



AB-1244 Private security services and private investigators: qualified managers. (2023-2024)

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Assembly Bill No. 1244

CHAPTER 571

An act to amend Sections 7529, 7542, 7542.3, 7542.4, 7542.6, and 7583.1 of, to amend, repeal, and add Sections 7512.7, 7535, 7536, 7542.2, 7558, 7559, 7559.5, 7570, 7580.7, 7582.21, 7582.22, 7586, 7586.3, 7586.4, and 7588 of, and to add Section 7525.2 to, the Business and Professions Code, relating to professions and vocations.

[Approved by Governor October 08, 2023. Filed with Secretary of State October 08, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1244, Holden. Private security services and private investigators: qualified managers.

(1) Existing law, the Private Investigator Act, provides for the licensure and regulation of private investigators by the Director of Consumer Affairs, and establishes the Bureau of Security and Investigative Services in the Department of Consumer Affairs to provide licensure and regulatory oversight under the act. Existing law makes a violation of the act a misdemeanor. Existing law requires the business of a licensee under the act to be operated under the direction, control, charge, or management of the licensee, if they are qualified, or the person who is qualified to act as the qualified manager, and establishes requirements for a qualified manager, including obtaining a qualification certificate from the bureau.

This bill, on and after January 1, 2025, would require the holder of a qualified manager certificate who wishes to be associated with more than their own private investigator license to apply to the bureau for a qualified manager license, would require any person acting as a qualified manager of an additional private investigator license to hold a qualified manager license issued by the bureau, and would require the bureau to issue a qualified manager license to an applicant upon satisfaction of specified requirements. The bill would require the bureau to issue an enhanced photo identification card to a licensee who holds a qualified manager license upon the issuance, and with each biennial renewal, of a license.

The bill would require the holder of a qualified manager certificate to post the certificate in a specified manner, would provide that a qualified manager license expires 2 years following the date of issuance, and would specify requirements for the renewal of a suspended qualified manager certificate and fees for reinstatement of a revoked qualified manager certificate. The bill would establish fees for the issuance and renewal of a qualified manager license, which would be deposited in the Private Security Services Fund.

Existing law prohibits a licensee or qualified manager of a licensee from carrying or using a firearm unless the person has met specified requirements and possesses a valid firearms qualification card. Existing law establishes certain procedural requirements for the denial of a firearms qualification card on the basis of the results of an assessment, including requiring appeals of those denials to be in accordance with specified administrative adjudication procedures generally applicable to state agencies.

This bill would delete those procedural requirements.

Existing law requires the bureau to issue a firearms permit to an applicant who is a licensed private investigator or a qualified manager of a licensed private investigator and the firearms permit is associated with a qualified manager of a licensed private investigator, subject to specified conditions.

This bill, on and after January 1, 2025, would also authorize the bureau to issue a firearms permit to a licensed private investigator or a qualified manager of a licensed private investigator if the firearms permit is associated with a qualified manager license.

Existing law prohibits the bureau from issuing a firearms permit to a licensed private investigator or qualified manager of a licensed private investigator who, within the past 12 months, has been assessed and found incapable of exercising appropriate judgment, restraint, and self-control, as specified.

This bill would delete that provision.

Existing law authorizes an applicant who is denied a firearm permit renewal because the applicant is prohibited from possessing, receiving, purchasing, or owning a firearm permit to reapply for the permit after the prohibition expires, and requires the bureau to treat it as an initial application, as specified.

This bill would delete that provision.

Existing law requires the bureau to revoke a firearms permit if the Department of Justice notifies the bureau that the holder of the firearms permit is prohibited from possessing, receiving, or purchasing a firearm. Existing law requires the bureau to seek an emergency order against the holder of a firearms permit if the bureau determines the holder presents an undue hazard to public safety, as specified.

This bill would instead authorize the bureau to revoke a firearms permit or seek an emergency order pursuant to those provisions.

(2) Existing law, the Private Security Services Act, provides for the licensure and regulation of private patrol operators by the Director of Consumer Affairs, and provides for licensure and regulatory oversight of the act by the bureau. Existing law makes a violation of the act a misdemeanor. Existing law requires the business of each licensee to be operated under the direction of the licensee, if they are qualified, or the person who is qualified to act as the licensee's manager, if the licensee is not qualified. Existing law establishes prescribed requirements for a qualified manager, including demonstrating their qualifications by examination, if required by the director.

