

GREEN SHEET REDIGEST

HB 921

2026 Regular Session

Muscarello

PRIVATE SECURITY: Provides relative to private security examiners.

DIGEST

Present law provides relative to the licensing of private security examiners.

Present law provides for purpose.

Proposed law amends present law and adds clarifying language.

Present law provides that the Chapter may be known and cited as the Private Security Regulatory and Licensing Law.

Proposed law amends proposed law and instead provides that the Chapter may be cited as "Louisiana Private Security Licensing and Regulatory Act".

Present law provides for definitions.

Proposed law amends the definitions of "armed security officer", "branch manager", "branch office", "licensee", "person", "principal corporate officer", "private security business", "registrant", and "registration card".

Proposed law adds the definitions of "canine handler", "canine team", "detector canine", "digital credential", and "security canine".

Present law provides that the board shall consist of nine members appointed by the governor. One member shall be appointed from and shall reside in each of the five public service commission districts established by law. Four members shall be appointed from the state at large. Each member shall be a citizen of the U.S., a resident of this state, at least 30 years of age, and shall have been actively engaged in the private security business for at least five years. One of the members appointed at large shall be a representative of a nationally operated security company. Each member shall be licensed or registered with the board or a corporate officer of a licensed company.

Proposed law amends present law and provides that the board shall consist of nine members, all domiciled in this state and approved by the governor. Each member shall be a citizen of the U.S., a resident of this state, and at least 30 years of age.

Proposed law provides that five members will be members of the private security industry, appointed by the governor, and shall be one of the following: a company owner, a qualifying agent, or an instructor. One of each member shall reside in each of the five districts composed of certain parishes. One of the members shall be affiliated with a nationally operated security company. Each member shall be licensed with the board or serve as a corporate officer of a licensed security company, and shall have been actively engaged in the private security industry for a minimum of five years.

Proposed law provides that four members will be appointed at-large from the following agencies:

- (1) One at-large member nominated from the tourism industry by the lieutenant governor.
- (2) One at-large member nominated from the insurance industry by the commissioner of the La. Dept. of Insurance.
- (3) One at-large member nominated from the law enforcement community by the superintendent of the office of State Police.

- (4) One at-large member nominated from the Academy Directors Assoc. by the director of the La. Commission on Law Enforcement.

Proposed law provides that the governor may remove any or all members of the board for inefficiency or neglect of duty.

Proposed law provides that the board is prohibited from adopting any rules or regulations that would impose additional eligibility requirements for membership.

Present law provides that the board shall:

- (1) Examine all applicants to be licensed and regulated under the provisions of this present law.
- (2) Administer a written examination for prospective licensees at least twice each year.
- (3) Adopt rules and regulations to govern the practice of private security in the state of La.
- (4) Issue, suspend, modify, or revoke licenses or registration cards to provide private security in the state of La.
- (5) Report to the attorney general of the state of La. all persons violating the provisions of this present law.
- (6) Report annually, no later than March 1, to the governor, the secretary of the department, and the legislature on its activities.
- (7) Adopt rules to authorize the assessment of administrative penalties in the form of fines not to exceed \$500 per violation and the cost of the board's proceedings.

Proposed law amends present law to require that the board shall instead:

- (1) Examine all applicants to be licensed and regulated in accordance with the provisions of this present and proposed law through written or digital application and verification systems.
- (2) Administer an examination for prospective licensees.
- (3) Adopt and promulgate rules and regulations to govern the practice of private security in this state in accordance with the APA.
- (4) Issue, suspend, modify, place on probation, or revoke digital or physical licenses or registration credentials authorizing private security services within this state.
- (5) Refer matters of potential criminal or civil violation to appropriate authorities as deemed necessary, in consultation with the board's legal counsel.
- (6) Report annually to the governor, the legislative auditor, and the commissioner of administration on its operations, finances, and regulatory activities.
- (7) Adopt rules to authorize the assessment of administrative penalties pursuant to this present and proposed law.

Proposed law adds the requirement that the board shall adopt rules to regulate private security canine programs and deployments, including the licensing, training, certification, deployment, recertification, and discipline of canine handlers, security canines, and detector canines, in compliance with applicable state and federal law.

