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SB-609 Professions and vocations. (2019-2020)

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Date Published: 09/30/2019 09:00 PM

Senate Bill No. 609

CHAPTER 377

An act to amend Sections 6980.17, 6981, 7502.6, 7504.7, 7506.10, 7511.5, 7523, 7523.5, 7528, 7532, 7541.2, 7542.2, 7564, 7570, 7573.5, 7576, 7583.2, 7583.6, 7583.8, 7583.9, 7583.10, 7583.12, 7583.15, 7583.16, 7583.19, 7583.20, 7583.23, 7585.8, 7587.8, 7587.15, 7588.6, 7588.8, 7590.5, 7591.9, 7596.3, 7596.7, 7596.81, and 7599.80 of, and to repeal and add Section 7571 of, the Business and Professions Code, relating to professions and vocations.

[Approved by Governor September 27, 2019. Filed with Secretary of State September 27, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SB 609, Glazer. Professions and vocations.

(1) The Private Investigator Act provides for the licensure and regulation of private investigators and requires the Bureau of Security and Investigative Services to consider, and authorizes the bureau to require, an applicant for licensure as a private investigator to submit proof of satisfactory completion of a course in professional ethics. That act authorizes the bureau to specify which courses and course providers satisfy the requirement if the bureau requires an applicant to submit proof of satisfactory completion of a course in professional ethics.

This bill would require the bureau, if it requires an applicant to submit proof of satisfactory completion of a course in professional ethics, to both specify which courses and course providers satisfy the requirement and to make that information available on its internet website.

(2) Existing law, the Private Security Services Act, a violation of which is a crime, provides for the regulation of private patrol operators by the Bureau of Security and Investigative Services within the Department of Consumer Affairs. Existing law requires a licensee to maintain an accurate and current record verifying that each of their employees has completed specified training related to security officer skills. Existing law requires that a licensee maintain the records for at least 2 years and make the records available to the bureau upon request.

This bill would revise those provisions to, among other things, require that a security guard registrant maintain records verifying completion of certain required trainings, and to similarly maintain the certificate of completion of those trainings for at least 2 years from the date the trainings were completed and provide the bureau those records upon request.

(3) Existing law requires a course provider to issue a certificate to a security guard upon satisfactory completion of a required course and permits a private patrol operator to provide additional training programs and courses. Existing law requires that the department develop and approve by regulation a standard course and curriculum for specified security officer skills training. Existing law authorizes those trainings to be administered, tested, and certified by any licensee or any organization or school approved by the department.

This bill would instead require that a course provider issue a certificate of completion to a registrant after the registrant completes each training course, and would require each training course to meet certain requirements. This bill would require the bureau to develop and approve by regulation a standard course and curriculum for specified security officer skills training. This bill would authorize certain trainings to be administered, tested, and certified by a certified training facility or an organization or school approved by the bureau. This bill would require that the bureau approve any instructor of an organization or school who is used to administer those trainings.

(4) Existing law prohibits an employee of a licensee who performs the function of a security guard or security patrolperson from being issued a registration card without first meeting specified requirements. Existing law requires that an employee who performs the function of a security guard or security patrolperson but is not registered with the bureau, upon accepting employment by a private patrol operator, complete and submit an application for registration, as specified.

This bill would instead prohibit a licensee from permitting an employee to perform the functions of a security guard without certifying that the person holds a current and valid security guard registration. This bill would make conforming changes to that effect.

(5) Existing law requires the licensee to maintain supplies of applications and fingerprint cards that must be provided by the bureau upon request. Existing law requires an employee, on the first day of employment and at the request of the client thereafter, to display to the client their registration card, as specified.

This bill would delete those provisions.

(6) Existing law requires that an application be verified and include specified information regarding, among other things, the employer's address and license number.

This bill would modify the information required on that application by no longer requiring the employer's address and license number, and by requiring the application to include, among other things, the provider of the course in the exercise of the power to arrest.

(7) Existing law requires a registration card to expire by a specified date, and establishes a process for a registrant to renew their registration. Existing law authorizes a registrant whose registration has been renewed but who has not yet received a renewed registration card by the time that their prior registration has expired to, for 90 days after the expiration of the card, continue to meet registration requirements by providing evidence of renewal.

This bill would instead authorize a registrant to work as a security guard pending receipt of the renewed registration card if the renewed registration card has not been delivered to the registrant before the expiration of the prior registration, but the bureau has renewed the registration.

(8) Existing law requires a firearm training facility, before allowing a person to participate in the course of training in the carrying and usage of firearms, to verify and certify that they have seen documentation verifying that the person is a United States citizen or possesses permanent legal alien status in the United States.

This bill would require a firearms training facility to also verify and certify that they have seen the documentation specified above before allowing a person to participate in the requalification course in carrying and using a firearm.

(9) Existing law provides for the licensure and regulation of locksmiths by the Bureau of Security and Investigative Services and requires an application for a locksmith license to be made in writing and filed with the Chief of the Bureau of Security and Investigative Services.

This bill would delete the requirement that the application be made in writing.

(10) The Alarm Company Act requires the Director of Consumer Affairs to issue a firearms permit to an applicant who is a licensee under the act, a qualified manager of a licensee, a designated branch officer of a licensee, or a registered alarm agent who meets specified requirements. The Private Security Services Act requires the bureau to issue a firearms permit to a licensee, a qualified manager of a licensee, or a registered security guard who meets specified requirements. The Private Investigator Act requires the bureau to issue a firearms permit to an applicant who is a licensee or a qualified manager of a licensee who meets specified requirements. Existing law prohibits the director from renewing a firearms qualification card unless specified requirements are met, including that the applicant has successfully passed a written examination.