This bill, on and after January 1, 2025, would require the director to issue a qualified manager certificate to a person who meets those qualifications. The bill would establish requirements for posting a qualified manager certificate, would provide that a qualified manager certificate expires 2 years from the date of issuance, and would establish requirements for renewal of a qualified manager certificate and fees for reinstatement of a revoked qualified manager certificate. The bill would establish initial application, examination, renewal, and delinquency fees for a qualified manager certificate, which would be deposited in the Private Security Services Fund.

Existing law requires an applicant for a license as a private patrol operator or their manager to have at least one year of experience as a patrolperson, guard, or watchman, or the equivalent, as specified.

This bill would instead require an applicant or their manager to have at least 2 years of experience as a patrolperson, guard, or watchman, or equivalent, as specified, and one year, as specified, as a manager or in an administrative position with a licensed and current private patrol operator.

This bill would make other related and conforming changes.

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

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

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

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

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

SECTION 1. Section 7512.7 of the Business and Professions Code is amended to read:

7512.7. (a) As used in this chapter, "qualified manager" means the individual under whose direction, control, charge, or management the business of a licensee is operated as specified in Section 7536.

(b) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 2. Section 7512.7 is added to the Business and Professions Code, to read:

7512.7. (a) As used in this chapter:

(1) "Qualified manager" means the individual under whose direction, control, charge, or management the business of a licensee is operated as specified in Section 7536, and who is in possession of a current and valid qualified manager's certificate issued pursuant to this chapter.

(2) The holder of a qualified manager license is an individual who has applied for and received a qualified manager license, as provided in Section 7525.2, and is eligible to be associated with more than one private investigator license pursuant to subdivision (c) of Section 7536.

(b) This section shall become operative on January 1, 2025.

SEC. 3. Section 7525.2 is added to the Business and Professions Code, to read:

7525.2. (a) An applicant for a qualified manager license shall satisfy all of the following requirements:

(1) Be at least 18 years of age.

(2) Demonstrate they meet the experience requirements specified in Sections 7541 and 7541.1.

(3) Complete and forward to the bureau a private investigator qualified manager license application on a form prescribed by the director and signed by the applicant.

(4) Submit to the bureau two recent photographs of the applicant of a type prescribed by the director, two classifiable sets of the applicant's fingerprints or proof of completion of a live scan, and the applicant's residence address and residence telephone number.

(5) Demonstrate passage of the private investigator licensing examination.

(6) Pay the required application and examination fees to the bureau, if applicable.

(b) The application form shall contain a statement informing the applicant that a false or dishonest answer to a question may be grounds for denial or subsequent suspension or revocation of a qualified manager license.

(c) This section shall become operative on January 1, 2025.

SEC. 4. Section 7529 of the Business and Professions Code, as amended by Section 26 of Chapter 625 of the Statutes of 2022, is amended to read:

7529. (a) Upon the issuance of and with each biennial renewal of a license, a license in the form of an enhanced photo identification card of the size, design, and content as may be determined by the director or the director's designee shall be issued by the bureau to each licensee, as follows:

(1) If the licensee is an individual, the enhanced photo identification card shall be issued to the licensee and to the licensee's qualified manager.

(2) If the licensee is a partnership, the enhanced photo identification card shall be issued to each partner of the partnership licensee active in the business and to the licensee's qualified manager.

(3) If the licensee is a corporation, the enhanced photo identification card shall be issued to each officer active in the business and to the licensee's qualified manager.

(4) If a licensee holds a qualified manager license, the enhanced photo identification card shall be issued to the qualified manager licensee.

