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AB-2515 Proprietary and private security services. (2021-2022)

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Date Published: 09/14/2022 09:00 PM

Assembly Bill No. 2515

CHAPTER 287

An act to amend Sections 7574.13, 7574.18, 7574.21, 7574.22, 7574.30, 7583.2, 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, to amend and repeal Sections 7583.33, 7583.34, and 7585.14 of, to amend, repeal, and add Sections 7581.2, 7581.3, 7583.9, 7583.37, 7588, and 7588.6 of, to add Sections 7574.37, 7574.38, 7574.39, and 7574.40 to, to add Article 4.5 (commencing with Section 7584) to Chapter 11.5 of Division 3 of, and to repeal and add Section 7574.31 of, the Business and Professions Code, and to amend, repeal, and add Section 22295 of the Penal Code, relating to professions and vocations.

[Approved by Governor September 13, 2022. Filed with Secretary of State September 13, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2515, Holden. Proprietary and private security services.

(1) Existing law, the Proprietary Security Services Act, prohibits a person from engaging in the business of a proprietary private security officer or a proprietary private security employer, as defined, unless the person is registered with the Department of Consumer Affairs. Existing law requires an applicant seeking registration as a proprietary private security employer to apply to the department on forms provided by the department, and to maintain accurate records of specified information relating to proprietary private security officers in their employment. Existing law requires a person registered as a proprietary private security officer to carry on their person while on duty a valid and current proprietary private security officer's registration card.

This bill would require an application for registration as a proprietary private security employer to include a designated responsible person. The bill would require a proprietary private security employer to make the records they are required to maintain available to the Bureau of Security and Investigative Services upon demand, and would require a proprietary private security officer to show their proprietary private security officer registration card to any peace officer or bureau representative upon demand.

Existing law authorizes the Director of Consumer Affairs to suspend or revoke a proprietary private security officer's registration if the registrant has committed any act or crime constituting grounds for suspension or revocation, as specified.

This bill would delete those provisions and would instead provide that the registration of a proprietary private security officer shall be automatically suspended if they are convicted of any crime that is substantially related to the functions, duties, and responsibilities of a proprietary private security officer, in accordance with specified notice and hearing requirements.

Existing law authorizes the director to issue a citation, including, among other things, an order to pay an administrative fine, for a violation of the Proprietary Security Services Act, and requires those fines collected to be deposited in the Private Security Services Fund, which is available upon appropriation by the Legislature.

This bill would require a person registered as a proprietary private security employer to deliver a written report to the director describing the circumstances surrounding any physical altercation with a member of the public by a registered proprietary private security officer while on duty and while acting within the course and scope of their employment within 7 business days after the qualifying incident, as specified. The bill would impose a \$2,500 fine for failing to deliver that report. The bill would make the commission of specified acts by a proprietary private security employer subject to specified fines, including failing to properly maintain current records of training required of each proprietary private security officer. The bill would make the commission of specified acts by a person required to be registered as a proprietary private security officer subject to specified fines, including carrying a firearm or other deadly weapon. The bill would authorize the director to deny, suspend, or revoke a license issued under the act if they determine the proprietary private security employer, responsible person of the proprietary private security employer, or registered proprietary private security officer has engaged in specified acts, including making any false statement or giving any false information in connection with an application for a license.

(2) Existing law, the Private Security Services Act, a violation of which is a misdemeanor, provides for the licensure and regulation of private patrol operators and the registration of security guards by the Director of Consumer Affairs. The act requires a licensed private patrol operator, a qualified manager of a licensed private patrol operator, or a registered security guard who, during the course and scope of licensed activity, carries or uses a baton in the performance of their duties to possess a valid baton permit issued by a certified baton training facility in accordance with specified requirements. The act makes this provision inapplicable to peace officers and federal qualified law enforcement officers who have successfully completed a course of study in the use of batons. The act prohibits a licensed private patrol operator from permitting an employee to carry a baton before ascertaining that the employee is proficient in the use of the weapon, evidence of which includes a baton permit. The act establishes an initial baton permit fee of at least \$60, but not to exceed \$66, to be deposited in the Private Security Services Fund.

This bill, commencing January 1, 2024, would revise and recast the requirements for obtaining a baton permit and carrying a baton under the act. The bill would require the Bureau of Security and Investigative Services to issue baton permits to applicants who meet specified conditions, including that a certified baton training instructor has attested under penalty of perjury that the applicant has successfully completed a baton training course. By expanding the crime of perjury, the bill would impose a state-mandated local program. The bill would prohibit a licensee, a qualified manager of a licensee, or a security guard from carrying a baton in the course of their employment unless they are wearing a uniform, are carrying a valid baton permit issued by the bureau, and are carrying a valid license, qualified manager certificate, or security guard registration card. The bill would make those provisions inapplicable to a qualified law enforcement officer, as defined, who meets specified conditions. The bill would provide for the expiration of a baton permit 2 years from the date of issuance, and would specify requirements for renewing a baton permit, including payment of a renewal fee in the amount of at least \$40 but not to exceed \$44.

Existing law requires a peace officer exempt from obtaining a firearm qualification card who applies for registration as a security guard to submit to the bureau with their application 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. Existing law requires peace officers who work off duty as security guards or security officers to pay only specified fees otherwise applicable to registration as a security guard or security officer.

This bill would require a peace officer exempt from obtaining a baton permit who applies for registration as a security guard to submit a letter of approval from their primary employer authorizing the peace officer to carry a baton while working as a security guard or security officer. The bill would add baton permit fees to the list of fees required to be paid by off-duty peace officers working as security guards or security officers. The bill would make conforming and other changes relating to baton permits and baton permit holders, including requiring disciplinary review committees to perform specified functions relating to baton permit holders. Because the bill would revise the scope of a crime under the act, the bill would impose a state-mandated local program.

Existing law requires a licensed private patrol operator to report to the director the circumstances surrounding the discharge of any firearm or any 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, as specified.

