

SECOND REGULAR SESSION

HOUSE BILL NO. 2369

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PETERS.

4054H.02I

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 71.195, 84.020, 84.340, 84.720, 324.012, and 621.045, RSMo, and to enact in lieu thereof fifteen new sections relating to the licensing of security guards and companies, with penalty provisions.

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

Section A. Sections 71.195, 84.020, 84.340, 84.720, 324.012, and 621.045, RSMo, are repealed and fifteen new sections enacted in lieu thereof, to be known as sections 84.020, 84.340, 324.012, 621.045, 650.1000, 650.1005, 650.1010, 650.1015, 650.1020, 650.1025, 650.1030, 650.1035, 650.1040, 650.1045, and 650.1050, to read as follows:

84.020. 1. In all cities not within a county, there shall be, and is hereby established, within and for said cities, a board of police commissioners, to consist of four citizen commissioners, as provided in sections 84.040 to 84.080, to be the governing body of the permanent police force pursuant to section 84.100, together with the mayor of said cities for the time being, or whosoever may be officially acting in that capacity, and said board shall annually appoint one of its members as president, one member who shall act as vice president, and one member who shall act as board secretary; and such president or vice president shall be the executive officer of the board and shall act for it when the board is not in session.

2. The board shall consist of six commissioners, one of whom is the mayor of a city not within a county, four citizen commissioners, and one nonvoting commissioner. The nonvoting commissioner shall be a resident of a city not within a county or shall be a resident of any county of this state that adjoins the city limits of a city not within a county and who owns real property within a city not within a county and pays taxes on such real property. The nonvoting commissioner shall not vote on matters before the commission, but may be counted

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.

15 for purposes of establishing a quorum and discussion, including discussion in any closed
16 meeting of the board. Each citizen commissioner shall be a resident of a city not within a
17 county for no less than two years preceding his or her appointment. Except for the mayor, no
18 commissioner shall be nominated for or hold any other elective or appointed political office.
19 If any citizen commissioner is nominated for or elected to any elective or appointed political
20 office, such commissioner shall forfeit the appointment and shall immediately vacate his or
21 her office. The mayor of a city not within a county shall automatically be a member of the
22 board, while the remaining commissioners, including the nonvoting commissioner, shall be
23 appointed by the governor, with the advice and consent of the senate.

24 3. Any member of the board, except for the mayor of a city not within a county, may
25 be removed for cause with the approval of a majority of the other board members, but such
26 member shall first be presented with a written statement of the reasons for removal and shall
27 have the opportunity for a hearing by the board to establish cause for removal. The decision
28 for removal of a board member is final. However, the removed member may appeal their
29 removal to the twenty-second judicial circuit court.

30 4. A majority of the board shall constitute a quorum for the transaction of business,
31 but no action shall be taken by the board or deemed valid unless three concurring votes are
32 cast.

33 5. The board shall have the power to summon and compel the attendance of witnesses
34 before the board and to compel the production of documents and other evidence, whenever
35 necessary in the discharge of its duties, and shall have the power to administer oaths or
36 affirmations to any person appearing or called before it.

37 6. The board shall have the following powers and duties:

38 (1) To receive input from the chief of police, in order to formulate and approve
39 policies governing the operation and conduct of the permanent police force pursuant to
40 section 84.100;

41 (2) To appoint as a chief of police any person who shall be responsible to the board
42 for proper execution of the policies, duties, and responsibilities established by the board for
43 the administration of the police department, including making recommendations to the board
44 on employment and discipline of the commissioned and civilian employees of the police
45 force, and to remove the chief of police pursuant to section 106.273;

46 (3) To hear and determine appeals from the decisions of the chief of police on
47 disciplinary matters arising in the department, pursuant to section 590.502; however, at the
48 time of the effective date of this act and until such time as the board adopts other investigative
49 and disciplinary policies and procedures not inconsistent with section 590.502, discipline and
50 investigative procedures for commissioned and civilian employees of the police force shall be
51 regulated by rule 7 of the police manual of the police department in effect as of November 4,

2013; except that, where rule 7 is in conflict with section 590.502, the board shall comply with the requirements of section 590.502. Under no circumstances shall the board initially or hereafter adopt investigative and disciplinary procedures that do not include the summary hearing board procedures provided for in rule 7 of the police manual of the police department in effect as of November 4, 2013;

(4) To promulgate a manual of rules and regulations for the qualifications and conduct of personnel of the police department and its operation;

(5) To have such other powers and duties with respect to police administration and law enforcement as provided by statute;

(6) To regulate and license all ~~[private watchmen,]~~ private detectives~~[-and private security]~~ serving or acting in the city and no person shall act as such without first having obtained such license. Penalties for the violation of regulations promulgated by the board under this subsection shall be prescribed by ordinance.