(b) The enhanced photo identification card is evidence that the licensee is licensed pursuant to this chapter. The card shall contain the name of the licensee, license expiration date, and a photograph of the licensee. The enhanced photo identification card shall clearly state that the person is licensed as a private investigator or is the qualified manager or officer of the licensee. The enhanced photo identification card is to be composed of a durable material and may incorporate technologically advanced

security features. The bureau may recover its costs in an amount sufficient to reimburse the department's costs for furnishing the enhanced photo identification card. The fee charged shall not exceed the actual direct costs for system development, maintenance, and processing necessary to provide this service. The total amount of costs shall be recovered by including that amount in the fee charged for the initial application of and renewal of licensure. When the position, office, or association with a licensee belonging to a person to whom a card is issued is terminated, the person shall surrender the card to the licensee and, within five days thereafter, the licensee shall mail or deliver the card to the bureau for cancellation. Every person, while engaged in any activity for which licensure is required, shall display the person's valid enhanced photo identification card as provided by regulation.

(c) This section shall become operative on January 1, 2025.

SEC. 5. Section 7535 of the Business and Professions Code is amended to read:

7535. (a) A licensee shall not advertise or conduct business from any location other than that shown on the records of the bureau as their principal place of business unless they have received a branch office certificate for the location after compliance with the provisions of this chapter and any additional requirements necessary for the protection of the public as the director may by regulation prescribe. A licensee shall notify the bureau in writing within 30 days after closing or changing the location of a branch office.

(b) The branch office certificate shall be posted below the private investigator operator's license.

(c) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 6. Section 7535 is added to the Business and Professions Code, to read:

7535. (a) A licensee shall not advertise or conduct business from any location other than that shown on the records of the bureau as their principal place of business unless they have received a branch office certificate for the location after compliance with the provisions of this chapter and any additional requirements necessary for the protection of the public as the director may by regulation prescribe. A licensee shall notify the bureau in writing within 30 days after closing or changing the location of a branch office.

(b) The branch office certificate shall be posted below the private investigator operator's license. The qualified manager certificate shall be posted below the branch office certificate.

(c) This section shall become operative on January 1, 2025.

SEC. 7. Section 7536 of the Business and Professions Code is amended to read:

7536. (a) The business of each licensee shall be operated under the active direction, control, charge, or management, in this state, of the licensee, if they are qualified, or the person who is qualified to act as the licensee's qualified manager, if the licensee is not qualified.

(b) No person shall act as a qualified manager of a licensee until they have complied with each of the following:

(1) Demonstrated their qualifications by a written or oral examination, or a combination of both, if required by the director.

(2) Made a satisfactory showing to the director that they have the qualifications prescribed in Section 7526 and that none of the facts stated in Section 7538 or 7538.5 exist as to them.

(c) A person shall not act as a qualified manager of more than five licensees. The person acting as a qualified manager shall share equally with the licensee the responsibility and any liability for the conduct of the business of the licensee and the actions of the employees and other personnel of the licensee. This section shall not apply to any licensee that notifies the bureau in writing that they are not conducting any business, but requests to maintain a current license status with the bureau. Whenever the licensee resumes conducting business, the licensee shall so inform the bureau in writing within 30 days.

(d) Any person acting as a qualified manager of a licensee shall be the holder of a qualification certificate issued by the bureau. The certificate, together with the current renewal certificate, shall be predominantly displayed below the private investigator's license.

(e) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 8. Section 7536 is added to the Business and Professions Code, to read:

7536. (a) The business of each licensee shall be operated under the active direction, control, charge, or management, in this state, of the licensee, if they are qualified, or the person who is qualified to act as the licensee's qualified manager, if the licensee is not qualified.

(b) No person shall act as a qualified manager of a licensee until they have complied with each of the following:

(1) Demonstrated their qualifications by a written or oral examination, or a combination of both, if required by the director.

(2) Made a satisfactory showing to the director that they have the qualifications prescribed in Section 7526 and that none of the facts stated in Section 7538 or 7538.5 exist as to them.

(c) If the holder of a qualified manager certificate wishes to be associated with more than their own private investigator license, they shall apply to the bureau for a qualified manager license in accordance with Section 7525.2. A person shall not act as a qualified manager of more than five licensees. The person acting as a qualified manager shall possess a qualified manager license and share equally with the licensee the responsibility and any liability for the conduct of the business of the licensee and the actions of the employees and other personnel of the licensee. This section shall not apply to any licensee that notifies the bureau in writing that they are not conducting any business, but requests to maintain a current license status with the bureau. Whenever the licensee resumes conducting business, the licensee shall inform the bureau in writing within 30 days.

