

2025 Regular Session

HOUSE BILL NO. 152

BY REPRESENTATIVE MARCELLE

1 AN ACT

2 To amend and reenact R.S. 37:3272(A)(introductory paragraph), (1), and (15) and
3 3276.2(A), (B), (C)(2) and (3), (D)(introductory paragraph), and (F) and to enact
4 R.S. 37:3272(A)(20), relative to private security examiners; to provide for
5 definitions; to provide for the authority to obtain criminal history record information;
6 to provide for the confidentiality of criminal history record information; to provide
7 for the use of fingerprints and identifying information; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 37:3272(A)(introductory paragraph), (1), and (15) and 3276.2(A),
11 (B), (C)(2) and (3), (D)(introductory paragraph), and (F) are hereby amended and reenacted
12 and R.S. 37:3272(A)(20) is hereby enacted to read as follows:

13 §3272. General definition of terms

14 A. As used in this Chapter, the following terms ~~shall~~ have the following
15 meanings ascribed to them:

16 (1) "Applicant" means ~~a person who seeks to be examined for licensure or~~
17 ~~registration by the board.~~ an individual who has made application to the board for the
18 issuance or reinstatement of any license, registration, certificate, permit, or any other
19 designation considered necessary to engage in the practice of private security in this
20 state that the board is authorized by law to issue.

21 * * *

22 (15) "Qualifying agent" means ~~a responsible officer or executive employee~~
23 ~~meeting the experience qualifications set forth herein.~~ any owner or manager of a

1 private security business with the authority to make executive decisions for that
2 business, who meets the qualifications as outlined in R.S. 37:3276.

3 * * *

4 (20) "Licensure" means the granting of any license, permit, certification, or
5 registration that the board is authorized to issue pursuant to this Chapter.

6 * * *

7 §3276.2. Authority to obtain criminal history record information

8 A. The legislature hereby finds and declares that it is vitally important to the
9 public safety, interest, and welfare to protect Louisiana citizens, their residences,
10 businesses, and other property, as well as visitors to the state, by reasonably
11 regulating the licensure ~~and registration~~ of persons performing private security
12 activity in the state.

13 B. As used in this Section:

14 (1) "Applicant" means an individual who has made application to the board
15 for the issuance or reinstatement of any license, registration, certificate, permit, or
16 any other designation considered necessary to engage in the practice of private
17 security in this state that the board is authorized by law to issue.

18 (2) "Armored car company" or "armed courier company" means any person
19 that provides secured transportation and protection from one place or point to another
20 place or point involving money, currency, coins, bullion, securities, bonds, jewelry,
21 or other valuables.

22 ~~(1)~~(3) "Board" means the Louisiana State Board of Private Security
23 Examiners, an agency in the Department of Public Safety and Corrections.

24 ~~(2)~~(4) "Bureau" means the Louisiana Bureau of Criminal Identification and
25 Information of the office of state police within the Department of Public Safety and
26 Corrections.

27 (5) "Contract security company" means any person engaging in the business
28 of providing, or which undertakes to provide, a security officer on a contractual basis
29 for another person.

1 ~~(3)~~(6) "Criminal history record information" means all state records of arrest,
2 prosecution, and conviction, including those which have been expunged or dismissed
3 pursuant to Code of Criminal Procedure Articles 893 and 894, and national records
4 which include fingerprints of the applicant and other identifying information, if so
5 requested by the board.

6 ~~(4)~~(7) "FBI" means the Federal Bureau of Investigation of the United States
7 Department of Justice.

8 (8) "Instructor" means any person approved and licensed by the board to
9 administer and certify the successful completion of the required minimum training
10 requirements for security officers.

11 (9) "Licensure" means the granting of any license, permit, certification, or
12 registration that the board is authorized to issue pursuant to this Chapter.

13 (10) "Private security business" is any entity that provides protection to
14 persons and property, excluding any law enforcement agency, but including any of
15 the following:

16 (a) Contract security company.

17 (b) Armored car company or armed courier company.

18 (11) "Qualifying agent" means any owner or manager of a private security
19 business with the authority to make executive decisions for that business, who meets
20 the qualifications as outlined in R.S. 37:3276.

21 (12) "Security officer" means an individual who is employed by a contract
22 security company whether armed or unarmed, to protect a person or persons or
23 property or both, and whose duties include but are not limited to the following:

24 (a) Prevention of unlawful intrusion or entry.

25 (b) Prevention of larceny.

26 (c) Prevention of vandalism.

27 (d) Protection of property or person.

28 (e) Prevention of abuse.

29 (f) Prevention of arson.

30 (g) Prevention of trespass on private property.

1 (h) Control, regulation, or direction of the flow or movements of the public,
2 except on public streets, whether by vehicle, on foot, or otherwise.

3 (i) Street patrol service or merchant patrol service, which is any contract
4 security company that utilizes foot patrols, motor vehicles, or any other means of
5 transportation in public areas or on public thoroughfares in the performance of its
6 security functions.

7 C.

8 * * *

9 (2) Notwithstanding Paragraph (1) of this Subsection, the board's use of
10 fingerprints shall be for the limited purpose of determining the licensure ~~or~~
11 ~~registration~~ eligibility of each applicant and conducting directly related matters in
12 accordance with the Administrative Procedure Act, R.S. 49:950 et seq., or other
13 applicable law.

14 (3) The board is entitled to the criminal history record and identification files
15 of the bureau of any person who ~~is licensed or registered~~ has licensure or who is
16 applying ~~to be licensed or registered~~ for licensure as a private security business,
17 qualifying agent, instructor, or security officer. Fingerprints and other identifying
18 information of the applicant shall be submitted to the bureau, and the bureau shall,
19 upon request of the board and after receipt of the ~~fingerprint card~~ fingerprints and
20 other identifying information from the applicant, make available to the board all
21 arrest and conviction information contained in the bureau's criminal history record
22 and identification files which pertain to the applicant for licensure ~~or registration~~.
23 In addition, the fingerprints shall be forwarded by the bureau to the FBI for a
24 national criminal history record check.

25 * * *

26 D. In addition to the other requirements of this Chapter, the board may
27 require an applicant to do any of the following to determine the licensure ~~or~~
28 ~~registration~~ eligibility of an applicant:

29 * * *

1 F.(1) Criminal history record information shall be considered confidential
2 information and the board, its members, and its employees, ~~and any agent authorized~~
3 ~~to act on behalf of the board~~ shall use the criminal history record information
4 exclusively to evaluate the applicant's eligibility or disqualification.

5 (2) Criminal history record information obtained in accordance with this
6 Section shall not be released or otherwise disclosed by the board, its members, or its
7 employees, ~~or any agent authorized to act on behalf of the board to any person or~~
8 ~~agency~~ without the written consent of the applicant unless the release is ordered by
9 a court of competent jurisdiction.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____