This bill would specify that a report is not required when proprietary private security officers or security officers are requested by hospital staff to assist in restraining a patient for medical or mental health reasons.

Existing law, Chapter 697 of the Statutes of 2021, enacted various changes to the Proprietary Security Services Act, the Private Security Services Act, and the Alarm Company Act requiring specified licensees, registrants, permittees, certificate holders, employees, and holders of firearms qualification cards under those acts to complete training in the appropriate use of force, and enacted conforming and other changes relating to training in the appropriate use of force. Existing law makes those provisions operative on January 1, 2023.

This bill would delay the operation of those provisions until July 1, 2023.

Existing law requires security guards to carry a security guard registration card while on duty and carry a firearms permit while carrying a firearm on duty, except as specified. Existing law requires a security guard, who in the course of business or employment carries a firearm, to take a course in the power to arrest and, on and after January 1, 2023, a course in the appropriate use of force. Existing law requires a security guard registration application to include the expiration date of the license or certification of the course provider for those courses.

This bill would repeal the requirement that the expiration date of the license or certification of the course provider be included in the security guard registration application.

Existing law requires the Bureau of Security and Investigative Services to 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. Existing law requires the course of training in the carrying and usage of firearms to be in a format prescribed by the Department of Consumer Affairs as delineated in the bureau's Firearms Training Manual. Existing law, the Administrative Procedure Act, in part, establishes requirements for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law.

This bill, on and after July 1, 2023, would specify the guidebook for teaching the course in the exercise of the power to arrest and the appropriate use of force may be referred to as the "Power to Arrest and Appropriate Use of Force Manual," and would exempt the bureau's development, adoption, or amendment of the Firearms Training Manual and the Power to Arrest and Appropriate Use of Force Manual from the Administrative Procedure Act.

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 7574.13 of the Business and Professions Code is amended to read:

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.

SEC. 2. Section 7574.18 of the Business and Professions Code, as amended by Section 3 of Chapter 697 of the Statutes of 2021, 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 July 1, 2023, and as of that date is repealed.

SEC. 3. Section 7574.18 of the Business and Professions Code, as added by Section 4 of Chapter 697 of the Statutes of 2021, 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, 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 July 1, 2023.

SEC. 4. Section 7574.21 of the Business and Professions Code is amended to read:

7574.21. A person registered as a proprietary private security employer shall do the following with respect to proprietary private security officers in their employment:

(a) Maintain an accurate and current record of the name, address, commencing date of employment, and position of each proprietary private security officer, and the date of termination of employment when a proprietary private security officer is terminated.

(b) Maintain an accurate and current record of proof of completion by each proprietary private security officer of the training described in Section 7574.18.

(c) The records required pursuant to this section shall be made available to the bureau upon demand.

SEC. 5. Section 7574.22 of the Business and Professions Code is amended to read:

7574.22. A person registered as a proprietary private security officer shall carry on their person, while on duty, a valid and current proprietary private security officer's registration card or a hard copy printout of the bureau's approval from the bureau's internet website 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. The registration shall be shown to any peace officer or bureau representative upon demand.

SEC. 6. Section 7574.30 of the Business and Professions Code is amended to read:

7574.30. (a) Pursuant to Section 125.9, the director may issue a citation, which may include an order of abatement or an order to pay an administrative fine, for a violation of this chapter or any regulations adopted pursuant to this chapter.

(b) Pursuant to Section 148, the director may issue an administrative citation, which may include an order of abatement or an order to pay an administrative fine, to an unregistered person who is acting as a proprietary private security officer without a valid registration or to a person who is acting as a proprietary private security employer without a valid registration.

(c) The fine for violating subdivision (a), (b), or (e) of Section 7574.38 shall be five hundred dollars (\$500) per violation.

(d) The fine for violating subdivision (c) or (d) of Section 7574.38 shall be two thousand five hundred dollars (\$2,500) per violation.

(e) The fine for violating subdivision (a) or (c) of Section 7574.39 shall be five hundred dollars (\$500) per violation.

(f) The fine for violating subdivision (b) of Section 7574.39 shall be one thousand dollars (\$1,000).

SEC. 7. Section 7574.31 of the Business and Professions Code is repealed.

SEC. 8. Section 7574.31 is added to the Business and Professions Code, to read:

7574.31. (a) The registration of a proprietary private security officer shall be automatically suspended if the officer is convicted of any crime that is substantially related to the functions, duties, and responsibilities of a proprietary private security officer.

(b) The automatic suspension shall be effectuated by the mailing of a notice of conviction and suspension of license to be sent by the bureau to the registrant at their address of record. The notice shall contain a statement of preliminary determination by the director or their designee that the crime stated is reasonably related to the functions, duties, and responsibilities of a proprietary private security officer.

(c) Upon proper request by the proprietary private security officer, a hearing shall be convened before the private security disciplinary review committee, as specified in Section 7581.3, for a determination as to whether the automatic suspension shall be made permanent or whether the registration shall be revoked or the officer otherwise disciplined.

SEC. 9. Section 7574.37 is added to the Business and Professions Code, to read:

7574.37. (a) A person registered as a proprietary private security employer shall deliver to the director a written report describing the circumstances surrounding any physical altercation by a registered proprietary private security officer with a member of the public while on duty and while acting within the course and scope of their employment within seven business days after the qualifying incident.

(b) For purposes of this section, a report shall be required only for physical altercations that result in any of the following:

- (1) The arrest of a proprietary private security officer.
- (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 proprietary private security officer by their employer.
- (5) Any physical use of force or violence on any person while on duty.

(c) 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.

(d) A report may be investigated by the director to determine if any disciplinary action is necessary.

(e) A report shall not be required when a proprietary private security officer or multiple proprietary security officers are requested by hospital staff to assist in restraining a patient by either holding the patient or limiting the movement of the patient for medical or mental health reasons.

(f) The failure to deliver a report to the director shall be subject to a fine of two thousand five hundred dollars (\$2,500).