84.340. Except as provided under section 590.750, the police commissioner of the said cities shall have power to regulate and license all ~~[private watchmen,]~~ private detectives ~~[and private policemen,]~~ serving or acting as such in said cities, and no person shall act as such ~~[private watchman,]~~ private detective ~~[or private policeman]~~ in said cities without first having obtained the written license of the president or acting president of said police commissioners of the said cities, under pain of being guilty of a misdemeanor.

324.012. 1. This section shall be known and may be cited as the "Fresh Start Act of 2020".

2. As used in this section, the following terms mean:

(1) "Criminal conviction", any conviction, finding of guilt, plea of guilty, or plea of nolo contendere;

(2) "Licensing", any required training, education, or fee to work in a specific occupation, profession, or activity in the state;

(3) "Licensing authority", an agency, examining board, credentialing board, or other office of the state with the authority to impose occupational fees or licensing requirements on any profession. For purposes of the provisions of this section other than subsection 7 of this section, the term "licensing authority" shall not include the state board of education's licensure of teachers pursuant to chapter 168, the Missouri state board of accountant's licensure of accountants pursuant to chapter 326, the board of podiatric medicine's licensure of podiatrists pursuant to chapter 330, the Missouri dental board's licensure of dentists pursuant to chapter 332, the state board of registration for the healing art's licensure of physicians and surgeons pursuant to chapter 334, the Missouri state board of nursing's licensure of nurses pursuant to chapter 335, the board of pharmacy's licensure of pharmacists pursuant to chapter 338, the Missouri real estate commission's licensure of real estate brokers,

19 real estate salespersons, or real estate broker-salespersons pursuant to sections 339.010 to
20 339.205, the Missouri veterinary medical board's licensure of ~~[veterinarian's]~~ **veterinarians**
21 pursuant to chapter 340, the Missouri director of finance appointed pursuant to chapter 361,
22 ~~[or]~~ the peace officer standards and training commission's licensure of peace officers or other
23 law enforcement personnel pursuant to chapter 590, **or the department of public safety's**
24 **licensure of security guards and security companies under sections 650.1000 to**
25 **650.1050;**

26 (4) "Political subdivision", a city, town, village, municipality, or county.

27 3. Notwithstanding any other provision of law, beginning January 1, 2021, no person
28 shall be disqualified by a state licensing authority from pursuing, practicing, or engaging in
29 any occupation for which a license is required solely or in part because of a prior conviction
30 of a crime in this state or another state, unless the criminal conviction directly relates to the
31 duties and responsibilities for the licensed occupation as set forth in this section or is violent
32 or sexual in nature.

33 4. Beginning August 28, 2020, applicants for examination of licensure who have
34 pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any of the
35 following offenses or offenses of a similar nature established under the laws of this state, any
36 other state, **the** United States, or any other country, notwithstanding whether sentence is
37 imposed, shall be considered by state licensing authorities to have committed a criminal
38 offense that directly relates to the duties and responsibilities of a licensed profession:

39 (1) Any murder in the first degree, or dangerous felony as defined under section
40 556.061 excluding an intoxication-related traffic offense or intoxication-related boating
41 offense if the person is found to be a habitual offender or habitual boating offender as such
42 terms are defined in section 577.001;

43 (2) Any of the following sexual offenses: rape in the first degree, forcible rape, rape,
44 statutory rape in the first degree, statutory rape in the second degree, rape in the second
45 degree, sexual assault, sodomy in the first degree, forcible sodomy, statutory sodomy in the
46 first degree, statutory sodomy in the second degree, child molestation in the first degree, child
47 molestation in the second degree, sodomy in the second degree, deviate sexual assault, sexual
48 misconduct involving a child, sexual misconduct in the first degree under section 566.090 as
49 it existed prior to August 28, 2013, sexual abuse under section 566.100 as it existed prior to
50 August 28, 2013, sexual abuse in the first or second degree, enticement of a child, or
51 attempting to entice a child;

52 (3) Any of the following offenses against the family and related offenses: incest,
53 abandonment of a child in the first degree, abandonment of a child in the second degree,
54 endangering the welfare of a child in the first degree, abuse of a child, using a child in a

55 sexual performance, promoting sexual performance by a child, or trafficking in children;
56 [~~and~~]