Present law provides that the board may:

- (1) Prescribe and adopt regulations, standards, procedures, and policies governing the manner and conditions under which credit shall be given by the board for

participation in a program of continuing professional education, such as the board may consider necessary and appropriate to maintain the highest standards of the private security industry in the state of La.

- (2) Authorize any member of the board to make any affidavit necessary for the issuance of any injunction or other legal process authorized under present law or under the rules and regulations of the board.
- (3) Issue subpoenas to require attendance and testimony and the production of documents, for the purpose of enforcing the laws relative to the private security industry and securing evidence of violations thereof.
- (4) Employ clerical assistance necessary to carry out the administrative work of the board.
- (5) Purchase or otherwise acquire any real or personal property, including making or entering into mortgages, as may be necessary or convenient to the exercise of its powers in order to accomplish the purposes of present law. The board shall take title to and hold such property in its name as an agency of the state.
- (6) When a state of emergency has been declared in this state pursuant to present law, authorize the operation of out-of-state private security businesses within the state and the use of its employees within the state for the duration of the state of emergency or for a stipulated amount of time after declaration of the state of emergency, not to exceed 30 days from the last day of the declared state of emergency, if the private security business is licensed in another state in which the qualifications, insurance, training, and other similar requirements are at least equal to those required under present law and as notified the board that they intend to operate in the state and submits all information requested by the board.

Proposed law amends present law to allow the board to:

- (1) Prescribe and adopt regulations, standards, procedures, and policies in accordance with the APA, governing the manner and conditions in which credit may be granted by the board for participation in continuing professional education programs, when such requirements are reasonably related to maintaining professional competence and protecting public safety within the private security industry in this state.
- (2) Authorize the chairperson, executive director, or any designated member of the board to make any affidavit necessary for the issuance of any injunction or other legal process authorized pursuant to this present and proposed law or under the rules and regulations of the board.
- (3) Issue subpoenas or subpoenas duces tecum to require attendance, testimony, or production of records necessary to enforce this present and proposed law and obtain evidence of violations.
- (4) Employ staff as necessary to carry out the functions of the board.
- (5) Purchase, lease, or otherwise acquire any real or personal property, including making or entering into mortgages, as may be necessary or convenient to the exercise of its powers in order to accomplish the purposes of present and proposed law. The board shall take title to and hold such property in its name as an agency of the state, under the fiscal control of the division of administration and subject to state property management requirements.
- (6) When a state of emergency has been declared in this state pursuant to present law authorize the temporary operation of out-of-state private security businesses within the state and the use of its employees within the state for the duration of the state of emergency or for a stipulated amount of time after declaration of the state of emergency, not to exceed 30 days from the last day of the declared state of emergency, if the private security business is licensed in another state in which the qualifications, insurance, and training are substantially equivalent to those of present

and proposed law and has notified the board of intent to operate and submits all required documentation requested by the board.

Present law provides that the board shall meet quarterly at regular meetings each year.

Proposed law amends present law and provides that the board shall meet every other month at regular meetings each year and adds that the board may conduct meetings by electronic means in accordance with present law.

Present law provides for the duties of the executive secretary.

Proposed law makes clarifying changes and adds that the authority from the board can include oversight of licensing operations, technology systems, compliance programs, and enforcement of present and proposed law.

Proposed law provides that the executive director shall employ, supervise, and assign personnel as necessary and fix their compensation within the limits of the board's approved budget.

Present law provides that the secretary shall have no financial or business interests, contingent dealings or otherwise, in the security services investigative business, watch, guard, or patrol agency while so employed or for a period of five years thereafter.

Proposed law instead provides that the director shall have no direct or indirect financial or business interest in any private security business while employed or for five years thereafter.

Present law provides that the procedure of the board in approving or denying an application, if the grounds for denial are subject to correction by the applicant.

Present law allows that if the application is denied, the applicant, within 30 days after receipt of notice of denial from the board, may request a hearing on the denial. Within 10 days after the filing of such request for hearing by the applicant, the board shall schedule a hearing to be held after due notice to the applicant. The hearing shall be conducted in accordance with the APA.

Proposed law instead provides that if the application is denied, the applicant, within 30 days after receipt of notice of denial from the board, may request a hearing on the denial, pursuant to proposed law.