SEC. 10. Section 7574.38 is added to the Business and Professions Code, to read:

7574.38. A proprietary private security employer shall not do any of the following:

(a) Fail to properly maintain an accurate and current record of the name, address, commencing date of employment, and position of each proprietary private security officer, and the date of termination of employment when a proprietary private security officer is terminated as required by subdivision (a) of Section 7574.21.

(b) Fail to properly maintain an accurate and current record of proof of completion by each proprietary private security officer of the trainings required by Section 7574.18.

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

(d) Permit any employee to carry a firearm or other deadly weapon, including any electronic control device, stun gun, baton, or any chemical agent, including pepper spray.

(e) Fail to administer to each registered employee of the licensee the review or practice training required by paragraph (1) of subdivision (f) of Section 7574.18.

SEC. 11. Section 7574.39 is added to the Business and Professions Code, to read:

7574.39. No person required to be registered as a proprietary private security officer pursuant to this chapter shall do any of the following:

(a) Fail to carry on their person, while on duty, a valid and current proprietary private security officer registration card, or, if pending receipt of the registration card after the bureau's approval, a hard copy printout of the approved proprietary private

security officer registration information from the bureau's internet website and a valid picture identification pursuant to Section 7583.17.

(b) Carry a firearm or other deadly weapon, including any electronic control device, stun gun, baton, or any chemical agent, including pepper spray.

(c) Fail to report to their employer any physical altercation with a member of the public while on duty and while acting within the course and scope of their employment.

SEC. 12. Section 7574.40 is added to the Business and Professions Code, to read:

7574.40. 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 proprietary private security employer, responsible person of the proprietary private security employer, or registered proprietary private security officer has done any of the following:

(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, that would be cause for the suspension or revocation of a license, or grounds for the denial of an application for a license.

(g) 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.

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

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

SEC. 13. Section 7581.2 of the Business and Professions Code is amended to read:

7581.2. (a) Each disciplinary review committee shall perform the following functions as they pertain to private patrol operators, security guards, firearm qualification cardholders, firearm training facilities, firearm training instructors, baton training facilities, and baton training instructors, as licensed, certified, or registered by the bureau under this chapter, and proprietary security officers, as registered by the bureau under Chapter 11.4 (commencing with Section 7574):

(1) Affirm, rescind, or modify all appealed decisions which concern administrative fines assessed by the director.

(2) Affirm, rescind, or modify all appealed decisions which concern denials, revocations, or suspensions of a license, certificate, or registration except denials, revocations, or suspensions ordered by the director in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(b) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 14. Section 7581.2 is added to the Business and Professions Code, to read:

7581.2. (a) Each disciplinary review committee shall perform the following functions as they pertain to private patrol operators, security guards, firearm qualification cardholders, baton permitholders, firearm training facilities, firearm training instructors, baton training facilities, and baton training instructors, as licensed, permitted, certified, or registered by the bureau under this chapter, and proprietary security officers, as registered by the bureau under Chapter 11.4 (commencing with Section 7574):

(1) Affirm, rescind, or modify all appealed decisions that concern administrative fines assessed by the director.

(2) Affirm, rescind, or modify all appealed decisions that concern denials, revocations, or suspensions of a license, certificate, or registration except denials, revocations, or suspensions ordered by the director in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(b) This section shall become operative on January 1, 2024.

SEC. 15. Section 7581.3 of the Business and Professions Code is amended to read:

7581.3. (a) A private patrol operator, qualified manager of a private patrol operator, security guard, firearm qualification cardholder, firearm training facility, firearm training instructor, baton training facility, or baton training instructor may request a review by a disciplinary review committee to contest the assessment of an administrative fine or to appeal a denial, revocation, or suspension of a license, certificate, or registration unless the denial, revocation, or suspension is ordered by the director in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(b) A request for a review shall be by written notice to the bureau within 30 days of the issuance of the citation and assessment, denial, revocation, or suspension.

(c) Following a review by a disciplinary review committee, the appellant shall be notified within 30 days, in writing, by regular mail, of the committee's decision.

(d) If the appellant disagrees with the decision made by a disciplinary review committee, they may request a hearing in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. A request for a hearing following a decision by a disciplinary review committee shall be by written notice to the bureau within 30 days following notice of the committee's decision.

(e) If the appellant does not request a hearing within 30 days, the review committee's decision shall become final.

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 16. Section 7581.3 is added to the Business and Professions Code, to read:

7581.3. (a) A private patrol operator, qualified manager of a private patrol operator, security guard, firearm qualification cardholder, baton permit holder, firearm training facility, firearm training instructor, baton training facility, or baton training instructor may request a review by a disciplinary review committee to contest the assessment of an administrative fine or to appeal a denial, revocation, or suspension of a license, certificate, or registration unless the denial, revocation, or suspension is ordered by the director in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(b) A request for a review shall be by written notice to the bureau within 30 days of the issuance of the citation and assessment, denial, revocation, or suspension.

(c) Following a review by a disciplinary review committee, the appellant shall be notified within 30 days, in writing, by regular mail, of the committee's decision.

(d) If the appellant disagrees with the decision made by a disciplinary review committee, they may request a hearing in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. A request for a hearing following a decision by a disciplinary review committee shall be by written notice to the bureau within 30 days following notice of the committee's decision.

(e) If the appellant does not request a hearing within 30 days, the review committee's decision shall become final.

(f) This section shall become operative on January 1, 2024.

SEC. 17. 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) (1) 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.

(2) The report shall be required only for physical altercations that result in any of the following:

(A) The arrest of a security guard.

(B) The filing of a police report by a member of the public.

(C) A member of the public requiring any type of first aid or other medical attention.

(D) The discharge, suspension, or reprimand of a security guard by their employer.

(E) Any physical use of force or violence on any person while on duty.

(3) 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.

(4) A report shall not be required when a security officer or multiple security officers are requested by hospital staff to assist in restraining a patient by either holding the patient or limiting the movement of the patient for medical or mental health reasons.