57 (4) Any of the following offenses involving child pornography and related offenses:
58 promoting obscenity in the first degree, promoting obscenity in the second degree when the
59 penalty is enhanced to a class E felony, promoting child pornography in the first degree,
60 promoting child pornography in the second degree, possession of child pornography in the
61 first degree, possession of child pornography in the second degree, furnishing child
62 pornography to a minor, furnishing pornographic materials to minors, or coercing acceptance
63 of obscene material;

64 (5) The offense of delivery of a controlled substance, as provided in section 579.020,
65 may be a disqualifying criminal offense for the following occupations: real estate appraisers
66 and appraisal management companies, licensed pursuant to sections 339.500 to 339.549; and
67 nursing home administrators, licensed pursuant to chapter 344; and

68 (6) Any offense an essential element of which is fraud may be a disqualifying
69 criminal offense for the following occupations: private investigators, licensed pursuant to
70 sections 324.1100 to 324.1148; accountants, licensed pursuant to chapter 326; architects,
71 licensed pursuant to sections 327.091 to 327.172; engineers, licensed pursuant to sections
72 327.181 to 327.271; land surveyors, licensed pursuant to sections 327.272 to 327.371;
73 landscape architects, licensed pursuant to sections 327.600 to 327.635; chiropractors, licensed
74 pursuant to chapter 331; embalmers and funeral directors, licensed pursuant to chapter 333;
75 real estate appraisers and appraisal management companies, licensed pursuant to sections
76 339.500 to 339.549; and nursing home administrators, licensed pursuant to chapter 344.

77 5. If an individual is charged with any of the crimes set forth in subsection 4 of this
78 section, and is convicted, pleads guilty to, or is found guilty of a lesser-included offense and
79 is sentenced to a period of incarceration, such conviction shall only be considered by state
80 licensing authorities as a criminal offense that directly relates to the duties and responsibilities
81 of a licensed profession for four years, beginning on the date such individual is released from
82 incarceration.

83 6. (1) The licensing authority shall determine whether an applicant with a criminal
84 conviction will be denied a license based on the following factors:

85 (a) The nature and seriousness of the crime for which the individual was convicted;

86 (b) The passage of time since the commission of the crime, including consideration of
87 the factors listed under subdivision (2) of this subsection;

88 (c) The relationship of the crime to the ability, capacity, and fitness required to
89 perform the duties and discharge the responsibilities of the occupation; and

90 (d) Any evidence of rehabilitation or treatment undertaken by the individual that
91 might mitigate against a direct relation.

92 (2) If an individual has a valid criminal conviction for a criminal offense that could
93 disqualify the individual from receiving a license, the disqualification shall not apply to an
94 individual who has been exonerated for a crime for which he or she has previously been
95 convicted of or incarcerated.

96 7. An individual with a criminal record may petition a licensing authority at any time
97 for a determination of whether the individual's criminal record will disqualify the individual
98 from obtaining a license. This petition shall include details on the individual's criminal
99 record. The licensing authority shall inform the individual of his or her standing within thirty
100 days after the licensing authority has met, but in no event more than four months after
101 receiving the petition from the applicant. The decision shall be binding, unless the individual
102 has subsequent criminal convictions or failed to disclose information in his or her petition. If
103 the decision is that the individual is disqualified, the individual shall be notified in writing of
104 the grounds and reasons for disqualification. The licensing authority may charge a fee by rule
105 to recoup its costs as set by rulemaking authority not to exceed twenty-five dollars for each
106 petition.

107 8. (1) If a licensing authority denies an individual a license solely or in part because
108 of the individual's prior conviction of a crime, the licensing authority shall notify the
109 individual in writing of the following:

- 110 (a) The grounds and reasons for the denial or disqualification;
111 (b) That the individual has the right to a hearing as provided by chapter 621 to
112 challenge the licensing authority's decision;
113 (c) The earliest date the person may reapply for a license; and
114 (d) That evidence of rehabilitation may be considered upon reapplication.

115 (2) Any written determination by the licensing authority that an applicant's criminal
116 conviction is a specifically listed disqualifying conviction and is directly related to the duties
117 and responsibilities for the licensed occupation shall be documented with written findings for
118 each of the grounds or reasons under paragraph (a) of subdivision (1) of this subsection by
119 clear and convincing evidence sufficient for a reviewing court.

120 (3) In any administrative hearing or civil litigation authorized under this subsection,
121 the licensing authority shall carry the burden of proof on the question of whether the
122 applicant's criminal conviction directly relates to the occupation for which the license is
123 sought.