This bill would require an applicant for a firearms permit under the above-specified provisions to be at least 21 years of age. The bill would, on an ongoing basis, require an applicant for a firearms qualification card to produce evidence to the firearm training facility that the applicant is a citizen of the United States or has permanent legal alien status in the United States.

(11) Existing law provides that the powers and duties of the Bureau of Security and Investigative Services under the Alarm Company Act, the Collateral Recovery Act, the Private Security Services Act, the Proprietary Security Services Act, the Private Investigator Act, and under the provisions regulating locksmiths are subject to review by the appropriate policy committees of the Legislature and requires the review to be performed as if the act were scheduled to be repealed as of January 1, 2020.

This bill would revise that date to January 1, 2024.

(12) Existing law establishes the Private Investigator Fund and directs money derived from the Private Investigator Act to be deposited into that fund and expended for purposes of the act upon appropriation by the Legislature.

This bill would abolish that fund and direct money derived under the act to be deposited into the Private Security Services Fund. The bill would increase the amounts of various fees under the act, including the application and examination fee, the branch office certificate fee, the fee for an original private investigator license, the fee to obtain a certificate of licensure, and the reexamination fee for applicants and qualified managers. The bill would increase the processing fee for the assignment of a license. The bill would establish a fee of \$25 for an endorsed verification for licensure, certification, or permit and would limit the reinstatement fee following a suspension to not more than 50% of the renewal fee. The bill would make the provisions revising fees operative on July 1, 2020.

(13) This bill would make other conforming and nonsubstantive changes, including deleting obsolete provisions.

(14) Because the bill would expand the scope of a crime under the Private Security Services Act, and by expanding the crime of perjury, the bill would impose a state-mandated local program.

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.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 6980.17 of the Business and Professions Code is amended to read:

6980.17. (a) An application for a locksmith license shall be made and filed with the chief in the form as may be required by the director, and shall be accompanied by the application fee prescribed by this chapter. The chief may require the submission of any other relevant information, evidence, statements, or documents.

(b) Every application for a locksmith license shall state, among other things that may be required, the name of the applicant, the name under which the applicant will do business, and the location by street, number, and city of the office of the business for which the license is sought.

(c) No license shall be issued in any fictitious name that may be confused with, or that is similar to, any federal, state, county, or municipal governmental function or agency, or to any law enforcement agency, or in any name that may tend to describe any business function or enterprise not actually engaged in by the applicant.

(d) No license shall be issued in any fictitious name that is misleading or would constitute false advertising.

SEC. 2. Section 6981 of the Business and Professions Code is amended to read:

6981. Notwithstanding any other law, the powers and duties of the bureau, as set forth in this chapter, shall be subject to review by the appropriate policy committees of the Legislature. The review shall be performed as if this chapter were scheduled to be repealed as of January 1, 2024.

SEC. 3. Section 7502.6 of the Business and Professions Code is amended to read:

7502.6. (a) The superior court in and for the county wherein any person carries on, or attempts to carry on, business as a repossession agency without first having obtained a license pursuant to this chapter, or carries on that business after the revocation or expiration of any license or during the period of suspension of any license, may, on application of the director, or any person licensed under this act or association representing those licensees or any member of the general public, issue an injunction or other appropriate order restraining that conduct and may impose civil fines not exceeding ten thousand dollars (\$10,000).

(b) A proceeding to impose the fine specified in subdivision (a) and enjoin the unlicensed operation of a repossession agency business may be brought in any court of competent jurisdiction in the name of the people of the State of California by the Attorney General or by any district attorney or city attorney, or with the consent of the district attorney, by a city prosecutor in any city or city and county having a full-time city prosecutor, for the jurisdiction in which the unlicensed activity has occurred. If the action is brought by a district attorney, the penalty collected shall be paid to the treasurer of the county in which the judgment is entered. If the action is brought by a city attorney or city prosecutor, one-half of the penalty collected shall be paid to the treasurer of the city in which the judgment was entered, and one-half to the treasurer of the county in which the judgment was entered. If the action is brought by the Attorney General, all of the penalty collected shall be deposited in the Private Security Services Fund.

(c) The proceedings under this section shall be governed by Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure, except that there shall be no requirement to allege facts necessary to show or tending to show lack of an adequate remedy at law or irreparable injury.

SEC. 4. Section 7504.7 of the Business and Professions Code is amended to read:

7504.7. (a) Except as provided in this section, every qualification certificate issued or renewed under this chapter is subject to the same renewal provisions that apply to a repossession agency license as set forth in Sections 7503.10, 7503.11, 7503.12, 7503.13, and 7503.14.

(b) An initial qualification certificate shall expire one year following the date of issuance, unless renewed as provided in this chapter.

(c) A renewal qualification certificate shall expire two years following the date of renewal, unless renewed as provided in this chapter.

SEC. 5. Section 7506.10 of the Business and Professions Code is amended to read:

7506.10. (a) Every initial registration shall expire one year following the date of issuance, unless renewed as provided in this section, which shall expire on December 31, 1985, and every year thereafter, unless renewed as provided in this section. A renewal registration shall expire two years following the date of renewal, unless renewed as provided in this section.

