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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 3. PROFESSIONS AND VOCATIONS GENERALLY [5000 - 9998.11] (*Heading of Division 3 added by Stats. 1939, Ch. 30.)*

CHAPTER 11.4. Proprietary Security Services [7574 - 7576] (*Chapter 11.4 repealed (in Sec. 2) and added by Stats. 2009, Ch. 361, Sec. 2.)*

ARTICLE 2. Registration [7574.10 - 7574.16] (*Article 2 added by Stats. 2009, Ch. 361, Sec. 2.)*

7574.10. No person shall engage in the business of a proprietary private security officer unless registered with the department pursuant to this chapter.

(*Added by Stats. 2009, Ch. 361, Sec. 2. (SB 741) Effective January 1, 2010. Section operative January 1, 2011, pursuant to Section 7574.16.*)

7574.11. (a) An applicant seeking registration as a proprietary private security officer shall apply to the department on forms provided by the department.

(b) An application for registration as a proprietary private security officer shall include, but not be limited to, the following:

(1) Submission of fingerprints for submission to the Department of Justice.

(A) The department shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice for all proprietary private security officer registration applicants, as defined by subdivision (f) of Section 7574.01, for the purposes of obtaining information as to the existence and content of a record of state or federal convictions and state or federal arrests and also information as to the existence and content of a record of state or federal arrests for which the Department of Justice establishes that the person is free on bail or on his or her own recognizance pending trial or appeal.

(B) When received, the Department of Justice shall forward to the Federal Bureau of Investigation requests for federal summary criminal history information received pursuant to this section. The Department of Justice shall review the information returned from the Federal Bureau of Investigation and compile and disseminate a response to the department.

(C) The Department of Justice shall provide a state and federal level response to the department pursuant to paragraph (1) of subdivision (p) of Section 11105 of the Penal Code.

(D) The department shall request from the Department of Justice subsequent arrest notification service, as provided pursuant to Section 11105.2 of the Penal Code, for persons described in subdivision (a).

(E) The Department of Justice shall charge a fee sufficient to cover the cost of processing the request described in this section.

(2) A fee that shall be at least fifty-five dollars (\$55) and may be increased to an amount not to exceed sixty dollars (\$60).

(c) Upon approval of an application for registration as a proprietary private security officer by the director, the chief shall cause to be issued to the applicant a registration card in a form approved by the director. A registration card shall be valid for two years from the date of issue.

(d) A person may work as a proprietary private security officer pending receipt of the registration card if he or she has been approved by the director and carries on his or her person a hardcopy printout of the bureau's approval from the bureau's Internet Web site and either a valid driver's license issued pursuant to Section 12811 of the Vehicle Code or a valid identification card issued pursuant to Section 13000 of the Vehicle Code.

(e) The fee for a lost or destroyed registration card shall be twenty-five dollars (\$25). The request for a replacement of a registration card, license, or certificate shall be made in the manner prescribed by the bureau.

(f) A registered proprietary private security officer shall apply for renewal biennially with the department on forms provided by the department. The department shall charge a renewal fee that shall be at least forty dollars (\$40) and may be increased to an amount not to exceed forty-four dollars (\$44).

(g) This section shall become operative on July 1, 2018.

(Repealed (in Sec. 26) and added by Stats. 2017, Ch. 429, Sec. 27. (SB 547) Effective January 1, 2018. Section operative July 1, 2018, by its own provisions.)

7574.12. No person shall engage in the business of a proprietary private security employer unless registered with the department pursuant to this chapter. However, a proprietary private security employer meeting one of the requirements of Section 7574.14 shall be considered exempt from registration.

(Added by Stats. 2009, Ch. 361, Sec. 2. (SB 741) Effective January 1, 2010. Section operative January 1, 2011, pursuant to Section 7574.16.)

7574.13. (a) An applicant seeking registration as a proprietary private security employer shall apply to the department on forms provided by the department.

(b) An application for registration as a proprietary private security employer shall include, but not be limited to, a designated responsible person and a fee that shall be at least three hundred fifty dollars (\$350) and may be increased to an amount not to exceed three hundred eighty-five dollars (\$385).

(c) Upon approval of an application for registration as a proprietary private security employer by the director, the chief shall cause to be issued to the applicant a registration certificate in a form approved by the director. A registration certificate shall be valid for two years from the date of issue.

(d) A registered proprietary private security employer shall apply for renewal biennially with the department on forms provided by the department. The department shall charge a renewal fee that shall be at least three hundred fifty dollars (\$350) and may be increased to an amount not to exceed three hundred eighty-five dollars (\$385).

(e) The fee for the replacement of a lost or destroyed registration card shall be twenty-five dollars (\$25). The request for a replacement of a registration card, license, or certificate shall be made in the manner prescribed by the bureau.