124 9. The provisions of this section shall apply to any profession for which an
125 occupational license is issued in this state, including any new occupational license created by
126 a state licensing authority after August 28, 2020. Notwithstanding any other provision of law,
127 political subdivisions shall be prohibited from creating any new occupational licenses after
128 August 28, 2020. The provisions of this section shall not apply to business licenses, where

129 the terms "occupational licenses" and "business licenses" are used interchangeably in a city or
130 county charter definition.

621.045. 1. The administrative hearing commission shall conduct hearings and make
2 findings of fact and conclusions of law in those cases when, under the law, a license issued by
3 any of the following agencies may be revoked or suspended or when the licensee may be
4 placed on probation or when an agency refuses to permit an applicant to be examined upon
5 his or her qualifications or refuses to issue or renew a license of an applicant who has passed
6 an examination for licensure or who possesses the qualifications for licensure without
7 examination:

8 Missouri State Board of Accountancy

9 Missouri State Board for Architects, Professional Engineers, Professional Land
10 Surveyors and Landscape Architects

11 Board of Barber Examiners

12 Board of Cosmetology

13 Board of Chiropody and Podiatry

14 Board of Chiropractic Examiners

15 Missouri Dental Board

16 Board of Embalmers and Funeral Directors

17 Board of Registration for the Healing Arts

18 Board of Nursing

19 Board of Optometry

20 Board of Pharmacy

21 Missouri Real Estate Commission

22 Missouri Veterinary Medical Board

23 Supervisor of Liquor Control

24 Department of Health and Senior Services

25 Department of Commerce and Insurance

26 Department of Mental Health

27 Board of Private Investigator Examiners

28 **Department of Public Safety.**

29 2. If in the future there are created by law any new or additional administrative
30 agencies which have the power to issue, revoke, suspend, or place on probation any license,
31 then those agencies are under the provisions of this law.

32 3. The administrative hearing commission is authorized to conduct hearings and make
33 findings of fact and conclusions of law in those cases brought by the Missouri state board for
34 architects, professional engineers, professional land surveyors and landscape architects
35 against unlicensed persons under section 327.076.

36 4. Notwithstanding any other provision of this section to the contrary, after August
37 28, 1995, in order to encourage settlement of disputes between any agency described in
38 subsection 1 or 2 of this section and its licensees, any such agency shall:

39 (1) Provide the licensee with a written description of the specific conduct for which
40 discipline is sought and a citation to the law and rules allegedly violated, together with copies
41 of any documents which are the basis thereof and the agency's initial settlement offer, or file a
42 contested case against the licensee;

43 (2) If no contested case has been filed against the licensee, allow the licensee at least
44 sixty days, from the date of mailing, to consider the agency's initial settlement offer and to
45 contact the agency to discuss the terms of such settlement offer;

46 (3) If no contested case has been filed against the licensee, advise the licensee that the
47 licensee may, either at the time the settlement agreement is signed by all parties, or within
48 fifteen days thereafter, submit the agreement to the administrative hearing commission for
49 determination that the facts agreed to by the parties to the settlement constitute grounds for
50 denying or disciplining the license of the licensee; and

51 (4) In any contact under this subsection by the agency or its counsel with a licensee
52 who is not represented by counsel, advise the licensee that the licensee has the right to consult
53 an attorney at the licensee's own expense.

54 5. If the licensee desires review by the administrative hearing commission under
55 subdivision (3) of subsection 4 of this section at any time prior to the settlement becoming
56 final, the licensee may rescind and withdraw from the settlement and any admissions of fact
57 or law in the agreement shall be deemed withdrawn and not admissible for any purposes
58 under the law against the licensee. Any settlement submitted to the administrative hearing
59 commission shall not be effective and final unless and until findings of fact and conclusions
60 of law are entered by the administrative hearing commission that the facts agreed to by the
61 parties to the settlement constitute grounds for denying or disciplining the license of the
62 licensee.

63 6. When a holder of a license, registration, permit, or certificate of authority issued by
64 the division of professional registration or a board, commission, or committee of the division
65 of professional registration against whom an affirmative decision is sought has failed to plead
66 or otherwise respond in the contested case and adequate notice has been given under sections
67 536.067 and 621.100 upon a properly pled writing filed to initiate the contested case under
68 this chapter or chapter 536, a default decision shall be entered against the licensee without
69 further proceedings. The default decision shall grant such relief as requested by the division
70 of professional registration, board, committee, commission, or office in the writing initiating
71 the contested case as allowed by law. Upon motion stating facts constituting a meritorious
72 defense and for good cause shown, a default decision may be set aside. The motion shall be

73 made within a reasonable time, not to exceed thirty days after entry of the default decision.
74 "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to
75 impede the administrative process.