(b) At least 60 days prior to the expiration, the bureau shall mail a renewal form to the registrant at the licensee's place of business. A registrant who desires to renew their registration shall forward to the bureau for each registration the properly completed renewal form obtained from the bureau, with the renewal fee prescribed by this chapter, for renewal of their registration. Until the registration renewal certificate is issued, a registrant may continue to work with a temporary registration renewal certificate on a secure form prescribed by the chief and issued by the qualified certificate holder that has been embossed by the bureau with the state seal for a period not to exceed 120 days from the date of expiration of the registration.

(c) A licensee shall provide to their registrants information regarding procedures for renewal of registration.

(d) A registration that is not renewed within 60 days after its expiration may not be renewed. If the registration is renewed within 60 days after its expiration, the registrant, as a condition precedent to renewal, shall pay the renewal fee and also pay the delinquency fee prescribed in this chapter. Registrants working with expired registrations shall pay all accrued fees and penalties prior to renewal or reregistration.

(e) Upon renewal, evidence of renewal, as the director may prescribe, shall be issued to the registrant. If evidence of renewal has not been delivered to the registrant prior to the date of expiration, the registrant may present evidence of renewal to substantiate continued registration for a period not to exceed 60 days after the date of expiration or a temporary registration renewal certificate, as described in subdivision (b).

(f) A registration shall not be renewed until any and all fines assessed pursuant to this chapter and not resolved in accordance with this chapter have been paid.

SEC. 6. Section 7511.5 of the Business and Professions Code is amended to read:

7511.5. Notwithstanding any other law, the powers and duties of the bureau, as set forth in this chapter, shall be subject to review by the appropriate policy committees of the Legislature. The review shall be performed as if this chapter were scheduled to be repealed as of January 1, 2024.

SEC. 7. Section 7523 of the Business and Professions Code is amended to read:

7523. (a) Unless specifically exempted by Section 7522, no person shall engage in the business of private investigator, as defined in Section 7521, unless that person has applied for and received a license to engage in that business pursuant to this

chapter.

(b) Any person who violates any provision of this chapter or who conspires with another person to violate any provision of this chapter, relating to private investigator licensure, or who knowingly engages a nonexempt unlicensed person is guilty of a misdemeanor punishable by a fine of five thousand dollars (\$5,000) or by imprisonment in the county jail not to exceed one year, or by both that fine and imprisonment.

(c) A proceeding to impose the fine specified in subdivision (b) may be brought in any court of competent jurisdiction in the name of the people of the State of California by the Attorney General or by any district attorney or city attorney, or with the consent of the district attorney, the city prosecutor in any city or city and county having a full-time city prosecutor for the jurisdiction in which the violation occurred. If the action is brought by the district attorney, the penalty collected shall be paid to the treasurer of the county in which the judgment is entered. If the action is brought by a city attorney or city prosecutor, one-half of the penalty collected shall be paid to the treasurer of the city in which the judgment was entered and one-half to the treasurer of the county in which the judgment was entered. If the action is brought by the Attorney General, all of the penalties collected shall be deposited in the Private Security Services Fund.

(d) Any person who: (1) acts as or represents themselves to be a private investigator licensee under this chapter when that person is not a licensee under this chapter; (2) falsely represents that the person is employed by a licensee under this chapter when that person is not employed by a licensee under this chapter; (3) carries a badge, identification card, or business card, indicating that the person is a licensee under this chapter when that person is not a licensee under this chapter; (4) uses a letterhead or other written or electronically generated materials indicating that the person is a licensee under this chapter when that person is not a licensee under this chapter; or (5) advertises that the person is a licensee under this chapter when that person is not a licensee, is guilty of a misdemeanor that is punishable by a fine of ten thousand dollars (\$10,000) or by imprisonment in a county jail for not more than one year, or by both that fine and imprisonment.

(e) A proceeding to impose the fine specified in subdivision (d) may be brought in any court of competent jurisdiction in the name of the people of the State of California by the Attorney General or by any district attorney or city attorney, or with the consent of the district attorney, the city prosecutor in any city or city and county having a full-time city prosecutor for the jurisdiction in which the violation occurred. If the action is brought by the district attorney, the penalty collected shall be paid to the treasurer of the county in which the judgment is entered. If the action is brought by a city attorney or city prosecutor, one-half of the penalty collected shall be paid to the treasurer of the city in which the judgment was entered and one-half to the treasurer of the county in which the judgment was entered. If the action is brought by the Attorney General, all of the penalty collected shall be deposited in the Private Security Services Fund.

(f) Any person who is convicted of a violation of the provisions of this section shall not be issued a license under this chapter, within one year following that conviction.

(g) Any person who is convicted of a violation of subdivision (a), (b), or (d) shall not be issued a license for a period of one year following a first conviction and shall not be issued a license for a period of five years following a second or subsequent conviction of subdivision (a), (b), or (d), or any combination of subdivision (a), (b), or (d).

(h) The chief shall gather evidence of violations of this chapter and of any rule or regulation established pursuant to this chapter by persons engaged in the business of private investigator who fail to obtain a license and shall gather evidence of violations and furnish that evidence to prosecuting officers of any county or city for the purpose of prosecuting all violations occurring within their jurisdiction.

(i) The prosecuting officer of any county or city shall prosecute all violations of this chapter occurring within their jurisdiction.

SEC. 8. Section 7523.5 of the Business and Professions Code is amended to read:

7523.5. (a) The superior court in and for the county wherein any person has engaged or is about to engage in any act which constitutes a violation of Section 7523 may, upon a petition filed by the bureau with the approval of the director, issue an injunction or other appropriate order restraining this conduct and may impose civil fines not exceeding ten thousand dollars (\$10,000). The proceedings under this section shall be governed by Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure, except that there shall be no requirement to allege facts necessary to show or tending to show lack of adequate remedy at law or irreparable injury.

