

JAN 25 2017

A BILL FOR AN ACT

RELATING TO SECURITY GUARDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 463-10.5, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending subsection (a) to read:

4 "(a) Effective July 1, 2013, all guards, and all agents,
5 operatives, and assistants employed by a guard agency, private
6 business entity, or government agency who act in a guard
7 capacity shall apply to register with the board, and meet the
8 following registration, instruction, and training requirements
9 ~~[prior to acting as a guard.]~~ within sixty days from the first
10 day of employment:

- 11 (1) Be not less than eighteen years of age;
- 12 (2) Possess a high school education or its equivalent;
- 13 (3) Not be presently suffering from any psychiatric or
14 psychological disorder which is directly related and
15 detrimental to a person's performance in the
16 profession; and



1 (4) Not have been convicted in any jurisdiction of a crime
2 which reflects unfavorably on the fitness of the
3 individual to act as a guard, unless the conviction
4 has been annulled or expunged by court order; provided
5 that the individual shall submit to a national
6 criminal history record check as authorized by federal
7 law, including but not limited to the Private Security
8 Officer Employment Authorization Act of 2004, and
9 specified in the rules of the board.

10 The board shall determine whether an individual qualifies for
11 registration pursuant to this subsection."

12 2. By amending subsection (g) to read:

13 "(g) Prior to the June 30, 2016, renewal of the guard
14 registration and every registration renewal thereafter, and no
15 sooner than two years from the applicant's completion of initial
16 registration, the applicant shall pay all required fees, and
17 have had at least four hours of continuing education as
18 specified in the rules of the board.

19 The board may conduct a random audit, pursuant to rules
20 adopted pursuant to chapter 91, of registrants applying for



1 renewal of a registration to determine whether the continuing
2 education requirements of this subsection have been met.

3 The failure, neglect, or refusal of any registered guard to
4 pay the renewal fee or meet the continuing education
5 requirements shall constitute a forfeiture of the guard's
6 registration. A forfeited registration may be restored upon
7 written application within one year from the date of forfeiture,
8 payment of the required renewal fee plus penalty fees, and
9 meeting the continuing education requirements in effect at the
10 time of restoration."

11 SECTION 2. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 3. This Act shall take effect upon its approval.
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S.B. NO. 1264

Report Title:

Security Guards; Licensure; Registration; Renewal

Description:

Requires applicants for licensure as a guard to meet specified registration, instruction, and training requirements within sixty days of employment. Specifies that a renewal of guard registration shall be no sooner than two years from an applicant's completion of initial registration.

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