**650.1000. As used in sections 650.1000 to 650.1050, unless the context requires
2 otherwise, the following terms mean:**

3 **(1) "Arrest", the authorized apprehension and detention of persons observed or
4 suspected of committing a law violation;**

5 **(2) "Client", any person receiving security services from a security guard or
6 security company;**

7 **(3) "Department", the department of public safety;**

8 **(4) "Designated area", the property owned or leased to which a security guard is
9 assigned by the security company that employs him or her as a security guard;**

10 **(5) "Firearm", the same meaning given to the term in section 571.010;**

11 **(6) "Hospital", the same meaning given to the term in section 197.020;**

12 **(7) "License", any license issued under sections 650.1000 to 650.1050 authorizing
13 a person to operate a security company or perform security services as a security guard;**

14 **(8) "Licensee", any security company or security guard issued a license;**

15 **(9) "Person", any individual, firm, association, company, partnership,
16 corporation, nonprofit organization, institution, or other legal entity;**

17 **(10) "Political subdivision", a city, town, village, municipality, or county;**

18 **(11) "Public school", the same meaning given to the term in section 160.011;**

19 **(12) "Qualified retired peace officer", the same meaning given to the term in
20 section 571.030;**

21 **(13) "School", any:**

22 **(a) Public school; or**

23 **(b) Private school offering instruction in any grade for which instruction is
24 provided by a public school;**

25 **(14) "Security company", a person engaging in the business of providing or
26 undertaking to provide at least one security service on a contractual basis for another
27 person;**

28 **(15) "Security guard", a person employed by a security company to perform at
29 least one security service;**

30 **(16) "Security service":**

31 **(a) Prevention of intrusion, entry, larceny, vandalism, abuse, fire, or trespass on
32 private property or school property;**

33 **(b) Prevention, observation, or detection of any unauthorized activity on private
34 property or school property;**

35 (c) Control, regulation, or direction of the flow or movements of the public,
36 whether by vehicle or otherwise, only to the extent and for the time directly and
37 specifically required to ensure the protection of property; or

38 (d) Protection of individuals from bodily harm;

39 (17) "Security tool", pepper spray, a baton, a stun gun, or any other device
40 certified by the peace officer standards and training commission;

41 (18) "Stun gun", any portable device or weapon from which an electric current,
42 impulse, wave, or beam is produced that is capable of killing, injuring, or temporarily
43 incapacitating a person.

650.1005. 1. Except as otherwise provided in this section, a person:

2 (1) Shall not establish, conduct, or maintain a security company on or after
3 January 1, 2028, without a license issued by the department under sections 650.1000 to
4 650.1050; and

5 (2) Shall not perform any security service as a security guard on or after
6 January 1, 2028, unless such person is licensed under sections 650.1000 to 650.1050.

7 2. Any person who knowingly engages in an activity for which a license is
8 required under sections 650.1000 to 650.1050 without being licensed under sections
9 650.1000 to 650.1050 is guilty of a class B misdemeanor.

10 3. Sections 650.1000 to 650.1050 shall not apply to:

11 (1) Any law enforcement officer certified as a peace officer under chapter 590
12 while working under contract with a law enforcement agency in the official uniform of
13 the law enforcement agency;

14 (2) An officer or employee of the United States or of this state, or of a political
15 subdivision of either, while the employee or officer is engaged in the performance of
16 official duties;

17 (3) Any corporate security advisor holding a license under section 590.750 while
18 performing activities authorized by such license; or

19 (4) Any school protection officer designated under section 160.665 while
20 performing the responsibilities and duties of a school protection officer.

650.1010. 1. The following classes of security guard licenses are hereby
2 established:

3 (1) Class A: Armed security guard, which authorizes the licensee to carry a
4 firearm;

5 (2) Class B: Unarmed security guard, which authorizes the licensee to carry a
6 security tool; and

7 (3) Class C: Watchman, which authorizes the licensee to engage only in the tasks
8 of observation and reporting in a designated area.

9 2. Each license issued to a security guard shall be designated as a class A, B, or C
10 license.

11 3. A security guard shall not perform any security service outside his or her
12 designated area unless expressly authorized under sections 650.1000 to 650.1050.

13 4. A security guard shall not carry a firearm while performing security services
14 unless he or she holds a class A license under this section.

15 5. A security guard shall not carry a security tool while performing security
16 services unless he or she holds a class B license under this section.