(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. 18. Section 7583.5 of the Business and Professions Code, as amended by Section 7 of Chapter 697 of the Statutes of 2021, 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 July 1, 2023, and as of that date is repealed.

SEC. 19. Section 7583.5 of the Business and Professions Code, as added by Section 8 of Chapter 697 of the Statutes of 2021, 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 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 July 1, 2023.

SEC. 20. Section 7583.6 of the Business and Professions Code, as amended by Section 9 of Chapter 697 of the Statutes of 2021, 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 July 1, 2023, and as of that date is repealed.

SEC. 21. Section 7583.6 of the Business and Professions Code, as added by Section 10 of Chapter 697 of the Statutes of 2021, 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 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 July 1, 2023.

SEC. 22. Section 7583.7 of the Business and Professions Code, as amended by Section 11 of Chapter 697 of the Statutes of 2021, 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 July 1, 2023, and as of that date is repealed.

SEC. 23. Section 7583.7 of the Business and Professions Code, as added by Section 12 of Chapter 697 of the Statutes of 2021, is amended 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) (1) 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, which may be known as the Power to Arrest and Appropriate Use of Force Manual. The department shall encourage additional training and may provide a training guide recommending additional courses to be taken by security personnel.

(2) The development, adoption, amendment, or repeal of the Power to Arrest and Appropriate Use of Force Manual by the bureau is exempt from the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

(d) Private patrol operators may provide a copy of the Power to Arrest and Appropriate Use of Force Manual 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 July 1, 2023.

SEC. 24. 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 (d) 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.

(j) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 25. Section 7583.9 is added to the Business and Professions Code, 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 (d) of Section 7583.12 or exempt from obtaining a baton permit pursuant to subdivision (d) of Section 7584.1 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 or baton 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.

(j) This section shall become operative on July 1, 2024.

SEC. 26. Section 7583.10 of the Business and Professions Code, as amended by Section 13 of Chapter 697 of the Statutes of 2021, 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.

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

(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 July 1, 2023, and as of that date is repealed.

SEC. 27. Section 7583.10 of the Business and Professions Code, as added by Section 14 of Chapter 697 of the Statutes of 2021, 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 and the appropriate use of force to the applicant.
 - (1) If the course provider is a licensee, the bureau-issued license number.
 - (2) If the course provider is a certified firearms training facility or baton training facility, the bureau-issued facility certificate number.
 - (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 July 1, 2023.

SEC. 28. Section 7583.33 of the Business and Professions Code is amended to read:

7583.33. (a) Any licensee, qualified manager, or a registered uniformed security guard who wishes to carry a baton in the performance of their duties, shall qualify to carry the weapon pursuant to Article 5 (commencing with Section 7585).

(b) Subdivision (a) 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 use of batons or to 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 batons.

(c) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 29. Section 7583.34 of the Business and Professions Code is amended to read:

7583.34. (a) A licensee shall not permit any employee to carry a baton prior to ascertaining that the employee is proficient in the use of the weapon. Evidence of proficiency shall include a certificate from a baton training facility approved by the bureau which certifies that the employee is proficient in the use of the baton.

(b) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 30. Section 7583.37 of the Business and Professions Code is amended to read:

7583.37. The director may assess fines as enumerated in Article 7 (commencing with Section 7587). Assessment of administrative fines shall be independent of any other action by the bureau or any local, state, or federal governmental agency that may result from a violation of this article. In addition to other prohibited acts under this chapter, no licensee, qualified manager, or registered security guard shall, during the course and scope of licensed activity, do any of the following:

(a) Carry any inoperable, replica, or other simulated firearm.

(b) Use a firearm in violation of the law, or in knowing violation of the standards for the carrying and usage of firearms as taught in the course of training in the carrying and use of firearms. Unlawful or prohibited uses of firearms shall include, but not be limited to, the following:

(1) Illegally using, carrying, or possessing a dangerous weapon.

(2) Brandishing a weapon.

(3) Drawing a weapon without proper cause.

(4) Provoking a shooting incident without cause.

(5) Carrying or using a firearm while on duty while under the influence of alcohol or dangerous drugs.

(6) Carrying or using a firearm of a caliber for which a firearms permit has not been issued by the bureau.

(7) Carrying or using a firearm while performing duties not related to the qualifying license or registration to which the bureau associated the firearms permit.

(c) Carry or use a baton in the performance of their duties, unless they have in their possession a valid baton certificate issued pursuant to Section 7585.14.

(d) Carry or use tear gas or any other nonlethal chemical agent in the performance of their duties unless they have in their possession proof of completion of a course in the carrying and use of tear gas or any other nonlethal chemical agent.

(e) Carry a concealed pistol, revolver, or other firearm capable of being concealed upon the person unless one of the following circumstances applies:

(1) The person has been issued a permit to carry a pistol, revolver, or other firearm capable of being concealed upon the person in a concealed manner by a local law enforcement agency pursuant to Section 26150, 26155, 26170, or 26215 of the Penal Code.

(2) The person is employed as a guard or messenger of a common carrier, bank, or other financial institution and they carry the weapon while actually employed in and about the shipment, transportation, or delivery of any money, treasure, bullion, bonds, or other thing of value within this state, as specified in Section 25630 of the Penal Code.

(3) The person is an honorably retired peace officer authorized to carry a concealed firearm pursuant to Section 25650 of the Penal Code or Article 2 (commencing with Section 25450) of Chapter 2 of Division 5 of Title 4 of Part 6 of the Penal Code.

(4) The person is 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 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.

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 31. Section 7583.37 is added to the Business and Professions Code, to read:

7583.37. The director may assess fines as enumerated in Article 7 (commencing with Section 7587). Assessment of administrative fines shall be independent of any other action by the bureau or any local, state, or federal governmental agency that may result from a violation of this article. In addition to other prohibited acts under this chapter, no licensee, qualified manager, or registered security guard shall, during the course and scope of licensed activity, do any of the following:

(a) Carry any inoperable, replica, or other simulated firearm.

