Professions Code, to read:

7598.2. (a) The course of training in the exercise of the power to arrest and the appropriate use of force may be administered, tested, and certified by any licensee. The department may approve any person or school to teach the course in the exercise of the power to arrest and the appropriate use of force. The course of training shall be approximately four hours in length and cover the following topics:

- (1) Responsibilities and ethics in citizen arrest.
- (2) Relationship with the public police in arrest.
- (3) Limitations on security guard power to arrest.
- (4) Restrictions on searches and seizures.
- (5) Criminal and civil liabilities.

- (A) Personal liability.
- (B) Employer liability.
- (6) The appropriate use of force, including all of the following topics:
 - (A) Legal standards for use of force.
 - (B) Duty to intercede.
 - (C) The use of objectively reasonable force.
 - (D) Supervisory responsibilities.
 - (E) Use of force review and analysis.
 - (F) Deescalation and interpersonal communication training, including tactical methods that use time, distance, cover, and concealment, to avoid escalating situations that lead to violence.
 - (G) Implicit and explicit bias and cultural competency.
 - (H) Skills, including deescalation techniques, to effectively, safely, and respectfully interact with people with disabilities or behavioral health issues.
 - (I) Use of force scenario training, including simulations of low-frequency, high-risk situations and calls for service, shoot-or-don't-shoot situations, and real-time force option decisionmaking.
 - (J) Mental health and policing, including bias and stigma.
 - (K) Active shooter situations.
- (7) Any other topic deemed appropriate by the bureau, excluding Weapons of Mass Destruction and Terrorism Awareness, which may be an elective topic only.
 - (b) Paragraph (6) of subdivision (a) shall be conducted through traditional classroom instruction. For the purposes of this subdivision, “traditional classroom instruction” means instruction where the instructor is physically present with students in a classroom and is available to answer students’ questions while providing the required training. In this setting, the instructor provides demonstrations and hands-on instruction in order to establish each student’s proficiency as to the course content.
 - (c) The department shall make available a guidebook as a standard for teaching the course in the exercise of the power to arrest and the appropriate use of force. The department shall encourage additional training and may provide a training guide recommending additional courses.
 - (d) This section shall become operative on January 1, 2023.

SEC. 31. Section 7598.3 of the Business and Professions Code is amended to read:

7598.3. (a) No employee of a licensee performing the function of an alarm agent who responds to alarm systems shall be issued a firearms qualification card until proper certification by the instructor that the exercise of the power to arrest course has been taught and the employee's certification that the instruction was received has been delivered to the department.

(b) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 32. Section 7598.3 is added to the Business and Professions Code, to read:

7598.3. (a) No employee of a licensee performing the function of an alarm agent who responds to alarm systems shall be issued a firearms qualification card until proper certification by the instructor that the course of training in the exercise of the power to arrest and the appropriate use of force has been taught, and the employee's certification that the instruction was received, has been delivered to the department.

(b) This section shall become operative on January 1, 2023.

SEC. 33. Section 7599.37 of the Business and Professions Code is amended to read:

7599.37. (a) Each licensee shall maintain an accurate and current record of proof of completion of the course of training in the exercise of the power to arrest as required by Section 7598.1, by each of their employees. A violation of this section may result in a fine of five hundred dollars (\$500) for each violation.

(b) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 34. Section 7599.37 is added to the Business and Professions Code, to read:

7599.37. (a) Each licensee shall maintain an accurate and current record of proof of completion of the course of training in the exercise of the power to arrest and the appropriate use of force as required by Section 7598.1, by each of their employees. A violation of this section may result in a fine of five hundred dollars (\$500) for each violation.

(b) This section shall become operative on January 1, 2023.

SEC. 35. Section 7599.38 of the Business and Professions Code is amended to read:

7599.38. (a) Each licensee shall certify an employee's completion of the course of training in the exercise of power to arrest, or obtain proof that the training has been administered by a bureau-approved training facility, prior to allowing the employee to respond to an alarm system as required by Section 7598.1. A violation of this section may result in a fine of five hundred dollars (\$500) for each violation.

(b) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

SEC. 36. Section 7599.38 is added to the Business and Professions Code, to read:

7599.38. (a) Each licensee shall certify an employee's completion of the course of training in the exercise of the power to arrest and the appropriate use of force, or obtain proof that the training has been administered by a bureau-approved training facility, prior to allowing the employee to respond to an alarm system as required by Section 7598.1. A violation of this section may result in a fine of five hundred dollars (\$500) for each violation.

(b) This section shall become operative on January 1, 2023.

SEC. 37. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 38. (a) Section 25.5 of this bill incorporates amendments to Section 7596.3 of the Business and Professions Code proposed by both this bill and Assembly Bill 830. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2022, (2) each bill amends Section 7596.3 of the Business and Professions Code, and (3) this bill is enacted after Assembly Bill 830, in which case Section 25 of this bill shall not become operative.

(b) Section 26.5 of this bill incorporates amendments to Section 7596.3 of the Business and Professions Code proposed by both this bill and Assembly Bill 830. That section of this bill shall only

become operative if (1) both bills are enacted and become effective on or before January 1, 2022, (2) each bill amends Section 7596.3 of the Business and Professions Code, and (3) this bill is enacted after Assembly Bill 830, in which case Section 26 of this bill shall not become operative.

Approved _____, 2021

Governor