17 6. Any security guard holding a class A license may apply for the following
18 endorsements:

19 (1) A school endorsement authorizing the security guard to perform security
20 services at a school. A security guard shall not perform security services authorized by
21 a class A license at a school without a school endorsement; and

22 (2) A hospital endorsement authorizing the security guard to perform security
23 services at a hospital. A security guard shall not perform security services authorized
24 by a class A license at a hospital without a hospital endorsement.

25 7. Any security guard holding a class A or B license may apply for a limited
26 powers-of-arrest endorsement authorizing the security guard to make arrests as
27 described in section 650.1035. A security guard shall not make arrests while performing
28 security services without a limited powers-of-arrest endorsement.

29 8. Any security guard holding a class C license shall not perform any security
30 service other than observation and reporting in his or her designated area.

650.1015. 1. An application for a license as a security company or security guard
2 shall be made to the department upon forms provided by the department and shall
3 contain such information as the department may require.

4 2. Each application for a license and each application for renewal of the license
5 shall be accompanied by a license fee. The department shall set the amount of the fees
6 by rule at a level that shall not substantially exceed the cost and expense of
7 administering sections 650.1000 to 650.1050.

8 3. All fees payable under sections 650.1000 to 650.1050 shall be collected by the
9 department and transmitted to the department of revenue for deposit in the state
10 treasury to the credit of the fund established under this section.

11 4. (1) There is hereby created in the state treasury the "Security Industry
12 Fund", which shall consist of moneys collected under this section. The state treasurer
13 shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state
14 treasurer may approve disbursements. The fund shall be a dedicated fund and, upon

15 appropriation, moneys in this fund shall be used solely for the administration of sections
16 650.1000 to 650.1050.

17 (2) Notwithstanding the provisions of section 33.080 to the contrary, moneys in
18 this fund shall not be transferred and placed to the credit of general revenue until the
19 amount in the fund at the end of the biennium exceeds three times the amount of the
20 appropriation from the fund for the preceding fiscal year. The amount, if any, in the
21 fund that shall lapse is that amount in the fund that exceeds the appropriate multiple of
22 the appropriations from the fund for the preceding fiscal year.

23 (3) The state treasurer shall invest moneys in the fund in the same manner as
24 other funds are invested. Any interest and moneys earned on such investments shall be
25 credited to the fund.

650.1020. 1. The department shall not issue a security company license to any
2 person unless the person:

3 (1) Has submitted an application and paid the required license fee;

4 (2) Demonstrates managerial experience in law enforcement or security services
5 as specified by the department by rule;

6 (3) Has completed training on the roles and responsibilities of a security
7 company at a training center licensed under section 590.060 or from a private training
8 provider approved by the department;

9 (4) Presents proof that any person employed by the security company to perform
10 security services is licensed as a security guard under sections 650.1000 to 650.1050; and

11 (5) Provides proof of liability insurance in the amount of one million dollars.

12 2. Each license shall be issued only for the person named in the application and
13 shall not be transferable or assignable except with the written consent of the
14 department.

15 3. If, during the period in which a license is in effect, the license holder legally
16 transfers operational responsibilities by any process to another person, an application
17 shall be made for the issuance of a new license to become effective on the transfer date.

650.1025. 1. The department shall not issue a security guard license to any
2 person unless the person:

3 (1) Is:

4 (a) Twenty-one years of age or older if seeking a class A armed security guard
5 license; or

6 (b) Eighteen years of age or older if seeking a class B unarmed security guard
7 license or a class C watchman license;

8 (2) Has submitted an application and paid the required license fee; and

9 **(3) Has completed training on the roles and responsibilities applicable to the**
10 **class of license and any type of endorsement he or she is seeking at a training center**
11 **licensed under section 590.060 or from a private training provider approved by the**
12 **department.**

13 **2. The department shall not issue a class A armed security guard license to any**
14 **person unless the person has received training on firearms and demonstrated the skills**
15 **necessary to safely use a firearm.**

16 **3. The department shall not issue a class B unarmed security guard license to**
17 **any person unless the person has been certified in the use of a security tool after the**
18 **completion of training that is consistent with the recommendations of the security tool's**
19 **manufacturer. A security guard shall not use any security tool for which he or she does**
20 **not hold a current certification.**

21 **4. Any law enforcement officer certified as a peace officer under chapter 590,**
22 **and any qualified retired peace officer, seeking a license as a security guard:**

23 **(1) Shall be exempt from any training requirements under this section; and**

24 **(2) Upon issuance of a license under this section, shall receive a security**
25 **identification clearly identifying his or her status as law enforcement or retired law**
26 **enforcement.**

650.1030. 1. A license shall be issued for a period of two years.

