HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 717 CS   Private Security Services
SPONSOR(S): Taylor
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Agriculture Committee	11 Y, 0 N, w/CS	Kaiser	Reese
2) Business Regulation Committee			
3) Criminal Justice Committee			
4) State Resources Council			
5)			

SUMMARY ANALYSIS

Currently Class "D" licensees (security officers) and Class "M" and "MB" licensees (managers of security firms), holding a Class "G" (hand gun) permit are authorized to carry certain revolvers, unless otherwise approved by the Department of Agriculture and Consumer Services (DACS). Class "C" (private investigators) and Class "MA" (managers of private investigation firms) licensees, holding a Class "G" permit, are authorized to carry revolvers or certain semiautomatic weapons.

This legislation authorizes Class "D," Class "M," and Class "MB" licensees, holding a Class "G" permit to carry the same weaponry as permitted for Class "C" and Class "MA" licensees.

DACS reports that, on occasion, the current law has been waived to allow a security officer to carry a semi-automatic weapon when the officer's employer can justify the need for such.

The legislation does not appear to have a fiscal impact on state government. Nor does it negatively affect counties or municipalities.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Safeguard individual liberty: This legislation provides security officers, who hold a gun permit, the option of carrying a revolver or certain semi-automatic weapons, as prescribed by the Department of Agriculture and Consumer Services (DACS).

B. EFFECT OF PROPOSED CHANGES:

Current statute only allows Class "D" licensees (security officers) and Class "M" and "MB" licensees (managers of security firms), holding a Class "G" (hand gun) permit to carry certain revolvers, unless otherwise approved by the Department of Agriculture and Consumer Services (DACS). Class "C" (private investigators) and Class "MA" (managers of private investigation firms) licensees, holding a Class "G" permit, are authorized to carry revolvers or certain semiautomatic weapons.

Class "D" licensees must complete 40 hours of training to qualify for licensure as a security officer. Additionally, security officers must complete 28 hours of classroom/range training to obtain a hand gun permit.

This legislation authorizes Class "D" licensees, holding a Class "G" permit to carry the same weaponry as permitted for Class "C" and Class "MA" licensees.

DACS reports that, on occasion, the current law has been waived to allow a security officer to carry a semi-automatic weapon when the officer's employer can justify the need for such.

C. SECTION DIRECTORY:

Section 1: Amends s. 493.6115, F.S.; revising types of firearms a Class "D" security officer is authorized to carry.

Section 2: Provides an effective date of July 1, 2005.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

   None

2. Expenditures:

   None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

   None

2. Expenditures:

   None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not require counties or municipalities to take an action requiring the expenditure of funds, does not reduce the authority that counties or municipalities have to raise revenues in the aggregate, and does not reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

Neither the Department of Agriculture and Consumer Services nor the National Rifle Association has taken a position on this legislation.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

On March 23, 2005, the Committee on Agriculture adopted an amendment allowing Classes "M" and "MB" licensees (managers of security firms) to carry the same weaponry as permitted for Class "C" and Class "MA."