(b) The superior court for the county in which any person has engaged in any act which constitutes a violation of Section 7523 may, upon a petition filed by the bureau with the approval of the director, order this person to make restitution to persons injured as a result of the violation.

(c) The court may order a person subject to an injunction or restraining order, provided for in subdivision (a), or subject to an order requiring restitution pursuant to subdivision (b), to reimburse the bureau for expenses incurred by the bureau in its

investigation related to its petition.

(d) A proceeding to impose the fine specified in subdivision (a) and enjoin the unlicensed operation may be brought in any court of competent jurisdiction in the name of the people of the State of California by the Attorney General or by any district attorney or city attorney, or with the consent of the district attorney, the city prosecutor in any city or city and county having a full-time city prosecutor for the jurisdiction in which the violation occurred. If the action is brought by the district attorney, the penalty collected shall be paid to the treasurer of the county in which the judgment is entered. If the action is brought by a city attorney or city prosecutor, one-half of the penalty collected shall be paid to the treasurer of the city in which the judgment was entered and one-half to the treasurer of the county in which the judgment was entered. If the action is brought by the Attorney General, all of the penalty collected shall be deposited in the Private Security Services Fund.

(e) The remedy provided for by this section shall be in addition to any other remedy provided for in this chapter.

SEC. 9. Section 7528 of the Business and Professions Code is amended to read:

7528. The chief shall issue a license, the form and content of which shall be determined by the chief in accordance with Section 164. In addition, the chief shall issue a "Certificate of Licensure" to any licensee, upon request and upon the payment of the fee prescribed in Section 7570.

SEC. 10. Section 7532 of the Business and Professions Code is amended to read:

7532. (a) No licensee shall conduct a business under a fictitious or other business name unless and until the licensee has obtained the written authorization of the bureau to do so.

(b) The bureau shall not authorize the use of a fictitious or other business name which is so similar to that of a public officer or agency or of that used by another licensee that the public may be confused or misled thereby.

(c) The authorization shall require, as a condition precedent to the use of any fictitious name, that the licensee comply with Chapter 5 (commencing with Section 17900) of Part 3 of Division 7.

(d) A licensee desiring to conduct their business under more than one fictitious business name shall obtain the authorization of the bureau in the manner prescribed in this section for the use of each name.

(e) The licensee shall pay a fee of at least seventy-five dollars (\$75), which may be increased to not more than eighty-two dollars (\$82), for each authorization to use an additional fictitious business name and for each change in the use of a fictitious business name. If the original license is issued in a nonfictitious name and authorization is requested to have the license reissued in a fictitious business name, the licensee shall pay a fee of at least seventy-five dollars (\$75), which may be increased to not more than eighty-two dollars (\$82), for the authorization.

SEC. 11. Section 7541.2 of the Business and Professions Code is amended to read:

7541.2. The bureau shall consider requiring, and may require, an applicant for licensure to submit proof of satisfactory completion of a course in professional ethics. If the bureau requires an applicant to submit proof of satisfactory completion of a course in professional ethics, the bureau shall specify which courses and course providers satisfy the requirement and shall make that information regarding the course and course providers available on its internet website.

SEC. 12. Section 7542.2 of the Business and Professions Code is amended to read:

7542.2. The bureau shall issue a firearms permit when all of the following conditions are satisfied:

(a) (1) The applicant is a licensee or a qualified manager of a licensee.

(b) The firearms permit is associated with one of the following:

(1) An individual licensed as a private investigator pursuant to Section 7525.1.

(2) A partner of a partnership licensed as a private investigator pursuant to Section 7525.1.

(3) A qualified manager of a licensed private investigator pursuant to Section 7536.

(c) A certified firearms training instructor, as specified in Section 7585.5, has certified 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.

(d) 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.

(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 the applicant's duties, presents no apparent threat to the public safety, or that 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 alien status in the United States. Evidence of citizenship or permanent legal alien status shall be 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, United States Department of Justice, Immigration and Naturalization Service Form I-151 or I-551, Alien Registration Receipt Card, naturalization documents, or birth certificates evidencing lawful residence or status in the United States.

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

SEC. 13. Section 7564 of the Business and Professions Code is amended to read:

7564. If, upon investigation, the director determines a licensee, including a corporation, or registrant is in violation of Section 7542.12 or 7566, the director may issue a citation to the licensee or registrant. The citation shall be in writing and shall describe with particularity the nature of the violation, including specific reference to the provision of law determined to have been violated. If the director deems it appropriate, the citation may contain an order of abatement fixing a reasonable time for abatement of the violation and may contain an assessment of an administrative fine. The amount of the fine shall in no event exceed one thousand dollars (\$1,000) or as otherwise provided in this chapter, whichever is less.

A citation or fine assessment shall inform the licensee or registrant that if they contest the finding of a violation, they may request a hearing in accordance with the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code if they wish to contest the findings of a violation and if a hearing is not requested, payment of any fines shall not constitute an admission of the violation charged.

If the licensee or registrant neither requests a hearing, nor pays the assessed fine within 30 days of the assessment, the license or registration of the person shall not be renewed pursuant to the provisions of this chapter until the assessed fine is paid.

Administrative fines collected pursuant to this article shall be deposited in the Private Security Services Fund.