2 **2. Upon receipt of an application for renewal of a license, the department shall**
3 **renew the license for a period of two years upon payment of the required renewal fee**
4 **and proof that the applicant has complied with the minimum requirements for**
5 **continuing education established by the department under this section.**

6 **3. The department shall require annual training approved by the peace officer**
7 **standards and training commission for all licensees. Licensees shall be given the option**
8 **to complete the annual training through online or in-person courses. The department**
9 **shall establish an online reporting portal for the submission of continuing education**
10 **hours.**

11 **4. The department shall require additional annual training on firearms**
12 **approved by the peace officer standards and training commission for class A armed**
13 **security guard licensees. A class A armed security guard shall also be required to**
14 **undergo a semiannual qualification process to continue to carry a firearm in which he**
15 **or she shall demonstrate the skills necessary to safely use a firearm.**

16 **5. The department shall require a class B unarmed security guard to complete,**
17 **as part of his or her continuing education requirements, any training necessary to**
18 **continue to use the security tool for which he or she received an initial certification.**

19 Training shall be consistent with the recommendations of the security tool's
20 manufacturer.

650.1035. 1. Any security guard with a limited powers-of-arrest endorsement
2 under section 650.1010 may make an arrest and search for and seize evidence in
3 connection with the arrest during the time of his or her assignment as a security guard
4 under the same conditions as members of the local police force or sheriff's department
5 in the relevant jurisdiction as follows:

6 (1) In all instances of felonies, misdemeanors, and city ordinance violations
7 committed in the presence of the security guard;

8 (2) During an attempt to commit a felony or misdemeanor;

9 (3) For an offense not committed in the presence or view of the security guard if
10 the security guard has probable cause to believe that the offense was committed by the
11 person the security guard is arresting;

12 (4) Outside the security guard's designated area when in foot pursuit for a felony
13 offense the security guard sees committed. Vehicle pursuits are prohibited in all
14 circumstances;

15 (5) Outside the security guard's designated area while escorting individuals from
16 the designated area to their parked vehicles or other means of transportation; and

17 (6) Outside the security guard's designated area while escorting a client or the
18 client's designee, by the most direct route, to or from a bank or other financial
19 institution for the purpose of making a cash deposit or withdrawal.

20 2. The authority granted security guards under this section is limited, and such
21 limitations shall be strictly construed. Nothing in this section permits security guards to
22 serve as bodyguards, process servers, or investigators for attorneys.

23 3. An arrest is made by the actual restraint of the defendant or by the
24 defendant's submission to the authority of the security guard.

25 4. In making an arrest, a security guard shall use only as much force as is
26 reasonably required to achieve the security guard's lawful objective. Deadly force shall
27 never be used in defense of property only.

28 5. A security guard shall promptly notify the local police force or sheriff's
29 department in the relevant jurisdiction of any arrest made by the security guard,
30 furnish all pertinent facts and evidence to any police officers, and surrender to such
31 police officers custody of any defendant and evidence related to the arrest.

32 6. A security guard, upon firing his or her weapon or using force to make an
33 arrest, shall notify the nearest police district and ensure an official police report is
34 prepared. A copy of the official police report shall be forwarded to the department.

650.1040. 1. The department shall have the sole authority to regulate and license
2 security companies and security guards.

3 2. A political subdivision may require a person to register with the political
4 subdivision to operate a security company or perform a security service as a security
5 guard within the political subdivision, but the political subdivision shall require only
6 proof of current state licensure as a security company or security guard under sections
7 650.1000 to 650.1050 and payment of a fee to obtain the registration.

650.1045. 1. The department may refuse to issue, renew, or reinstate any license
2 required by sections 650.1000 to 650.1050 for one or any combination of causes stated in
3 subsection 2 of this section. The department shall notify the applicant in writing, in
4 both physical and digital form, of the reasons for the refusal and shall advise the
5 applicant of his or her right to file a complaint with the administrative hearing
6 commission as provided in chapter 621.