(d) Any person acting as a qualified manager of their own private investigator license shall be the holder of a qualified manager certificate issued by the bureau. The certificate shall be predominantly displayed below the private investigator's license. Any person acting as qualified manager of an additional private investigator license shall be the holder of a qualified manager license issued by the bureau. A copy of the qualified manager license shall be predominantly displayed below the private investigator's license.

(e) This section shall become operative on January 1, 2025.

SEC. 9. Section 7542 of the Business and Professions Code is amended to read:

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

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

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

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

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

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

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

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

SEC. 10. Section 7542.2 of the Business and Professions Code is amended to read:

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

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

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

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

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

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

(c) (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 requirements of paragraph (1) and shall instead carry out the requirements under another bureau-certified firearms training instructor.

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

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

(f) The applicant has produced evidence to the firearm training facility that the applicant is a citizen of the United States or has permanent legal immigration status in the United States. Evidence of citizenship or permanent legal immigration status shall be deemed sufficient by the bureau to ensure compliance with federal laws prohibiting possession of firearms by persons unlawfully in the United States and may include, but not be limited to, United States Department of Justice, Immigration and Naturalization Service Form I-151 or 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 application fees prescribed in this chapter.

(h) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 11. Section 7542.2 is added to the Business and Professions Code, to read:

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

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

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

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

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

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

(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 requirements of paragraph (1) and shall instead carry out the requirements under another bureau-certified firearms training instructor.

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

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

(f) The applicant has produced evidence to the firearm training facility that the applicant is a citizen of the United States or has permanent legal immigration status in the United States. Evidence of citizenship or permanent legal immigration status shall be deemed sufficient by the bureau to ensure compliance with federal laws prohibiting possession of firearms by persons unlawfully in the United States and may include, but not be limited to, United States Department of Justice, Immigration and Naturalization Service Form I-151 or 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 application fees prescribed in this chapter.

(h) This section shall become operative on January 1, 2025.

SEC. 12. Section 7542.3 of the Business and Professions Code is amended to read:

7542.3. (a) The bureau shall not issue a firearm permit if the applicant is prohibited from possessing, receiving, owning, or purchasing a firearm pursuant to state or federal law.

(b) Before issuing an initial firearm permit, the bureau shall provide the Department of Justice with the name, address, social security number, and fingerprints of the applicant.

(c) The Department of Justice shall inform the bureau, within 60 days from receipt of the information specified in subdivision (b), of the applicant's eligibility to possess, receive, purchase, or own a firearm pursuant to state and federal law.

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

SEC. 13. Section 7542.4 of the Business and Professions Code is amended to read:

7542.4. (a) The bureau shall not renew a firearm permit if the applicant is prohibited from possessing, receiving, purchasing, or owning a firearm pursuant to state or federal law.

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

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

SEC. 14. Section 7542.6 of the Business and Professions Code is amended to read:

7542.6. (a) A firearm permit may be automatically revoked if, at any time, the Department of Justice notifies the bureau that the holder of the firearm permit is prohibited from possessing, receiving, or purchasing a firearm pursuant to state or federal law. Following the automatic revocation, an administrative hearing shall be provided upon written request to the bureau in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(b) The bureau may seek an emergency order pursuant to Article 13 (commencing with Section 11460.10) of Chapter 4.5 of Part 1 of Division 3 of Title 2 of the Government Code against the holder of the firearms permit if, after the bureau's investigation relating to any of the following events, the bureau determines that the holder of the firearms permit presents an undue hazard to public safety that may result in substantial injury to another:

(1) Receipt of subsequent arrest information of an arrest for any of the following:

(A) Assault.

(B) Battery.

(C) Any use of force or violence on any person committed by the permitholder.

(2) A report from a bureau-approved firearms training facility or instructor made pursuant to Section 7585.18.

(3) A report from the permitholder's employer or former employer that the permitholder may be a threat to public safety.

(4) A complaint filed by any member of the public that the permitholder may be a threat to public safety.

(5) The results of the assessment administered pursuant to Section 7583.47 indicate that the permitholder is incapable of exercising appropriate judgment, restraint, and self-control for the purpose of carrying and using a firearm in the course of their duties as a registered security guard.