SEC. 14. Section 7570 of the Business and Professions Code, as amended by Section 13 of Chapter 791 of the Statutes of 2018, is amended to read:

7570. The fees prescribed by this chapter are as follows:

(a) The application and examination fee for an original license shall not exceed fifty dollars (\$50).

(b) The application fee for an original branch office certificate shall not exceed thirty dollars (\$30).

(c) The fee for an original license for a private investigator shall not exceed one hundred seventy-five dollars (\$175).

(d) The renewal fee is as follows:

(1) For a license as a private investigator, the fee shall not exceed one hundred twenty-five dollars (\$125).

(2) For a branch office certificate for a private investigator, the fee shall not exceed thirty dollars (\$30).

(e) The delinquency fee is 50 percent of the renewal fee in effect on the date of expiration.

(f) A reinstatement fee is equal to the amount of the renewal fee plus the regular delinquency fee.

(g) The fee for reexamination of an applicant or the applicant's qualified manager shall not exceed fifteen dollars (\$15).

(h) The processing fee for the assignment of a license pursuant to Section 7530 shall not exceed one hundred twenty-five dollars (\$125).

- (i) The firearms permit fee shall be at least one hundred dollars (\$100), but shall not exceed one hundred ten dollars (\$110).
- (j) The firearms permit renewal fee shall be at least eighty dollars (\$80), but shall not exceed eighty-eight dollars (\$88).
- (k) The replacement fee for a lost or destroyed registration card, license, certificate, or permit authorized by this chapter shall be twenty-five dollars (\$25). A request to replace a lost or destroyed registration card, license, certificate, or permit shall be made in the manner prescribed by the board.
- (l) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 15. Section 7570 of the Business and Professions Code, as amended by Section 14 of Chapter 791 of the Statutes of 2018, is amended to read:

7570. The fees prescribed by this chapter are as follows:

- (a) The application and examination fee for an original license shall be at least three hundred forty dollars (\$340) and may be increased to not more than three hundred seventy-four dollars (\$374).
- (b) The application fee for an original branch office certificate shall be at least ninety dollars (\$90) and may be increased to not more than ninety-nine dollars (\$99).
- (c) The fee for an original license for a private investigator shall be at least three hundred eighty-five dollars (\$385) and may be increased to not more than four hundred twenty-four dollars (\$424).
- (d) The renewal fee is as follows:
 - (1) For a license as a private investigator, the fee shall be at least two hundred sixty-five dollars (\$265) and may be increased to not more than two hundred ninety-two dollars (\$292).
 - (2) For a branch office certificate for a private investigator, the fee shall be at least sixty-five dollars (\$65) and may be increased to not more than seventy-two dollars (\$72).
- (e) The delinquency fee is 50 percent of the renewal fee in effect on the date of expiration.
- (f) A reinstatement fee is equal to the amount of the renewal fee plus the regular delinquency fee.
- (g) The fee for reexamination of an applicant or their qualified manager shall be at least sixty dollars (\$60) and may be increased to not more than sixty-six dollars (\$66).
- (h) The processing fee for the assignment of a license pursuant to Section 7530 shall be at least four hundred dollars (\$400) and may be increased to not more than four hundred forty dollars (\$440).
- (i) The firearms permit fee shall be at least one hundred dollars (\$100), but shall not exceed one hundred ten dollars (\$110).
- (j) The firearms permit renewal fee shall be at least eighty dollars (\$80), but shall not exceed eighty-eight dollars (\$88).
- (k) The replacement fee for a lost or destroyed registration card, license, certificate, or permit authorized by this chapter shall be twenty-five dollars (\$25). A request to replace a lost or destroyed registration card, license, certificate, or permit shall be made in the manner prescribed by the bureau.
- (l) The fee for a Certificate of Licensure, as specified in Section 7528, shall be twenty-five dollars (\$25).
- (m) The fee for an endorsed verification of licensure, certification, or permit shall be twenty-five dollars (\$25). The verification document shall include the history and current status of the license, certificate, or permit number, the date of the endorsement, an embossed seal, and the signature of the chief.
- (n) The reinstatement fee following a suspension pursuant to subdivision (e) of Section 7520.3 shall be no more than 50 percent of the renewal fee.
- (o) This section shall become operative on July 1, 2020.

SEC. 16. Section 7571 of the Business and Professions Code is repealed.

SEC. 17. Section 7571 is added to the Business and Professions Code, to read:

7571. (a) The bureau shall report each month to the Controller the amount and source of all revenue received pursuant to this chapter and shall pay the entire amount thereof into the State Treasury for credit to the Private Security Services Fund.

(b) All moneys paid into the Private Security Services Fund pursuant to subdivision (a) shall be used for the purposes of this chapter.

SEC. 18. Section 7573.5 of the Business and Professions Code is amended to read:

7573.5. Notwithstanding any other law, the powers and duties of the bureau, as set forth in this chapter, shall be subject to review by the appropriate policy committees of the Legislature. The review shall be performed as if this chapter were scheduled to be repealed as of January 1, 2024.

SEC. 19. Section 7576 of the Business and Professions Code is amended to read:

7576. Notwithstanding any other law, the powers and duties of the bureau, as set forth in this chapter, shall be subject to review by the appropriate policy committees of the Legislature. The review shall be performed as if this chapter were scheduled to be repealed as of January 1, 2024.

SEC. 20. 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 fully 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 days after the 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) injury on the part of a member of the public that requires medical attention, or (4) the discharge, suspension, or reprimand of a security guard by their employer. 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. 21. 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) A registrant who is unable to provide their employing licensee the certificates of satisfactory completion of the trainings required by subdivisions (a) and (b) shall complete 16 hours of the training required by subdivision (b) 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 for not less than two years from the date the training was completed. 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 a period of not less than two years from the date the trainings were completed. 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.