(b) Use a firearm in violation of the law, or in knowing violation of the standards for the carrying and usage of firearms as taught in the course of training in the carrying and use of firearms. Unlawful or prohibited uses of firearms shall include, but not be limited to, the following:

(1) Illegally using, carrying, or possessing a dangerous weapon.

(2) Brandishing a weapon.

(3) Drawing a weapon without proper cause.

(4) Provoking a shooting incident without cause.

(5) Carrying or using a firearm while on duty while under the influence of alcohol or dangerous drugs.

(6) Carrying or using a firearm of a caliber for which a firearms permit has not been issued by the bureau.

(7) Carrying or using a firearm while performing duties not related to the qualifying license or registration to which the bureau associated the firearms permit.

(c) Carry or use a baton in the performance of their duties, unless they have in their possession a valid baton certificate.

(d) Carry or use tear gas or any other nonlethal chemical agent in the performance of their duties unless they have in their possession proof of completion of a course in the carrying and use of tear gas or any other nonlethal chemical agent.

(e) Carry a concealed pistol, revolver, or other firearm capable of being concealed upon the person unless one of the following circumstances applies:

(1) The person has been issued a permit to carry a pistol, revolver, or other firearm capable of being concealed upon the person in a concealed manner by a local law enforcement agency pursuant to Section 26150, 26155, 26170, or 26215 of the Penal Code.

(2) The person is employed as a guard or messenger of a common carrier, bank, or other financial institution and they carry the weapon while actually employed in and about the shipment, transportation, or delivery of any money, treasure, bullion, bonds, or other thing of value within this state, as specified in Section 25630 of the Penal Code.

(3) The person is an honorably retired peace officer authorized to carry a concealed firearm pursuant to Section 25650 of the Penal Code or Article 2 (commencing with Section 25450) of Chapter 2 of Division 5 of Title 4 of Part 6 of the Penal Code.

(4) The person is 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 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.

(f) This section shall become operative on January 1, 2024.

SEC. 32. Article 4.5 (commencing with Section 7584) is added to Chapter 11.5 of Division 3 of the Business and Professions Code, to read:

Article 4.5. Baton Permits

7584. For purposes of this article, the following terms have the following meanings:

(a) "Licensee" means a licensed private patrol operator.

(b) "Qualified law enforcement officer" means 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.

(2) A federal qualified law enforcement officer as defined in Section 926B of Title 18 of the United States Code.

7584.1. (a) Except as provided in subdivision (b), a licensee, a qualified manager of a licensee, or a security guard shall not carry a baton in the course of their employment unless the following conditions apply:

(1) The licensee, qualified manager, or security guard is wearing a uniform.

(2) The licensee, qualified manager, or security guard carries on their person a valid license, qualified manager certificate, or security guard registration card issued pursuant to this chapter.

(3) (A) Except as provided in subparagraphs (B) and (C), the licensee, qualified manager, or security guard carries on their person a valid baton permit issued to them by the bureau pursuant to this article.

(B) A uniformed baton permitholder may carry or use a baton while on duty pending receipt of a baton permit if they have been approved by the bureau and carry on their person a hard copy printout of the bureau's approval from the bureau's internet website and a valid picture identification.

(C) This paragraph does not apply to a qualified law enforcement officer who meets all of the following:

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

(ii) The peace officer is authorized to carry a baton in the course and scope of their employment pursuant to Section 22295 of the Penal Code.

(iii) The peace officer has proof that they have applied to the bureau for a baton permit.

(b) This section shall not apply to a duly appointed qualified law enforcement officer who has written approval from the peace officer's primary employer, as defined in paragraph (2) of subdivision (h) of Section 7583.9, to carry a baton while working as a uniformed security guard.

7584.2. A licensee shall not allow an employee to carry or use a baton in the course of their employment unless the employee possesses a valid and current baton permit issued by the bureau.

7584.3. The bureau shall issue a baton permit to an applicant if all of the following conditions are satisfied:

(a) The applicant is a sole owner of a sole ownership licensee, a qualified manager of a licensee, a partner of a partnership licensee pursuant to Section 7582.7, or a registered security guard.

(b) (1) Except as specified in paragraph (2), the applicant has completed the course of training in the carrying and use of a baton specified in Section 7585.9.

(2) This subdivision shall not apply to a qualified law enforcement officer, as defined in subdivision (b) of Section 7584, who has successfully completed a course of study in the use of batons within the 24-month period preceding the date of application.

(c) A certified baton training instructor has attested under penalty of perjury that the applicant has successfully completed the baton training course specified in Section 7585.9.

(d) The applicant has completed an application for a baton permit on a form prescribed by the director, dated and signed by the applicant, attesting under penalty of perjury that the information in the application is true.

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

7584.4. If the bureau denies a baton permit, the bureau shall issue that denial of the permit in writing and shall describe the basis for the denial. The denial shall inform the applicant that if they desire a review by a disciplinary review committee to contest the denial, the applicant is required to request review from the director within 30 days following notice of the issuance of the denial. A review or hearing shall be held pursuant to Section 7581.3.

7584.5. (a) A baton permit expires two years from the date of issuance, if not renewed. A person who wishes to renew a baton permit shall file an application for renewal with the bureau at least 60 days before the permit's expiration. A person whose permit has expired shall not carry a baton in the course of their employment until they possess a valid and current baton permit issued by the bureau.

(b) The bureau shall not renew a baton permit unless all of the following conditions are satisfied:

(1) The permitholder has filed with the bureau a completed application for renewal of a baton permit, 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.

(2) (A) Except as specified in subparagraph (B), the applicant has completed the baton training course specified in Section 7585.9 within the six months preceding the month of the permit's expiration.

(B) This paragraph does not apply to a qualified law enforcement officer who is authorized to carry a baton in the course of their duties and who has successfully completed baton training within the 12 months preceding the month of the permit's expiration.

(3) (A) Subject to subparagraph (B), a certified baton training instructor has attested under penalty of perjury that the applicant has successfully completed the baton training course specified in Section 7585.9 within the six months preceding the month of the permit's expiration.