SEC. 15. Section 7558 of the Business and Professions Code is amended to read:

7558. (a) A private investigator license, branch office certificate, and pocket card issued under this chapter expires at midnight on the last day of the month two years following the date of issuance unless renewed.

(b) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 16. Section 7558 is added to the Business and Professions Code, to read:

7558. (a) A private investigator license, branch office certificate, qualified manager license, and pocket card issued under this chapter expires at midnight on the last day of the month two years following the date of issuance unless renewed.

(b) This section shall become operative on January 1, 2025.

SEC. 17. Section 7559 of the Business and Professions Code is amended to read:

7559. (a) A suspended license or branch office certificate is subject to expiration and shall be renewed as provided in this article, but renewal of the license does not entitle the licensee, while the license remains suspended and until it is reinstated, to engage in the licensed activity, or in any other activity, or in any other activity or conduct in violation of the order or judgment by which the license was suspended, and renewal of the branch office certificate does not entitle the licensee, while the certificate remains suspended, and until it is reinstated, to engage in the licensed activity at the location for which the certificate was issued, or to engage in any other activity or conduct in violation of the order or judgment by which the certificate was suspended.

(b) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 18. Section 7559 is added to the Business and Professions Code, to read:

7559. (a) A suspended license, branch office certificate, or qualified manager certificate is subject to expiration and shall be renewed as provided in this article, but renewal of the license does not entitle the licensee, while the license remains suspended and until it is reinstated, to engage in the licensed activity, or in any other activity, or in any other activity or conduct in violation of the order or judgment by which the license was suspended, and renewal of the branch office certificate or qualified manager certificate does not entitle the licensee, while the certificate remains suspended, and until it is reinstated, to engage in the licensed activity at the location for which the certificate was issued, or to engage in any other activity or conduct in violation of the order or judgment by which the certificate was suspended.

(b) This section shall become operative on January 1, 2025.

SEC. 19. Section 7559.5 of the Business and Professions Code is amended to read:

7559.5. (a) A revoked license or branch office certificate is subject to expiration as provided in this article, but it may not be renewed. If it is reinstated after its expiration, the licensee, as a condition precedent to its reinstatement, shall pay a reinstatement fee in an amount equal to the renewal fee in effect on the last regular renewal date before the date on which it is reinstated, plus the delinquency fee, if any, accrued at the time of its revocation.

(b) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 20. Section 7559.5 is added to the Business and Professions Code, to read:

7559.5. (a) A revoked license, branch office certificate, or qualified manager certificate is subject to expiration as provided in this article, but it may not be renewed. If it is reinstated after its expiration, the licensee, as a condition precedent to its reinstatement, shall pay a reinstatement fee in an amount equal to the renewal fee in effect on the last regular renewal date before the date on which it is reinstated, plus the delinquency fee, if any, accrued at the time of its revocation.

(b) This section shall become operative on January 1, 2025.

SEC. 21. Section 7570 of the Business and Professions Code is amended to read:

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

- (a) The application and examination fee for an original license shall be at least three hundred forty dollars (\$340) and may be increased to not more than three hundred seventy-four dollars (\$374).
- (b) The application fee for an original branch office certificate shall be at least ninety dollars (\$90) and may be increased to not more than ninety-nine dollars (\$99).
- (c) The fee for an original license for a private investigator shall be at least three hundred eighty-five dollars (\$385) and may be increased to not more than four hundred twenty-four dollars (\$424).
- (d) The renewal fee is as follows:
 - (1) For a license as a private investigator, the fee shall be at least two hundred sixty-five dollars (\$265) and may be increased to not more than two hundred ninety-two dollars (\$292).
 - (2) For a branch office certificate for a private investigator, the fee shall be at least sixty-five dollars (\$65) and may be increased to not more than seventy-two dollars (\$72).
- (e) The delinquency fee is 50 percent of the renewal fee in effect on the date of expiration.
- (f) A reinstatement fee is equal to the amount of the renewal fee plus the regular delinquency fee.
- (g) The fee for reexamination of an applicant or their qualified manager shall be at least sixty dollars (\$60) and may be increased to not more than sixty-six dollars (\$66).
- (h) The processing fee for the assignment of a license pursuant to Section 7530 shall be at least four hundred dollars (\$400) and may be increased to not more than four hundred forty dollars (\$440).
- (i) The firearms permit fee shall be at least one hundred dollars (\$100), but shall not exceed one hundred ten dollars (\$110).
- (j) The firearms permit renewal fee shall be at least eighty dollars (\$80), but shall not exceed eighty-eight dollars (\$88).
- (k) The replacement fee for a lost or destroyed registration card, license, certificate, or permit authorized by this chapter shall be twenty-five dollars (\$25). A request to replace a lost or destroyed registration card, license, certificate, or permit shall be made in the manner prescribed by the bureau.
- (l) The fee for a Certificate of Licensure, as specified in Section 7528, shall be twenty-five dollars (\$25).
- (m) The fee for an endorsed verification of licensure, certification, or permit shall be twenty-five dollars (\$25). The verification document shall include the history and current status of the license, certificate, or permit number, the date of the endorsement, an embossed seal, and the signature of the chief.
- (n) The reinstatement fee following a suspension pursuant to subdivision (e) of Section 7520.3 shall be no more than 50 percent of the renewal fee.
- (o) The reinstatement fee following a suspension pursuant to Section 7561.2 shall be 25 percent of the renewal fee.
- (p) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 22. Section 7570 is added to the Business and Professions Code, to read:

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

- (a) The application and examination fee for an original license shall be at least three hundred forty dollars (\$340) and may be increased to not more than three hundred seventy-four dollars (\$374).
- (b) The application fee for an original branch office certificate shall be at least ninety dollars (\$90) and may be increased to not more than ninety-nine dollars (\$99).
- (c) The fee for an original license for a private investigator shall be at least three hundred eighty-five dollars (\$385) and may be increased to not more than four hundred twenty-four dollars (\$424).
- (d) The fee for a qualified manager license pursuant to Section 7525.2 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 renewal fee is as follows:

(1) For a license as a private investigator, the fee shall be at least two hundred sixty-five dollars (\$265) and may be increased to not more than two hundred ninety-two dollars (\$292).

(2) For a branch office certificate for a private investigator, the fee shall be at least sixty-five dollars (\$65) and may be increased to not more than seventy-two dollars (\$72).

(3) For a qualified manager license, the fee shall be at least two hundred twenty-five dollars (\$225) and may be increased to an amount not to exceed two hundred forty-eight dollars (\$248).

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

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

(h) The fee for reexamination of an applicant or their qualified manager shall be at least sixty dollars (\$60) and may be increased to not more than sixty-six dollars (\$66).

(i) The processing fee for the assignment of a license pursuant to Section 7530 shall be at least four hundred dollars (\$400) and may be increased to not more than four hundred forty dollars (\$440).

(j) The firearms permit fee shall be at least one hundred dollars (\$100), but shall not exceed one hundred ten dollars (\$110).

(k) The firearms permit renewal fee shall be at least eighty dollars (\$80), but shall not exceed eighty-eight dollars (\$88).

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

(m) The fee for a Certificate of Licensure, as specified in Section 7528, shall be twenty-five dollars (\$25).

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

(o) The reinstatement fee following a suspension pursuant to subdivision (e) of Section 7520.3 shall be no more than 50 percent of the renewal fee.

(p) The reinstatement fee following a suspension pursuant to Section 7561.2 shall be 25 percent of the renewal fee.

(q) This section shall become operative on January 1, 2025.

SEC. 23. Section 7580.7 of the Business and Professions Code is amended to read:

7580.7. (a) As used in this chapter, "manager" means the individual under whose direction, control, charge, or management the business of a licensee is operated.

(b) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 24. Section 7580.7 is added to the Business and Professions Code, to read:

7580.7. (a) As used in this chapter, "qualified manager" means the individual under whose direction, control, charge, or management the business of a licensee is operated, who has qualified pursuant to Section 7582.22, and who is in possession of a current and valid qualified manager's certificate issued pursuant to this chapter.

(b) This section shall become operative on January 1, 2025.

SEC. 25. Section 7582.21 of the Business and Professions Code is amended to read:

7582.21. (a) A licensee shall not advertise or conduct business from any location other than that shown on the records of the bureau as their principal place of business unless they have received a branch office certificate for the location after compliance with the provisions of this chapter and any additional requirements necessary for the protection of the public as the director may by regulation prescribe. A licensee shall notify the bureau in writing within 10 days after closing or changing the location of a branch office.

