

Introduced: 3/8/76
Referred: Judiciary

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 *CS* HOUSE BILL NO. 856 *ams*

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the licensing of security
7 guards; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 18.65 is amended by adding new sections to read:

10 ARTICLE 4. SECURITY GUARDS.

11 Sec. 18.65.400. LICENSE AS SECURITY GUARD. No person may be
12 employed as a security guard until he has obtained a license from the
13 commissioner of public safety under secs. 400--490 of this chapter.

14 Sec. 18.65.410. APPLICATIONS. Application for a license as a
15 security guard must be on forms provided by the commissioner. The
16 application must require the furnishing of information reasonably re-
17 quired by the commissioner to carry out the provisions of secs. 400--
18 490 of this chapter, including classifiable fingerprints to enable
19 the search of criminal indices for evidence of a prior criminal record.
20 The application must be accompanied by a non-refundable application
21 fee of \$100.

22 Sec. 18.65.420. BONDING AND INSURANCE. As a condition to issuance
23 of a license, the applicant must furnish a bond or proof of a policy
24 of insurance to protect the State of Alaska and its residents from
25 damages arising out of the acts of the licensee.

26 Sec. 18.65.430. DURATION OF LICENSE. A security guard license
27 issued under secs. 400--490 of this chapter is valid for a period of
28 two years, and may be renewed for additional two-year terms. A renewal
29 fee of \$25 must be paid for each renewal.

1 Sec. 18.65.440. REVOCATION OF LICENSE. A security guard license
2 issued under secs. 400--490 of this chapter is subject to revocation
3 in accordance with the Administrative Procedure Act (AS 44.62) for the
4 following reasons:

5 (1) false statements in an application issued under secs.
6 400--490 of this chapter;

7 (2) violation of a provision of secs. 400--490 of this
8 chapter or a regulation adopted under sec. 450 of this chapter;

9 (3) conviction of a felony or a crime involving moral
10 turpitude while licensed;

11 (4) impersonation of a law enforcement official; or

12 (5) knowingly continuing the employment of an individual as
13 a security guard who has been convicted of a felony or a crime involv-
14 ing moral turpitude, or who has impersonated a law enforcement officer
15 while employed by the licensee.

16 Sec. 18.65.450. REGULATIONS. The commissioner shall adopt
17 regulations necessary to implement secs. 400--490 of this chapter, in-
18 cluding provisions specifying the amount of bond or insurance required,
19 and the types of uniforms, badges and insignia that may be used.

20 Sec. 18.65.460. EXCEPTIONS TO LICENSURE. An employer is not
21 required to seek licensure for his employees who provide unarmed plant
22 security on that employer's premises.

23 Sec. 18.65.470. FIREARMS TRAINING. Security guards licensed
24 under secs. 400--490 of this chapter may not be armed with a firearm
25 for the purpose of protecting property until they have completed
26 firearms training acceptable to the commissioner.

27 Sec. 18.65.480. PENALTY. A violation of a provision of secs.
28 400--490 of this chapter or a regulation adopted under sec. 450 of
29 this chapter is a misdemeanor and, upon conviction, is punishable by

1 imprisonment for not more than 60 days or by a fine of not more than
2 \$1,000, or by both.

3 Sec. 18.65.490. DEFINITIONS. As used in secs. 400--490 of this
4 chapter,

5 (1) "commissioner" means the commissioner of public safety;

6 (2) "security guard" means a person in the business of fur-
7 nishing for hire private watchmen, patrol service, or other services
8 designed to prevent the theft, misappropriation, or concealment of
9 goods, money or valuable documents.

10 ARTICLE 5. BODYGUARDS.

11 Sec. 18.65.500. USE OF ARMED BODYGUARDS. A person who, in this
12 state, hires another person to guard a person in this state with arms
13 or deadly weapons, or a person who comes into this state armed with
14 deadly weapons for the purpose of guarding a person, without a written
15 permit from the commissioner of public safety, is guilty of a misde-
16 meanor, and upon conviction is punishable by imprisonment for not more
17 than 60 days or by a fine of not more than \$1,000, or by both.

18 * Sec. 2. AS 44.62.330(a)(23) is amended to read:

19 (23) Department of Public Safety, as to suspension or revoca-
20 tion of a security guard's license under AS 18.65.400--18.65.490, and
21 as to suspension, revocation, cancellation or limitation of driver's
22 licenses, except as to revocations and suspensions under AS 28.35.031--
23 28.35.034, and except as to suspension, revocations, limitations, or
24 denials under AS 28.15.282--28.15.288

25 * Sec. 3. AS 23.10.025 is repealed.

26 * Sec. 4. This Act takes effect January 1, 1977.
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