

Original sponsor: Judiciary Committee

Offered: 3/26/76  
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 856

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 guards  
7 and security guard agencies; and providing for an  
8 effective date."

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

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

11 ARTICLE 4. SECURITY GUARDS.

12 Sec. 18.65.400. LICENSE AS SECURITY GUARD. No person may be  
13 employed as a security guard or security guard agency until he has  
14 obtained a license from the commissioner of public safety under secs.  
15 400 - 490 of this chapter.

16 Sec. 18.65.410. APPLICATIONS. Application for a license as a  
17 security guard must be on forms provided by the commissioner. The  
18 application must require the furnishing of information reasonably  
19 required by the commissioner to carry out the provisions of secs. 400 -  
20 490 of this chapter, including classifiable fingerprints to enable the  
21 search of criminal indices for evidence of a prior criminal record.  
22 The application must be accompanied by a nonrefundable application fee  
23 of \$25 for a security guard and \$200 for a security guard agency.

24 Sec. 18.65.420. BONDING AND INSURANCE. As a condition to issu-  
25 ance of a license, the applicant or his employer must furnish a bond  
26 or proof of a policy of insurance to protect the State of Alaska and  
27 its residents from damages arising out of the acts of the licensee.

28 Sec. 18.65.430. DURATION OF LICENSE. A security guard license  
29 issued under secs. 400 - 490 of this chapter is valid for a period of

1 two years and may be renewed for additional two-year terms. A renewal  
2 fee of \$25 must be paid for each renewal.

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

7 (1) false statements in an application issued under secs.  
8 400 - 490 of this chapter;

9 (2) violation of a provision of secs. 400 - 490 of this  
10 chapter or a regulation promulgated under sec. 450 of this chapter;

11 (3) conviction of a felony or a crime involving moral turpi-  
12 tude while licensed;

13 (4) knowing impersonation of a law enforcement officer; or

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

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

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

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

29 Sec. 18.65.480. PENALTY. A violation of a provision of secs.

1 400 - 490 of this chapter or a regulation promulgated under sec. 450 of  
2 this chapter is a misdemeanor and upon conviction is punishable by  
3 imprisonment for not more than 60 days, or by a fine of not more than  
4 \$1,000, or by both.

5 Sec. 18.65.490. DEFINITIONS. As used in secs. 400 - 490 of this  
6 chapter,

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

8 (2) "security guard" means a person in the business of being  
9 a private watchman, providing patrol services, or other services de-  
10 signed to prevent the theft, misappropriation, or concealment of goods,  
11 money or valuable documents;

12 (3) "security guard agency" means a person in the business  
13 of furnishing for hire private watchmen, patrol services, or other ser-  
14 vices designed to prevent the theft, misappropriation, or concealment  
15 of goods, money or valuable documents.

16 ARTICLE 5. BODYGUARDS.

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

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

25 (23) Department of Public Safety, as to suspension or revoca-  
26 tion of a security guard's license under AS 18.65.400 - 18.65.490, and  
27 as to suspension, revocation, cancellation or limitation of driver's  
28 licenses, except as to revocations and suspensions under AS 28.35.031 -  
29 28.35.034 and except as to suspensions, revocations, limitations, or

1 denials under AS 28.15.282 - 28.15.288

2 \* Sec. 3. AS 23.10.025 is repealed.

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

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