SEC. 22. Section 7583.8 of the Business and Professions Code is amended to read:

7583.8. A licensee shall not permit an employee to perform the functions of a security guard without confirming that the person holds a current and valid security guard registration.

SEC. 23. Section 7583.9 of the Business and Professions Code is amended to read:

7583.9. (a) The security guard registration applicant shall submit the application, the registration fee, and their fingerprints, either in the form of classifiable fingerprint cards or in an electronic format pursuant to subdivision (c), to the bureau. The bureau shall forward the classifiable fingerprint cards to the Department of Justice. The Department of Justice shall forward one classifiable fingerprint card to the Federal Bureau of Investigation for purposes of a background check.

(b) If a private patrol operator pays the application fee on behalf of the applicant, nothing in this section shall preclude the private patrol operator from withholding the amount of the fee from the applicant's compensation.

(c) In lieu of classifiable fingerprint cards provided for in this section, the bureau may authorize applicants to submit their fingerprints into an electronic fingerprinting system administered by the Department of Justice. Applicants who submit 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 enforcement agency responsible for operating the terminal may charge a fee sufficient to reimburse it for the costs incurred in providing this service.

(d) Upon receipt of an applicant's electronic or hard card fingerprints as provided in this section, the Department of Justice shall disseminate the following information to the bureau:

(1) Every conviction rendered against the applicant.

(2) Every arrest for an offense for which the applicant is presently awaiting trial, whether the applicant is incarcerated or has been released on bail or on their own recognizance pending trial.

(e) (1) The requirement in subdivision (a) to submit a fingerprint card does not apply to any of the following:

(A) A currently employed, full-time peace officer holding peace officer status under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code.

(B) A level I or level II reserve officer under paragraphs (1) and (2) of subdivision (a) of Section 832.6 of the Penal Code.

(2) An individual listed in subparagraph (A) or (B) of paragraph (1) may immediately perform the functions of a security guard or security patrolperson provided that the individual has submitted an application, the applicable fees, and their fingerprints, if required to submit fingerprints pursuant to subdivision (a), to the bureau for a security guard registration.

(3) This subdivision does not apply to a peace officer required to obtain a firearm qualification card pursuant to Section 7583.12.

(f) Peace officers exempt from the submission of classifiable fingerprints pursuant to subdivision (e) shall submit verification of their active duty peace officer status to the bureau with their application for registration. A photocopy of the front and back of their peace officer identification badge shall be adequate verification.

(g) Peace officers exempt from the submission of classifiable fingerprints pursuant to subdivision (e) shall report a change in their active duty peace officer status to the bureau within 72 hours of the change in active duty peace officer status.

(h) (1) Peace officers exempt from obtaining a firearm qualification card pursuant to subdivision (e) of Section 7583.12 shall submit to the bureau with their application for registration a letter of approval from their primary employer authorizing the peace officer to carry a firearm while working as a security guard or security officer.

(2) For purposes of this section, "primary employer" means a public safety agency currently employing a peace officer subject to this section.

(i) In addition to the amount authorized pursuant to Section 7570.1, the bureau may impose an additional fee not to exceed three dollars (\$3) for processing classifiable fingerprint cards submitted by applicants excluding those submitted into an electronic fingerprint system using electronic fingerprint technology.

SEC. 24. 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.

SEC. 25. Section 7583.12 of the Business and Professions Code is amended to read:

7583.12. (a) An employee of a licensee shall not carry or use a firearm unless the employee has in their possession both of the following:

(1) A valid guard registration card issued pursuant to this chapter.

(2) A valid firearm qualification card issued pursuant to this chapter.

(b) An employee of a licensee may carry or use a firearm while working as a security guard or security patrolperson pending receipt of a firearm qualification card if the employee has been approved by the bureau and carries on their person a hardcopy printout of the bureau's approval from the bureau's internet website and a valid picture identification.

(c) Paragraph (2) of subdivision (a) and subdivision (b) shall not apply to a duly appointed peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, who meets all of the following:

(1) The peace officer has successfully completed a course of study in the use of firearms.

(2) The peace officer is authorized to carry a concealed firearm in the course and scope of their employment pursuant to Article 2 (commencing with Section 25450) of Chapter 2 of Division 5 of Title 4 of Part 6 of the Penal Code.

(3) The peace officer has proof that they have applied to the bureau for a firearm qualification card.

(d) (1) This section shall not apply to a duly appointed peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, or a federal qualified law enforcement officer, as defined in Section 926B of Title 18 of the United States Code, who has written approval from their primary employer, as defined in paragraph (2) of subdivision (h) of Section 7583.9, to carry a firearm while working as a security guard.

(2) A peace officer exempt under this subdivision shall carry on their person a letter of approval from their primary employer authorizing the peace officer to carry a firearm while working as a security guard.

SEC. 26. Section 7583.15 of the Business and Professions Code is amended to read:

7583.15. (a) If the director determines that continued employment of a registrant or firearms permitholder, in their current capacity, may present an undue hazard to the public safety, the licensee, upon proper notification from the director, shall suspend the registrant or firearms permitholder from employment in that capacity.

(b) A registrant or firearms permitholder may request a review by the Private Security Disciplinary Review Committee as set forth in Section 7581.3 to appeal the suspension.