(B) The applicant shall not be the same person as the attesting certified training instructor, and shall not self-certify as having successfully met the requirement of this paragraph.

(4) The application is accompanied by the baton renewal fee prescribed in this chapter.

(c) An expired baton permit shall not be renewed. A person with an expired baton permit shall apply for a new baton permit in the manner required pursuant to Section 7584.3.

7584.6. This article shall become operative on January 1, 2024.

SEC. 33. Section 7585 of the Business and Professions Code, as amended by Section 15 of Chapter 697 of the Statutes of 2021, 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 July 1, 2023, and as of that date is repealed.

SEC. 34. Section 7585 of the Business and Professions Code, as added by Section 16 of Chapter 697 of the Statutes of 2021, is amended to read:

7585. (a) 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:

- (1) Moral and legal aspects of firearms usage.
- (2) Firearms nomenclature and maintenance.
- (3) Weapon handling and shooting fundamentals.
- (4) Emergency procedures.
- (5) Prequalification range training, including the firing of practice rounds.
- (6) Qualification course of fire.
- (7) Examination which has been provided by the bureau of the subject matter taught.
- (8) The appropriate use of force, as described in paragraph (10) of subdivision (a) of Section 7583.7.

(b) The bureau's development, adoption, amendment, or repeal of the Firearms Training Manual is exempt from the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

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

SEC. 35. Section 7585.6 of the Business and Professions Code, as amended by Section 17 of Chapter 697 of the Statutes of 2021, 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 July 1, 2023, and as of that date is repealed.

SEC. 36. Section 7585.6 of the Business and Professions Code, as added by Section 18 of Chapter 697 of the Statutes of 2021, 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. 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 July 1, 2023.

SEC. 37. Section 7585.14 of the Business and Professions Code is amended to read:

7585.14. (a) A baton training facility shall issue a bureau-developed baton permit to any person who successfully completes a baton training course as described in Section 7585.9 and possesses a valid security guard registration card issued pursuant to Article 4 (commencing with Section 7583) or who has made application for that registration card. The permit is valid only when the holder possesses a valid guard registration card.

(b) The bureau shall issue baton permits to a baton training facility, in good standing, upon request and upon payment of the fees as set forth in this chapter.

(c) Each baton training facility shall submit to the bureau, on forms as prescribed by the director, no later than five working days following the issuance of a permit for each person, the name, address, bureau registration or license number, date of birth, and baton permit number of each person issued a permit.

(d) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 38. Section 7587.1 of the Business and Professions Code, as amended by Section 19 of Chapter 697 of the Statutes of 2021, 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 July 1, 2023, and as of that date is repealed.

SEC. 39. Section 7587.1 of the Business and Professions Code, as added by Section 20 of Chapter 697 of the Statutes of 2021, 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 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 July 1, 2023.

SEC. 40. Section 7588 of the Business and Professions Code is amended to read:

7588. The fees prescribed by this chapter are as follows:

- (a) The application and examination fee for an original license for a private patrol operator shall be at least five hundred fifty dollars (\$550) and may be increased to an amount not to exceed six hundred five dollars (\$605).
- (b) The application fee for an original branch office certificate for a private patrol operator shall be at least two hundred fifty dollars (\$250) and may be increased to an amount not to exceed two hundred seventy-five dollars (\$275).
- (c) The fee for an original license for a private patrol operator shall be at least seven hundred seventy dollars (\$770) and may be increased to an amount not to exceed eight hundred forty-seven dollars (\$847).
- (d) The renewal fee is as follows:

(1) For a license as a private patrol operator, the fee shall be at least nine hundred dollars (\$900) and may be increased to an amount not to exceed nine hundred ninety dollars (\$990).

(2) For a branch office certificate for a private patrol operator, the fee shall be at least one hundred fifty dollars (\$150) and may be increased to an amount not to exceed one hundred sixty-five dollars (\$165).

(e) The delinquency fee is 50 percent of the renewal fee in effect on the date of expiration but not less than twenty-five dollars (\$25).

(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 manager shall be at least sixty dollars (\$60) and may be increased to an amount not to exceed sixty-six dollars (\$66).

(h) Registration fees pursuant to this chapter are as follows:

(1) A registration fee for a security guard shall be at least fifty-five dollars (\$55) and may be increased to an amount not to exceed sixty dollars (\$60).

(2) A security guard registration renewal fee shall be at least forty dollars (\$40) and may be increased to an amount not to exceed forty-four dollars (\$44).

(i) Fees to carry out other provisions of this chapter are as follows:

(1) A firearms permit fee shall be at least one hundred dollars (\$100) and may be increased to an amount not to exceed one hundred ten dollars (\$110).

(2) A firearms permit renewal fee shall be at least eighty dollars (\$80) and may be increased to an amount not to exceed eighty-eight dollars (\$88).

(3) An initial baton permit fee shall be sixty dollars (\$60) and may be increased to an amount not to exceed sixty-six dollars (\$66).

(4) An application fee for certification as a firearms training facility shall be at least eight hundred dollars (\$800) and may be increased to an amount not to exceed eight hundred eighty dollars (\$880).

(5) A renewal fee for certification as a firearms training facility shall be at least seven hundred fifty dollars (\$750) and may be increased to an amount not to exceed eight hundred twenty-five dollars (\$825).

(6) An application fee for certification as a baton training facility shall be at least seven hundred dollars (\$700) and may be increased to an amount not to exceed seven hundred seventy dollars (\$770).

(7) A renewal fee for certification as a baton training facility shall be at least five hundred fifty dollars (\$550) and may be increased to an amount not to exceed six hundred five dollars (\$605).

(8) An application fee for certification as a firearms or baton training instructor 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).

(9) A renewal fee for certification as a firearms training instructor shall be at least three hundred dollars (\$300) and may be increased to an amount not to exceed three hundred thirty dollars (\$330).