(Amended by Stats. 2022, Ch. 287, Sec. 1. (AB 2515) Effective January 1, 2023.)

7574.14. This chapter shall not apply to the following:

(a) An officer or employee of the United States of America, or of this state or a political subdivision thereof, while the officer or employee is engaged in the performance of their official duties, including uniformed peace officers employed part time by a public agency pursuant to a written agreement between a chief of police or sheriff and the public agency, provided the part-time employment does not exceed 50 hours in a calendar month.

(b) Patrol special police officers appointed by the police commission of a city, county, or city and county under the express terms of its charter who also under the express terms of the charter (1) are subject to suspension or dismissal after a hearing on charges duly filed with the commission after a fair and impartial trial, (2) must be not less than 18 years of age nor more than 40 years of age, (3) must possess physical qualifications prescribed by the commission, and (4) are designated by the police commission as the owners of a certain beat or territory as may be fixed from time to time by the police commission.

(c) A peace officer of this state or a political subdivision thereof while the peace officer is employed by a private employer to engage in off-duty employment in accordance with Section 1126 of the Government Code. However, nothing herein shall exempt such a peace officer who either contracts for their services or the services of others as a private patrol operator or contracts for their services as or is employed as an armed private security officer. For purposes of this subdivision, "armed security officer" means an individual who carries or uses a firearm in the course and scope of that contract or employment.

(d) A retired peace officer of the state or political subdivision thereof when the retired peace officer is employed by a private employer in employment approved by the chief law enforcement officer of the jurisdiction where the employment takes place, provided that the retired officer is in a uniform of a public law enforcement agency, has registered with the bureau on a form approved by the director, and has met any training requirements or their equivalent as established for security personnel under Section 7583.5. This officer may not carry an unloaded and exposed handgun unless the officer is exempted under the provisions of Article 2 (commencing with Section 26361) of Chapter 6 of Division 5 of Title 4 of Part 6 of the Penal Code, may not carry an unloaded firearm that is not a handgun unless the officer is exempted under the provisions of Article 2 (commencing with Section 26405) of Chapter 7 of Division 5 of Title 4 of Part 6 of the Penal Code, and may not carry a loaded or concealed firearm unless the officer is exempted under the provisions of Sections 25450 to 25475, inclusive, of the Penal Code or Sections 25900 to 25910, inclusive, of the Penal Code or has met the requirements set forth in subdivision (d) of Section 26030 of the Penal Code. However, nothing herein shall exempt the retired peace officer who contracts for their services or the services of others as a private patrol operator.

(e) A peace officer in their official police uniform acting in accordance with subdivisions (c) and (d) of Section 70 of the Penal Code.

(f) An unarmed, uniformed security person employed exclusively and regularly by a motion picture studio facility employer who does not provide contract security services for other entities or persons in connection with the affairs of that employer only and where there exists an employer-employee relationship if that person at no time carries or uses a deadly weapon, as defined in subdivision (a), in the performance of their duties, which may include, but are not limited to, the following business purposes:

- (1) The screening and monitoring access of employees of the same employer.
- (2) The screening and monitoring access of prearranged and preauthorized invited guests.
- (3) The screening and monitoring of vendors and suppliers.
- (4) Patrolling the private property facilities for the safety and welfare of all who have been legitimately authorized to have access to the facility.

(g) An armored contract carrier operating armored vehicles pursuant to the authority of the Department of the California Highway Patrol or the Public Utilities Commission, or an armored vehicle guard employed by an armored contract carrier.

(h) A federally recognized tribe that has one or more employees who provide unarmed security services only for the federally recognized tribe and an unarmed individual employed by a federally recognized tribe to provide security services only for the federally recognized tribe.

(Amended by Stats. 2024, Ch. 484, Sec. 27. (SB 1454) Effective January 1, 2025.)

7574.15. (a) The director may refuse to approve a proprietary private security officer or proprietary private security employer registration pursuant to this chapter to a person who has had any license or registration revoked, or whose license or registration is under suspension, or who has failed to renew his or her license or registration while it was under suspension.

(b) The director may refuse to issue a proprietary private security officer or proprietary private security employer registration to a person who has committed any act that, if committed by a registrant, would be grounds for refusing to issue a registration, or for the suspension or revocation of a registration issued pursuant to this chapter.

(c) The director may refuse to approve a proprietary private security officer registration pursuant to Section 7574.11 to a person who has committed any act or crime constituting grounds for denial under Section 480.

(Added by Stats. 2009, Ch. 361, Sec. 2. (SB 741) Effective January 1, 2010. Section operative January 1, 2011, pursuant to Section 7574.16.)

7574.16. This article shall become operative on January 1, 2011.

(Added by Stats. 2009, Ch. 361, Sec. 2. (SB 741) Effective January 1, 2010. Note: This section prescribes a delayed operative date for Article 2, commencing with Section 7574.10.)