

STAND. COM. REP. NO.

2490

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2165

S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 2165 entitled:

"A BILL FOR AN ACT RELATING TO PRIVATE GUARDS,"

begs leave to report as follows:

The purpose of this measure is to raise standards for the guard industry by specifying educational, criminal history, and training requirements for all guards and employees of guard companies who act in a guard capacity.

Your Committee received testimony in support of this measure from two private citizens. Testimony with comments on this measure was received from the Board of Private Detectives and Guards. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that the education and training requirements in the existing law pertaining to guards are inadequate to protect the public and to provide for high-quality guard services. Your Committee notes that under the existing law, it is possible for an individual to act as an armed security guard with an eighth grade education and no formal training at all. Your Committee finds that the proliferation of the use of guards and private security forces has resulted in an environment where individuals empowered by and answerable only to their employers are permitted to act as de facto police forces without oversight or regulation by the State. Your Committee finds that this measure will subject guards to meaningful oversight and regulation

2010-1351 SSCR SMA-1.doc



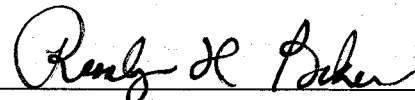
that is in the best interest of the guard industry as well as the public safety.

Your Committee has amended this measure by:

- (1) Adding a new section that specifies the registration, instruction, training, testing, and continuing education requirements for guards;
- (2) Amending current licensing requirements to require that all persons employed by a guard agency in a guard capacity meet the registration requirements for a guard;
- (3) Deleting provisions regarding form of application and renewal of licenses;
- (4) Adding a new section to repeal the exemption from regulation for a person employed exclusively and regularly by one employer in connection with the affairs of that employer only;
- (5) Making it effective upon its approval; and
- (6) Making nonsubstantive technical changes for the purposes of clarity and accuracy.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2165, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2165, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



ROSALYN H. BAKER, Chair