(10) A renewal fee for certification as a baton training instructor shall be at least two hundred seventy-five dollars (\$275) and may be increased to an amount not to exceed three hundred three dollars (\$303).

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

(12) The fee for a Certificate of Licensure, as specified in Section 7582.11, shall be twenty-five dollars (\$25).

(j) The fee for an endorsed verification of registration, licensure, certification, or permit shall be twenty-five dollars (\$25). The verification document shall include the registration, license, certificate, or permit number, the registration, license, certificate, or permit history and current status, the date of the endorsement, an embossed seal, and the signature of the chief.

(k) The reinstatement fee following a suspension pursuant to Section 7587.11 shall be 25 percent of the renewal fee.

(l) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 41. Section 7588 is added to the Business and Professions Code, to read:

7588. The fees prescribed by this chapter are as follows:

(a) The application and examination fee for an original license for a private patrol operator shall be at least five hundred fifty dollars (\$550) and may be increased to an amount not to exceed six hundred five dollars (\$605).

(b) The application fee for an original branch office certificate for a private patrol operator shall be at least two hundred fifty dollars (\$250) and may be increased to an amount not to exceed two hundred seventy-five dollars (\$275).

(c) The fee for an original license for a private patrol operator shall be at least seven hundred seventy dollars (\$770) and may be increased to an amount not to exceed eight hundred forty-seven dollars (\$847).

(d) The renewal fee is as follows:

(1) For a license as a private patrol operator, the fee shall be at least nine hundred dollars (\$900) and may be increased to an amount not to exceed nine hundred ninety dollars (\$990).

(2) For a branch office certificate for a private patrol operator, the fee shall be at least one hundred fifty dollars (\$150) and may be increased to an amount not to exceed one hundred sixty-five dollars (\$165).

(e) The delinquency fee is 50 percent of the renewal fee in effect on the date of expiration, but not less than twenty-five dollars (\$25).

(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 manager shall be at least sixty dollars (\$60) and may be increased to an amount not to exceed sixty-six dollars (\$66).

(h) Registration fees pursuant to this chapter are as follows:

(1) A registration fee for a security guard shall be at least fifty-five dollars (\$55) and may be increased to an amount not to exceed sixty dollars (\$60).

(2) A security guard registration renewal fee shall be at least forty dollars (\$40) and may be increased to an amount not to exceed forty-four dollars (\$44).

(i) Fees to carry out other provisions of this chapter are as follows:

(1) (A) A firearms permit fee shall be at least one hundred dollars (\$100) and may be increased to an amount not to exceed one hundred ten dollars (\$110).

(B) A firearms permit renewal fee shall be at least eighty dollars (\$80) and may be increased to an amount not to exceed eighty-eight dollars (\$88).

(2) (A) An initial baton permit fee shall be sixty dollars (\$60) and may be increased to an amount not to exceed sixty-six dollars (\$66).

(B) A baton permit renewal fee shall be forty dollars (\$40) and may be increased to an amount not to exceed forty-four dollars (\$44).

(3) (A) An application fee for certification as a firearms training facility shall be at least eight hundred dollars (\$800) and may be increased to an amount not to exceed eight hundred eighty dollars (\$880).

(B) A renewal fee for certification as a firearms training facility shall be at least seven hundred fifty dollars (\$750) and may be increased to an amount not to exceed eight hundred twenty-five dollars (\$825).

(4) (A) An application fee for certification as a baton training facility shall be at least seven hundred dollars (\$700) and may be increased to an amount not to exceed seven hundred seventy dollars (\$770).

(B) A renewal fee for certification as a baton training facility shall be at least five hundred fifty dollars (\$550) and may be increased to an amount not to exceed six hundred five dollars (\$605).

(5) (A) An application fee for certification as a firearms or baton training instructor 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).

(B) A renewal fee for certification as a firearms training instructor shall be at least three hundred dollars (\$300) and may be increased to an amount not to exceed three hundred thirty dollars (\$330).

(C) A renewal fee for certification as a baton training instructor shall be at least two hundred seventy-five dollars (\$275) and may be increased to an amount not to exceed three hundred three dollars (\$303).

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

(7) The fee for a Certificate of Licensure, as specified in Section 7582.11, shall be twenty-five dollars (\$25).

(j) The fee for an endorsed verification of registration, licensure, certification, or permit shall be twenty-five dollars (\$25). The verification document shall include the registration, license, certificate, or permit number, the registration, license, certificate, or permit history and current status, the date of the endorsement, an embossed seal, and the signature of the chief.

(k) The reinstatement fee following a suspension pursuant to Section 7587.11 shall be 25 percent of the renewal fee.

(l) This section shall become operative on January 1, 2024.

SEC. 42. 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.

(c) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 43. Section 7588.6 is added to the Business and Professions Code, 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 following:

(1) The fees required by subdivision (h) of Section 7588.

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

(b) This section shall become operative on January 1, 2024.

SEC. 44. Section 7596 of the Business and Professions Code, as amended by Section 23 of Chapter 697 of the Statutes of 2021, 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 July 1, 2023, and as of that date is repealed.

SEC. 45. Section 7596 of the Business and Professions Code, as added by Section 24 of Chapter 697 of the Statutes of 2021, 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 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 July 1, 2023.

SEC. 46. Section 7596.3 of the Business and Professions Code, as amended by Section 25.5 of Chapter 697 of the Statutes of 2021, 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 July 1, 2023, and as of that date is repealed.

SEC. 47. Section 7596.3 of the Business and Professions Code, as added by Section 26.5 of Chapter 697 of the Statutes of 2021, 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 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 July 1, 2023.

SEC. 48. Section 7598.1 of the Business and Professions Code, as amended by Section 27 of Chapter 697 of the Statutes of 2021, 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 July 1, 2023, and as of that date is repealed.

SEC. 49. Section 7598.1 of the Business and Professions Code, as added by Section 28 of Chapter 697 of the Statutes of 2021, 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 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 July 1, 2023.