SEC. 27. Section 7583.16 of the Business and Professions Code is amended to read:

7583.16. (a) The director may deny an application for registration, or may suspend or revoke a previously issued registration, if the individual has committed any action which, if committed by a licensee, would be grounds for refusing to issue a license, or for the suspension or revocation of a license issued under this chapter.

(b) The denial of an application for registration under this article 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 a disciplinary review committee to contest the denial, the review shall be requested of the director within 30 days following notice of the issuance of the denial.

SEC. 28. Section 7583.19 of the Business and Professions Code is amended to read:

7583.19. A licensee shall at all times be responsible for ascertaining that those of their employees who are subject to registration are currently registered as provided in this article. A licensee may not have a person whose registration has expired or been revoked, denied, suspended, or canceled perform security guard duties.

SEC. 29. Section 7583.20 of the Business and Professions Code is amended to read:

7583.20. (a) A registration issued under this chapter expires at midnight on the last day of the month two years following the date of issuance unless renewed. At least 60 days prior to the expiration, a registrant seeking to renew a security guard registration shall forward to the bureau a completed registration renewal application and the renewal fee. The renewal application shall be 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.

(b) The licensee shall provide to any employee information regarding procedures for renewal of registration.

(c) In the event a registrant fails to request a renewal of their registration as provided for in this chapter, the registration shall expire as indicated on the registration. If the registration is renewed within 60 days after its expiration, the registrant, as a condition precedent to renewal, shall pay the renewal fee and the delinquency fee. A person is prohibited from performing the duties of a security guard with an expired registration.

(d) If the renewed registration card has not been delivered to the registrant before the expiration of the prior registration but the bureau has renewed the registration, the registrant may work as a security guard pending receipt of the renewed registration card, as specified in Section 7583.17.

(e) A registration may not be renewed or reinstated unless a registrant meets both of the following requirements:

(1) All fines assessed pursuant to Section 7587.7 and not resolved in accordance with the provisions of that section have been paid.

(2) The applicant for registration renewal certifies, on a form prescribed by the bureau, that the applicant has completed the 32 hours of the training required by subdivision (b) of Section 7583.6 and the annual training required by subdivision (e) of Section 7583.6.

SEC. 30. Section 7583.23 of the Business and Professions Code is amended to read:

7583.23. The bureau shall issue a firearms permit when all of the following conditions are satisfied:

(a) The applicant is a licensee, a qualified manager of a licensee, or a registered security guard subject to the following:

(1) The firearms permit may only be associated with the following:

(A) A sole owner of a sole ownership licensee, pursuant to Section 7582.7 or 7525.1.

(B) A partner of a partnership licensee, pursuant to Section 7582.7 or 7525.1.

(C) A qualified manager of a licensee, pursuant to Section 7536 or 7582.22.

(D) A security guard registrant.

(2) If the firearms permit is associated with a security guard registration, they are subject to the provisions of Section 7583.47, regardless of any other license possessed or associated with the firearms permit.

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

(c) 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.

(d) 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 that the carrying and use of a firearm by the applicant is not in violation of the Penal Code.

(e) The applicant has produced evidence to the firearm training facility that the applicant is a citizen of the United States or has permanent legal alien status in the United States. Evidence of citizenship or permanent legal alien status shall be 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, United States Department of Justice, Immigration and Naturalization Service Form I-151 or I-551, Alien Registration Receipt Card, naturalization documents, or birth certificates evidencing lawful residence or status in the United States.

(f) The application is accompanied by the application fees prescribed in this chapter.

(g) Beginning January 1, 2018, or on a date to be determined by the bureau, but no later than July 1, 2018, the applicant is a registered security guard and they have been found capable of exercising appropriate judgment, restraint, and self-control, for the purposes of carrying and using a firearm during the course of their duties, pursuant to Section 7583.47.

SEC. 31. Section 7585.8 of the Business and Professions Code is amended to read:

7585.8. (a) Each firearm training facility shall, before allowing any person to participate in the course of training in the carrying and usage of firearms, verify and certify on the firearms qualification application that they have seen documentation verifying that the person to whom they are providing firearms training is a citizen of the United States or possesses permanent legal alien status in the United States in accordance with Sections 7583.23 and 7596.3.

(b) Each firearm training facility shall, before allowing any person to participate in the requalification course in the carrying and usage of firearms, verify and certify on the firearm requalification application that the firearm training facility has seen documentation verifying that the person to whom they are providing firearms training is a citizen of the United States or possesses permanent legal alien status in the United States in accordance with Sections 7583.23 and 7596.7.

SEC. 32. 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; one thousand dollars (\$1,000) for the first violation and two thousand five hundred dollars (\$2,500) per violation for each violation thereafter.

(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. 33. Section 7587.15 of the Business and Professions Code is amended to read:

7587.15. Notwithstanding any other provision of law, the director may assess a fine of up to five thousand dollars (\$5,000) per violation against any licensee for a failure to comply with subdivision (d) of Section 7583.2.

SEC. 34. Section 7588.6 of the Business and Professions Code is amended to read:

7588.6. (a) A peace officer of this state or a political subdivision thereof who engages in off-duty employment solely and exclusively as a security guard or security officer, and who is required to be registered as a security guard or security officer pursuant to this chapter, shall only be subject to the fees required by subdivision (h) of Section 7588.