Proposed law provides the processes for appeals, hearings, and due process for an applicant or licensee.

Proposed law provides that the board shall conduct all adjudicatory proceedings in accordance with present and proposed law and shall communicate to the applicant or licensee all denials, suspensions, orders, administrative penalties, and revocations in writing.

Proposed law provides that upon written notice of adverse or disciplinary action from the board, the applicant or licensee has the right to elect to file a hearing with the board or the division of administrative law within 30 days from the receipt of the notice. Proposed law further provides that if the applicant or licensee elects to have a hearing by the board and does not prevail, the ruling of the board may be appealable with the division of administrative law and if the applicant or licensee elects to have a hearing by the division of administrative law, the ruling shall be appealable by either the board or the applicant or licensee, whichever does not prevail.

Proposed law provides that any party subject to a hearing may be represented by legal counsel and present evidence and testimony and has the right to due process. Proposed law further provides that all hearings shall be recorded, and a complete record of all proceedings shall be made and that the appellant shall assume all costs associated with appeals.

Present law provides for a security officer and security operations manager registrant card.

Present law provides that the portion of the board application indicating temporary registration shall be carried by the applicant when he is within the scope of his employment until such time as he receives his permanent registration card from the board.

Present law provides that individuals required to obtain a registration card under present law shall file for a registration card and, upon completion thereof, the licensee shall immediately forward the application to the board and that every applicant for a registration card shall make and deliver to the licensee a sworn application in writing upon a form prescribed by the board.

Proposed law removes present law and instead provides that an individual required to obtain a registration card shall submit a sworn application to the board for review and every applicant shall remit all required fees with the application to the board.

Present law provides that actions by the board to approve or deny an application for a registration card shall be the same as that action taken to deny or approve an application for license as provided in present law.

Proposed law amends present law to instead outline the board's process to deny or approve an application for license in proposed law.

Present law provides that registration cards issued by the board shall be valid for a period of two years and that the cardholder shall file a registration card renewal form with the board not less than 30 days prior to the expiration of the card, together with the fee for renewal.

Proposed law removes the 30-day requirement.

Present law provides that the board may refuse to renew a registration card, and shall promptly notify the cardholder of its intent to refuse to renew. The cardholder, within 15 days after receipt of such notice, may request a hearing on such refusal, in the same manner and in accordance with the same procedure as that provided in present law.

Proposed law provides that the hearing procedure shall be in a manner outlined in proposed law.

Present law provides that any security officer employed after the effective date of present law shall complete, within 30 days of his first work assignment, either eight hours of classroom training or an approved curriculum-based training course under a licensed instructor and successfully pass an examination on the prescribed material.

Proposed law removes present law and instead provides that a security officer shall complete, prior to his first work assignment, a minimum of 16 hours of board-required training consisting of Security Officer Standards and Training, or S.O.S.T, by a board-licensed instructor and successfully pass an examination for each course.

Present law provides that security officers shall have 60 days from the date of the first work assignment to complete either an additional eight hours of classroom training or an approved curriculum-based training course under a licensed instructor, as prescribed by the board, and successfully pass a 50-question test administered by the licensed instructor by achieving a minimum score of 70%.

Proposed law deletes present law and instead provides that security officers who are registered in other states with licensing requirements similar to this state, and law enforcement officers identified in this present and proposed law, may attend, prior to his first work assignment, four hours of board-required training consisting of Security Officer Standards and Training, or S.O.S.T, by a board-licensed instructor and successfully pass an examination.

Present law provides that no more than two of the training requirements provided for may be conducted during a 24-hour period.

Proposed law increases two to 16.

Present law requires that all classroom training and all firearms training required by present law shall be administered by a licensed instructor who meets certain requirements.

Proposed law makes technical changes.

Proposed law adds that the board shall license and regulate canine handlers and canine teams. Proposed law further provides that the board shall be responsible for determining approval of any canine training program and the board shall establish minimum standards for certification and recertification of security canines, detector canines, and their handlers.

Proposed law provides relative to detector canine programs.

Proposed law provides for the reporting of positive indications of explosives or controlled dangerous substances.

Proposed law requires each licensee employing canine teams to maintain liability insurance coverage.

Present law provides that a licensee, within 15 days after receipt of such notice of intent to refuse to renew a license, may request a hearing on such refusal.