7 2. The department may cause a complaint to be filed with the administrative
8 hearing commission as provided by chapter 621 against any holder of a license issued
9 under sections 650.1000 to 650.1050 or any person who has failed to renew or has
10 surrendered his or her license for any one or any combination of the following causes:

11 (1) Use of any controlled substance, as defined in chapter 195, or alcoholic
12 beverage to an extent that such use impairs a person's ability to perform the work of
13 any profession licensed or regulated by sections 650.1000 to 650.1050;

14 (2) The person has committed any criminal offense regardless of whether a
15 criminal charge has been filed;

16 (3) The person has been convicted or has entered a plea of guilty or nolo
17 contendere in a criminal prosecution under the laws of any state, of the United States, or
18 of any country regardless of whether a sentence is imposed;

19 (4) Use of fraud, deception, misrepresentation, or bribery in securing any license
20 issued under sections 650.1000 to 650.1050;

21 (5) Obtaining or attempting to obtain any fee, charge, tuition, or other
22 compensation by fraud, deception, or misrepresentation;

23 (6) Incompetency, misconduct, gross negligence, fraud, misrepresentation, or
24 dishonesty in the performance of the functions or duties of the profession regulated by
25 sections 650.1000 to 650.1050;

26 (7) Violation of, or assisting or enabling any person to violate, any provision of
27 sections 650.1000 to 650.1050 or of any lawful rule or regulation adopted under sections
28 650.1000 to 650.1050;

29 (8) Impersonation of any person holding a license or allowing any other person
30 to use his or her diploma from any school;

31 (9) Disciplinary action against the holder of a license or other right to practice
32 the profession regulated by sections 650.1000 to 650.1050 granted by another state,
33 territory, federal agency, or country upon grounds for which revocation or suspension is
34 authorized in this state;

35 (10) A person is finally adjudged insane or incompetent by a court of competent
36 jurisdiction;

37 (11) Issuance of a license based upon a material mistake of fact; or

38 (12) Use of any advertisement or solicitation that is false, misleading, or
39 deceptive to the general public or persons to whom the advertisement or solicitation is
40 primarily directed.

41 3. Any person who reports or provides information to the department in
42 accordance with the provisions of sections 650.1000 to 650.1050 and who does so in good
43 faith and without negligence shall not be subject to an action for civil damages as a
44 result thereof.

45 4. After the filing of a complaint under subsection 2 of this section, the
46 proceedings shall be conducted in accordance with the provisions of chapter 621. Upon
47 a finding by the administrative hearing commission that one or more of the grounds for
48 disciplinary action provided in subsection 2 of this section are met, the department may,
49 singly or in combination, censure or place the person named in the complaint on
50 probation or suspension or revoke the license of the person on such terms and
51 conditions as the department deems appropriate.

 650.1050. The department shall promulgate rules to implement the provisions of
2 sections 650.1000 to 650.1050. Any rule or portion of a rule, as that term is defined in
3 section 536.010, that is created under the authority delegated in this section shall
4 become effective only if it complies with and is subject to all of the provisions of chapter
5 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable
6 and if any of the powers vested with the general assembly pursuant to chapter 536 to
7 review, to delay the effective date, or to disapprove and annul a rule are subsequently
8 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
9 adopted after August 28, 2026, shall be invalid and void.

~~[71.195. 1. Any license or permit issued by a municipality to a person
2 in order for such person to seek, obtain or maintain employment as a security
3 guard shall be valid in any municipality within a charter county with a
4 population not exceeding three hundred thousand adjoining another first class
5 charter county, or by reciprocal agreement between the municipalities in any
6 other county.~~

~~2. For the purposes of this section, the term "security guard" is defined
7 as any person who is not authorized to carry a firearm and who is paid to
8~~

9 ~~protect the person or property of another, but shall not include law~~
10 ~~enforcement officers or any other public official or employee.]~~

2 ~~[84.720. 1. The police commissioners of any city with a population of~~
3 ~~three hundred fifty thousand or more inhabitants which is located in more than~~
4 ~~one county shall have power to regulate and license all private security~~
5 ~~personnel and organizations, serving or acting as such in such cities, and no~~
6 ~~person or organization shall act in the capacity of, or provide, security services~~
7 ~~in such cities without first having obtained the written license of the president~~
8 ~~or acting president of the police commissioners of such cities. In order to~~
9 ~~determine an individual's suitability to be licensed, the police commissioners~~
10 ~~of such cities shall require each applicant to be licensed to be fingerprinted and~~
11 ~~shall forward the fingerprints to the Missouri state highway patrol for a~~
12 ~~criminal history record check. Any person or organization that violates the~~
13 ~~provisions of this section is guilty of a class B misdemeanor.~~

14 ~~2. Any individual who is a holder of an occupational license issued by~~
15 ~~the Missouri gaming commission as defined under section 313.800 to perform~~
16 ~~the duties of an unarmed security guard while working on an excursion~~
17 ~~gambling boat as defined under section 313.800 or at a facility adjacent to an~~
18 ~~excursion gambling boat shall be exempt from the requirements of subsection~~
19 ~~1 of this section and from any other political subdivision licensing~~
 ~~requirements for unarmed security guards.]~~

✓