(b) The director may assess a fine of five hundred dollars (\$500) for the first violation of subdivision (a) and one thousand dollars (\$1,000) for each violation thereafter.

(c) The branch office certificate or copy shall be posted below the private patrol operator's license.

(d) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 26. Section 7582.21 is added to the Business and Professions Code, to read:

7582.21. (a) A licensee shall not advertise or conduct business from any location other than that shown on the records of the bureau as their principal place of business unless they have received a branch office certificate for the location after compliance with the provisions of this chapter and any additional requirements necessary for the protection of the public as the director may by regulation prescribe. A licensee shall notify the bureau in writing within 10 days after closing or changing the location of a branch office.

(b) The director may assess a fine of five hundred dollars (\$500) for the first violation of subdivision (a) and one thousand dollars (\$1,000) for each violation thereafter.

(c) The branch office certificate shall be posted below the private patrol operator's license. The qualified manager certificate shall be posted below the branch office certificate.

(d) This section shall become operative on January 1, 2025.

SEC. 27. Section 7582.22 of the Business and Professions Code is amended to read:

7582.22. (a) The business of each licensee shall be operated under the active direction, control, charge, or management, in this state, of the licensee, if they are qualified, or the person who is qualified to act as the licensee's manager, if the licensee is not qualified. Any licensee conducting business in this state whose primary office is located outside of this state shall do both of the following:

(1) Maintain an office in this state operated under the active direction, control, charge, or management of a qualified manager.

(2) Maintain at the office in this state all records required under this chapter and under rules adopted by the bureau.

(b) No person shall act as a qualified manager of a licensee until they have complied with each of the following:

(1) Demonstrated their qualifications by a written or oral examination, or a combination of both, if required by the director.

(2) Made a satisfactory showing to the director that they have the qualifications prescribed in Section 7582.8 and that none of the facts stated in Section 7582.24 or 7582.25 exist as to them.

(c) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 28. Section 7582.22 is added to the Business and Professions Code, to read:

7582.22. (a) The business of each licensee shall be operated under the active direction, control, charge, or management, in this state, of the licensee, if they are qualified, or the person who is qualified to act as the licensee's manager, if the licensee is not qualified. Any licensee conducting business in this state whose primary office is located outside of this state shall do both of the following:

(1) Maintain an office in this state operated under the active direction, control, charge, or management of a qualified manager.

(2) Maintain at the office in this state all records required under this chapter and under rules adopted by the bureau.

(b) No person shall act as a qualified manager of a licensee until they have complied with both of the following:

(1) Demonstrated their qualifications by a written or oral examination, or a combination of both, if required by the director.

(2) Made a satisfactory showing to the director that they have the qualifications prescribed in Section 7582.8 and that none of the facts stated in Section 7582.24 or 7582.25 exist as to them.

(c) The director shall issue a qualified manager certificate to any person meeting the requirements of this section. The certificate of the qualified manager shall be prominently displayed below the branch office license at the principal place of business. If the principal place of business is outside of this state, then the certificate of the qualified manager shall be posted below the branch office certificate at each branch office.

(d) This section shall become operative on January 1, 2025.

SEC. 29. Section 7583.1 of the Business and Professions Code is amended to read:

7583.1. (a) An applicant, or their manager, for a license as a private patrol operator shall have had at least two years, which shall consist of not less than 4,000 hours of experience as a patrolperson, guard, or watchman, or the equivalent thereof as determined by the director, and one year, which shall consist of not less than 2,000 hours as manager or in an administrative position with a licensed and current private patrol operator. An applicant shall substantiate the claimed three years, which shall consist of not less than 6,000 hours of qualifying experience and the exact details as to the character and nature thereof by written certifications from the employer, subject to independent verification by the chief as they may determine. In the event of inability of an applicant to supply the written certifications from the employer in whole or in part, applicants may offer other written certifications from other than employers substantiating employment for consideration by the chief.

