

FIRST REGULAR SESSION

HOUSE BILL NO. 740

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ELLEBRACHT.

0484H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 324, RSMo, by adding thereto one new section relating to private security professionals.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 324, RSMo, is amended by adding thereto one new section, to be known as section 324.1070, to read as follows:

324.1070. 1. For purposes of this section, the following terms mean:

(1) **"Division", the division of professional registration of the department of commerce and insurance;**

(2) **"Private security professional", an individual who performs, as the individual's primary responsibility, private security services for consideration, regardless of whether the individual, while performing the private security services, is armed or unarmed or wears a uniform or plain clothes, and regardless of whether the individual is employed part-time or full-time to perform private security services;**

(3) **"Private security services", the performance of at least one of the following activities:**

(a) **Prevention, observation, or detection of any unauthorized activity on private property;**

(b) **Prevention, observation, or detection of theft, vandalism, or trespass on private property;**

(c) **Prevention, observation, or detection of theft during transportation of private property;**

(d) **Protection of individuals from bodily harm; or**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (e) Control, regulation, or direction of the flow or movements of the public, whether
19 by vehicle or otherwise, in order to protect private property.

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21 The term "private security services" shall not include services performed by a law
22 enforcement officer as part of his or her duties for any state or local governmental agency.

23 2. A person shall not practice as a private security professional unless the person
24 is registered with the division. A person is eligible to register as a private security
25 professional if the person is certified under the peace officer standards and training
26 requirements under chapter 590.

27 3. The division shall register a person as a private security professional if the
28 person submits to the division:

29 (1) Proof of current certification under the peace officer standards and training
30 requirements under chapter 590; and

31 (2) Proof of a bond or other acceptable surety in an amount to be determined by
32 the division for all claims of injury, loss, or damage arising from the practice of the private
33 security professional. The division shall set the required amount in a manner that is
34 reasonably anticipated to ensure full recovery for claimants.

35 4. Any person registered as a private security professional shall meet the continuing
36 education requirements set by the peace officer standards and training commission under
37 chapter 590 and any other requirements necessary to maintain certification under chapter
38 590.

39 5. The bond or other acceptable surety required under this section shall be kept in
40 force at all times while the person is registered as a private security professional.

41 6. A registration under this section shall expire one year after the date of
42 registration unless renewed. A registrant may renew the registration annually for an
43 additional one-year term for each renewal if the registrant submits to the division proof
44 of current certification under chapter 590 and proof that the bond or other acceptable
45 surety remains in force.

46 7. The division shall promulgate rules to implement the provisions of this section.
47 Any rule or portion of a rule, as that term is defined in section 536.010, that is created
48 under the authority delegated in this section shall become effective only if it complies with
49 and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
50 This section and chapter 536 are nonseverable, and if any of the powers vested with the
51 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
52 disapprove and annul a rule are subsequently held unconstitutional, then the grant of

53 **rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be**
54 **invalid and void.**

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