SEC. 50. Section 7598.2 of the Business and Professions Code, as amended by Section 29 of Chapter 697 of the Statutes of 2021, 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 July 1, 2023, and as of that date is repealed.

SEC. 51. Section 7598.2 of the Business and Professions Code, as added by Section 30 of Chapter 697 of the Statutes of 2021, is amended 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 July 1, 2023.

SEC. 52. Section 7598.3 of the Business and Professions Code, as amended by Section 31 of Chapter 697 of the Statutes of 2021, 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 July 1, 2023, and as of that date is repealed.

SEC. 53. Section 7598.3 of the Business and Professions Code, as added by Section 32 of Chapter 697 of the Statutes of 2021, 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 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 July 1, 2023.

SEC. 54. Section 7599.37 of the Business and Professions Code, as amended by Section 33 of Chapter 697 of the Statutes of 2021, 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 July 1, 2023, and as of that date is repealed.

SEC. 55. Section 7599.37 of the Business and Professions Code, as added by Section 34 of Chapter 697 of the Statutes of 2021, 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 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 July 1, 2023.

SEC. 56. Section 7599.38 of the Business and Professions Code, as amended by Section 35 of Chapter 697 of the Statutes of 2021, 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 July 1, 2023, and as of that date is repealed.

SEC. 57. Section 7599.38 of the Business and Professions Code, as added by Section 36 of Chapter 697 of the Statutes of 2021, is amended 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 July 1, 2023.

SEC. 58. Section 22295 of the Penal Code is amended to read:

22295. (a) Nothing in any provision listed in Section 16580 prohibits any police officer, special police officer, peace officer, or law enforcement officer from carrying any wooden club or baton.

(b) Nothing in any provision listed in Section 16580 prohibits a uniformed security guard, regularly employed and compensated by a person engaged in any lawful business, while actually employed and engaged in protecting and preserving property or life within the scope of employment, from carrying any wooden club or baton if the uniformed security guard has satisfactorily completed a course of instruction certified by the Department of Consumer Affairs in the carrying and use of the club or baton. The training institution certified by the Department of Consumer Affairs to present this course, whether public or private, is authorized to charge a fee covering the cost of the training.

(c) The Department of Consumer Affairs, in cooperation with the Commission on Peace Officer Standards and Training, shall develop standards for a course in the carrying and use of a club or baton.

(d) Any uniformed security guard who successfully completes a course of instruction under this section is entitled to receive a permit to carry and use a club or baton within the scope of employment, issued by the Department of Consumer Affairs. The department may authorize a certified training institution to issue permits to carry and use a club or baton. A fee in the amount provided by law shall be charged by the Department of Consumer Affairs to offset the costs incurred by the department in course certification, quality control activities associated with the course, and issuance of the permit.

(e) Any person who has received a permit or certificate that indicates satisfactory completion of a club or baton training course approved by the Commission on Peace Officer Standards and Training prior to January 1, 1983, shall not be required to obtain a club or baton permit or complete a course certified by the Department of Consumer Affairs.

(f) Any person employed as a county sheriff's or police security officer, as defined in Section 831.4, shall not be required to obtain a club or baton permit or to complete a course certified by the Department of Consumer Affairs in the carrying and use of a club or baton, provided that the person completes a course approved by the Commission on Peace Officer Standards and Training in the carrying and use of the club or baton, within 90 days of employment.

(g) Nothing in any provision listed in Section 16580 prohibits an animal control officer, as described in Section 830.9, a humane officer, as described in paragraph (5) of subdivision (h) of Section 14502 of the Corporations Code, or an illegal dumping enforcement officer, as described in Section 830.7, from carrying any wooden club or baton if the animal control officer, humane officer, or illegal dumping enforcement officer has satisfactorily completed the course of instruction certified by the Commission on Peace Officer Standards and Training in the carrying and use of the club or baton. The training institution certified by the Commission on Peace Officer Standards and Training to present this course, whether public or private, is authorized to charge a fee covering the cost of the training.

(h) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 59. Section 22295 is added to the Penal Code, to read:

22295. (a) Nothing in any provision listed in Section 16580 prohibits any police officer, special police officer, peace officer, or law enforcement officer from carrying any wooden club or baton.

(b) Nothing in any provision listed in Section 16580 prohibits a licensed private patrol operator, a qualified manager of a licensed private patrol operator, or a registered security guard, regularly employed and compensated by a person engaged in any lawful business, while actually employed and engaged in protecting and preserving property or life within the scope of employment, from carrying a baton if they comply with the requirements of Chapter 11.5 (commencing with Section 7580) of Division 3 of the Business and Professions Code relating to the carrying and use of the baton.

(c) Any person who has received a permit or certificate that indicates satisfactory completion of a club or baton training course approved by the Commission on Peace Officer Standards and Training prior to January 1, 1983, shall not be required to obtain a baton permit pursuant to Chapter 11.5 (commencing with Section 7580) of Division 3 of the Business and Professions Code.

(d) Any person employed as a county sheriff's or police security officer, as defined in Section 831.4, shall not be required to obtain a baton permit pursuant to Chapter 11.5 (commencing with Section 7580) of Division 3 of the Business and Professions Code, if the person completes a course approved by the Commission on Peace Officer Standards and Training in the carrying and use of the baton, within 90 days of employment.

(e) Nothing in any provision listed in Section 16580 prohibits an animal control officer, as described in Section 830.9, a humane officer, as described in paragraph (5) of subdivision (h) of Section 14502 of the Corporations Code, or an illegal dumping enforcement officer, as described in Section 830.7, from carrying any wooden club or baton if the animal control officer, humane officer, or illegal dumping enforcement officer has satisfactorily completed the course of instruction certified by the Commission on Peace Officer Standards and Training in the carrying and use of the club or baton. The training institution certified by the Commission on Peace Officer Standards and Training to present this course, whether public or private, is authorized to charge a fee covering the cost of the training.

(f) This section shall become operative on January 1, 2024.

SEC. 60. 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.