(b) An individual who, upon the determination of the chief, has served in the armed services and possesses the proper skills may be eligible to take the private patrol operator licensing examination. In that case, the chief may waive any other required training courses, as they determine. However, if the applicant fails the licensing examination, the chief may not thereafter waive completion of any required training courses.

SEC. 30. Section 7586 of the Business and Professions Code is amended to read:

7586. (a) A private patrol operator license, branch office certificate, and pocket card issued under this chapter expires at midnight on the last day of the month two years following the date of issuance unless renewed.

(b) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 31. Section 7586 is added to the Business and Professions Code, to read:

7586. (a) A private patrol operator license, branch office certificate, qualified manager certificate, and pocket card issued under this chapter expires at midnight on the last day of the month two years following the date of issuance unless renewed.

(b) To renew an unexpired qualified manager certificate, the qualified manager shall apply for renewal on a form prescribed by the director, pay all fines assessed to the certificate, and pay the renewal fee as provided in this chapter. To renew an expired certificate, the qualified manager shall apply for renewal on a form prescribed by the director and pay all fines assessed to the certificate, the renewal fee, and the delinquency fee as provided in this chapter.

(c) This section shall become operative on January 1, 2025.

SEC. 32. Section 7586.3 of the Business and Professions Code is amended to read:

7586.3. (a) A suspended license or branch office certificate is subject to expiration and shall be renewed as provided in this article, but renewal of the license does not entitle the licensee, while the license remains suspended and until it is reinstated, to engage in the licensed activity, or in any other activity, or in any other activity or conduct in violation of the order or judgment by which the license was suspended, and renewal of the branch office certificate does not entitle the licensee, while the certificate remains suspended, and until it is reinstated, to engage in the licensed activity at the location for which the certificate was issued, or to engage in any other activity or conduct in violation of the order or judgment by which the certificate was suspended.

(b) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 33. Section 7586.3 is added to the Business and Professions Code, to read:

7586.3. (a) A suspended license, branch office certificate, or qualified manager certificate is subject to expiration and shall be renewed as provided in this article, but renewal of the license does not entitle the licensee, while the license remains suspended and until it is reinstated, to engage in the licensed activity, or in any other activity, or in any other activity or conduct in violation of the order or judgment by which the license was suspended, and renewal of the branch office certificate or qualified manager certificate does not entitle the licensee, while the certificate remains suspended, and until it is reinstated, to engage in the licensed activity at the location for which the certificate was issued, or to engage in any other activity or conduct in violation of the order or judgment by which the certificate was suspended.

(b) This section shall become operative on January 1, 2025.

SEC. 34. Section 7586.4 of the Business and Professions Code is amended to read:

7586.4. (a) A revoked license or branch office certificate is subject to expiration as provided in this article, but it may not be renewed. If it is reinstated after its expiration, the licensee, as a condition precedent to its reinstatement, shall pay a reinstatement fee in an amount equal to the renewal fee in effect on the last regular renewal date before the date on which it is reinstated, plus the delinquency fee, if any, accrued at the time of its revocation.

(b) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 35. Section 7586.4 is added to the Business and Professions Code, to read:

7586.4. (a) A revoked license, branch office certificate, or qualified manager certificate is subject to expiration as provided in this article, but it may not be renewed. If it is reinstated after its expiration, the licensee, as a condition precedent to its reinstatement, shall pay a reinstatement fee in an amount equal to the renewal fee in effect on the last regular renewal date before the date on which it is reinstated, plus the delinquency fee, if any, accrued at the time of its revocation.

(b) This section shall become operative on January 1, 2025.

SEC. 36. Section 7588 of the Business and Professions Code, as added by Section 41 of Chapter 287 of the Statutes of 2022, 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) 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 remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 37. 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 initial application and examination fee for an original certificate for a qualified manager 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 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).

(f) The delinquency fee for a license, registration, or certificate is 50 percent of the renewal fee in effect on the date of expiration, but not less than twenty-five dollars (\$25).

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

(h) 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).

(i) 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).

(j) 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).

(k) 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.

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

(m) A renewal fee for a qualified manager certificate shall be at least two hundred twenty-five dollars (\$225) and may be increased to an amount not to exceed two hundred forty-eight dollars (\$248).

(n) This section shall become operative on January 1, 2025.

SEC. 38. 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.