(b) A peace officer shall also be subject to the fees required by paragraphs (1) and (2) of subdivision (i) of Section 7588 if the peace officer carries or uses a firearm as part of the off-duty employment and has not received approval of their primary employer, as defined in paragraph (2) of subdivision (h) of Section 7583.9, to carry a firearm while working as a security guard or security officer, and has not submitted verification of that approval to the bureau pursuant to subdivision (h) of Section 7583.9.

SEC. 35. Section 7588.8 of the Business and Professions Code is amended to read:

7588.8. Notwithstanding any other law, the powers and duties of the bureau, as set forth in this chapter, shall be subject to review by the appropriate policy committees of the Legislature. The review shall be performed as if this chapter were scheduled to be repealed as of January 1, 2024.

SEC. 36. Section 7590.5 of the Business and Professions Code is amended to read:

7590.5. Notwithstanding any other requirements for licensure as an alarm company operator or for registration as an alarm agent pursuant to this chapter, an applicant for an alarm company operator license or an alarm agent registration shall be at least 18 years of age.

SEC. 37. Section 7591.9 of the Business and Professions Code is amended to read:

7591.9. If, upon investigation, the chief determines that an alarm company operator, a qualified manager, or an alarm agent is in violation of Sections 7597.1, 7597.2, 7597.3, 7597.5, 7597.6, 7598.51, 7598.53, 7599.32, 7599.33, 7599.34, 7599.36, 7599.37,

7599.38, 7599.39, 7599.40, 7599.41, 7599.42, 7599.43, 7599.44, 7599.45, 7599.46, 7599.47, 7599.48, 7599.49, 7599.50, 7599.51, 7599.52, 7599.53, 7599.54, 7599.55, 7599.58, and 7599.59, the director may issue a citation to, and fine, the alarm company operator, qualified manager, or alarm agent. The citation and fine assessment shall be in writing and shall describe with particularity the nature of the violation, including specific reference to the provision of law determined to have been violated. The citation shall contain an order of abatement fixing a reasonable time for abatement of the violation and may contain assessment of an administrative fine. The amount of the fine for any single investigation or audit of an alarm company operator, a qualified manager, or an alarm agent shall not exceed two thousand five hundred dollars (\$2,500).

A citation and fine assessment shall inform the alarm company operator, qualified manager, or alarm agent that if they desire a review by the Alarm Company Operator Disciplinary Review Committee, the review shall be requested by written notice to the chief within 30 days of the issuance of the citation and assessment, as appropriate. If a review is not requested pursuant to this section, payment of any fine shall not constitute an admission of the violation charged. A review shall be held pursuant to the provisions of Section 7591.19.

If the alarm company operator, qualified manager, or alarm agent fails to request a review or fails to pay the assessed fine within 30 days of the assessment, the license, certificate, or registration shall not be renewed pursuant to the provisions of this chapter until the assessed fine is paid.

Administrative fines collected pursuant to this section shall be deposited in the Private Security Services Fund.

SEC. 38. 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 alien status in the United States. Evidence of citizenship or permanent legal alien 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 I-551, Alien Registration Receipt 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.

SEC. 39. Section 7596.7 of the Business and Professions Code is amended to read:

7596.7. A firearms qualification card expires two years from the date of issuance, if not renewed. A person who wishes to renew a firearms qualification card shall file an application for renewal at least 60 days prior to the card's expiration. A person whose card has expired shall not carry a firearm until the person has been issued a renewal card by the bureau.

The director shall not renew a firearms qualification card unless all of the following conditions exist:

(a) The cardholder has filed with the bureau a completed application for renewal of a firearms qualification card, on a form prescribed by the director, dated and signed by the applicant under penalty of perjury certifying that the information on the application is true and correct.

(b) The application is accompanied by a firearms requalification fee as prescribed in this chapter.

(c) The applicant has requalified on the range and has successfully passed a written examination based on course content as specified in the firearms training manual approved by the department and taught at a training facility approved by the bureau.

(d) The applicant has produced evidence to the firearm training facility, either upon receiving an original qualification card or upon filing for renewal of that card, that the applicant is a citizen of the United States or has permanent legal alien status in the United States. Evidence of citizenship or permanent legal alien status is 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, United States Citizenship and Immigration Services Form I-551, Alien Registration Receipt Card, naturalization documents, or birth certificates evidencing lawful residence or status in the United States.

(e) An expired firearms qualification card may not be renewed. A person with an expired firearms qualification card is required to apply for a new card in the manner required of persons not previously registered. A person whose card has expired shall not carry a firearm until the person has been issued a new firearms qualification card by the bureau.

SEC. 40. Section 7596.81 of the Business and Professions Code is amended to read:

7596.81. (a) The bureau shall not renew a firearm permit if the applicant is prohibited from possessing, receiving, purchasing, or owning a firearm pursuant to state or federal law.

(b) Before renewing a firearm permit, the bureau shall provide the Department of Justice with the information necessary to identify the renewal applicant.

(c) The Department of Justice shall inform the bureau, within 30 days of receipt of the information specified in subdivision (b), of the renewal applicant's eligibility under state and federal law to possess, receive, purchase, or own a firearm.

(d) An applicant who is denied a firearm permit renewal based upon subdivision (a) may reapply for the permit after the prohibition expires. The bureau shall treat this as an initial application and shall follow the screening process specified in Section 7596.8.

SEC. 41. Section 7599.80 of the Business and Professions Code is amended to read:

7599.80. Notwithstanding any other law, the powers and duties of the bureau, as set forth in this chapter, shall be subject to review by the appropriate policy committees of the Legislature. The review shall be performed as if this chapter were scheduled to be repealed as of January 1, 2024.

SEC. 42. 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.