Proposed law increases the days to 30 and clarifies that the hearing shall be pursuant to proposed law.

Present law provides that any person who is determined by the board, after reasonable notice and opportunity for a fair and impartial hearing held in accordance with the APA to have committed an egregious act that is a violation of present law or regulation or rule issued thereunder is subject to an administrative penalty of not more than \$5000 per violation per day and shall subject such person to revocation of his license. Such egregious acts shall include but not be limited to the following:

- (1) Knowingly operating a private security business without meeting the insurance requirements as provided for in present law.
- (2) Consistently operating a private security business in violation of the insurance requirements provided for in present law.
- (3) Submitting fraudulent documents to the board as required or requested by the board.
- (4) Forgery of any documentation submitted to the board.
- (5) Operating a private security business without obtaining the required firearms training.

Proposed law amends present law to instead provide that any person who is determined by the board, after reasonable notice and opportunity for a fair and impartial hearing conducted in accordance with the APA and proposed law, to have committed an egregious act or willful violation of present and proposed law or regulation or rule issued thereunder or any rule or regulation adopted pursuant to present and proposed law is subject to an administrative penalty of not more than \$5,000 per violation per day and shall subject such person to revocation of his license. The board may, upon written findings of fact and conclusions of law, impose probation, suspension, or revocation of any license or registration issued in accordance with present and proposed law. Such egregious acts shall include but not be limited to the following:

- (1) Operating a private security business without maintaining the insurance requirements as provided for in present and proposed law.
- (2) Repeatedly or deliberately operating a private security business in violation of the insurance requirements provided for in this present and proposed law.
- (3) Submitting fraudulent documents to the board as required or requested by the board or causing to be submitted false, forged, fraudulent, or materially misleading documents or information to the board.

- (4) Forgery of, altering, or falsifying any documentation or information submitted or required to be submitted to the board.
- (5) Operating a private security business without obtaining the required firearms training or allowing personnel to operate in a capacity requiring firearms authorization without the required firearms training, certification, or qualification.

Present law provides that any person committing any non-egregious acts in violation of present law or any regulation or rule issued thereunder is subject to an administrative penalty of not more than \$1000 per violation per day.

Proposed law adds that in lieu of a fine for a first-time, non-willful violation, the board may issue a written warning or require the violator to complete a corrective action plan within a prescribed time period.

Present law provides that the board, in accordance with the APA, may adopt a schedule of administrative penalties for minor violations that can be assessed by the executive secretary when the violator waives the right to an administrative hearing.

Proposed law provides that the division of administration shall also adopt a schedule of administrative penalties and corrective actions for minor violations.

Present law provides for a restraining order for acts prohibited by present law.

Proposed law amends the hearing process for restraining orders.

Proposed law provides for technical changes in present law.

Proposed law directs the La. State Law Institute to change all references of "executive secretary" to "executive director" throughout the Chapter.

Proposed law directs the La. State Law Institute change all references from "Private Security and Licensing Law" to "Louisiana Private Security Licensing and Regulatory Act" throughout the revised statutes.

(Amends R.S. 37:3270, 3271, 3272(A)(2), (5), (6), (9), (11), (13)-(15), (17), and (18), 3273(B) and (C), 3274(A)(1)-(5), (7), and (11), (B)(1)-(4), (6), (7), (10), and (11), (C), and (D), 3275, 3279(A)(3), 3283(A), (D), and (F)(1) and (2), 3284(B)(1), (4), and (5), (E), (F), and (J), 3287(C), 3288, and 3293(C)(1); Adds R.S. 37:3272(21)-(25), 3273(I), 3274(A)(12), 3279.1, 3284.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Make clarifying changes.
3. Clarify that the executive director shall have no direct or indirect financial or business interest in any private security business while employed or for five years thereafter.
4. Remove fines and imprisonment for violations from present and proposed law.
5. Restore the definition of "security operations manager" in present law.

6. Provide that the board member qualifications outlined in proposed law shall apply only to board members appointed on or after the effective date of this Act.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the reengrossed bill

1. Clarifies that the board is responsible for determining approval of canine training programs.
2. Restores present law prohibiting unlicensed private security activity and providing for fines and criminal penalties for violations.
3. Make technical changes.