

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Criminal Justice Committee

BILL: CS/SB 2278

SPONSOR: Criminal Justice Committee and Senator Baker

SUBJECT: Private Security Services

DATE: April 13, 2005

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Siebert</u>	<u>Cooper</u>	<u>CM</u>	Fav/1 amendment
2.	<u>Cellon</u>	<u>Cannon</u>	<u>CJ</u>	Fav/CS
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill permits private investigator, private investigator intern and security officer licensees who have been issued a Class "G" statewide firearm license by the Department of Agriculture and Consumer Services, to carry a .380 caliber or 9 millimeter semiautomatic pistol. They are currently limited to carrying a .38 or .357 caliber revolver.

This bill amends section 493.6115, Florida Statutes.

II. Present Situation:

The Division of Licensing of the Department of Agriculture and Consumer Services (department) licenses and regulates the private security industry in accordance with ch. 493, F.S. These industries, or areas of licensure, include security guard services, private investigative services, and repossession services.

A security officer is any individual or business who, for consideration, advertises as or is engaged in the business of furnishing security services, such as acting as a bodyguard, guarding property, transporting prisoners, guarding armored cars, attempting to prevent theft, misappropriation or concealment of property or other valuables, and seeking the return of stolen valuables.

Private investigators and their interns are individuals or businesses performing the following activities: subcontracting with the government to determine crimes or wrongs done or threatened against the United States; determining the identity and other characteristics of persons, groups, or societies, locating missing persons, locating or recovering lost or stolen property, and securing evidence for court or for the hearings of other tribunals.

To obtain a Class “G” license, an applicant is required to meet minimum training criteria set by department rule, that includes, but is not limited to, 28 hours of range and classroom training taught and administered by a Class “K” licensee. However, no more than 8 hours may be range training.¹

A temporary Class “G” license may be granted by the department on a case-by-case basis if:

- The agency or employer has certified that the applicant has been determined to be mentally and emotionally stable;
- The applicant has submitted a complete application for a Class “G” license, with a notation that she is seeking a temporary license.
- The applicant has completed all Class “G” training requirements; and
- The applicant has received approval from the department subsequent to a criminal history record check.²

This temporary Class “G” license is valid only until a non-temporary Class “G” license is issued or denied by the department.³

III. Effect of Proposed Changes:

Section 1 amends s. 493.6115, F.S., to provide that security officer, private investigator, and private investigator intern licensees who have been issued a Class “G” license may carry a .380 caliber or 9 millimeter semiautomatic pistol.

Section 2 provides an effective date of July 1, 2005.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹ Section 493.6115(8), F.S.

² Section 493.6115(12), F.S.

³ Section 493.6115(15), F.S.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

VIII. Summary of Amendments:

None.

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