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## SENATE BILL NO. 145

Offered January 10, 2024

Prefiled January 5, 2024

*A BILL to amend and reenact §§ 9.1-141 and 9.1-150.2 of the Code of Virginia, relating to Criminal Justice Services Board; special conservators of the peace and private security services business personnel; patrol rifle training.*

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 Patron—Head
 

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Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:****1. That §§ 9.1-141 and 9.1-150.2 of the Code of Virginia are amended and reenacted as follows:****§ 9.1-141. Powers of Board relating to private security services business.**

A. The Board may adopt regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.), establishing compulsory minimum, entry-level, in-service, and advanced training standards for persons employed by private security services businesses in classifications defined in § 9.1-138. The regulations may include provisions delegating to the Board's staff the right to inspect the facilities and programs of persons conducting training to ensure compliance with the law and Board regulations. In establishing compulsory training standards for each of the classifications defined in § 9.1-138, the Board shall be guided by the policy of this section to secure the public safety and welfare against incompetent or unqualified persons engaging in the activities regulated by this section and Article 4 (§ 9.1-138 et seq.) of this chapter. The regulations may provide for partial exemption from such compulsory, entry-level training for persons having previous employment as law-enforcement officers for a local, state or the federal government, to include units of the United States armed forces, or for persons employed in classifications defined in § 9.1-138. However, no such exemption shall be granted to persons having less than five continuous years of such employment, nor shall an exemption be provided for any person whose employment as a law-enforcement officer or whose employment as a private security services business employee was terminated because of his misconduct or incompetence. The regulations may include separate provisions for full exemption from compulsory training for persons having previous training that meets or exceeds the minimum training standards and has been approved by the Department. However, no such exemption shall be granted to persons whose employment as a private security services business employee was terminated because of his misconduct or incompetence. No regulation adopted by the Board shall prevent any person employed by an electronic security business, other than an alarm respondent, or as a locksmith from carrying a firearm in the course of his duties when such person carries with him a valid concealed handgun permit issued in accordance with Article 6.1 (§ 18.2-307.1 et seq.) of Chapter 7 of Title 18.2. *The regulations shall allow a special conservator of the peace who (i) has completed entry-level handgun training for special conservators of the peace, (ii) is employed by an institution of higher education that has a memorandum of understanding with the local law-enforcement agency, and (iii) has the approval of the attorney for the Commonwealth responsible for the jurisdiction where he is employed to complete the entry-level patrol rifle classroom training required as part of the firearm training for private security services business personnel who carry or have immediate access to a firearm while on duty regardless of whether such individual has successfully completed security officer handgun training.*

B. The Board may enter into an agreement with other states for reciprocity or recognition of private security services businesses and their employees, duly licensed by such states. The agreements shall allow those businesses and their employees to provide and perform private security services within the Commonwealth to secure the public safety and welfare against incompetent, unqualified, unscrupulous, or unfit persons engaging in the activities of private security services businesses.

C. The Board may adopt regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) to secure the public safety and welfare against incompetent, unqualified, unscrupulous, or unfit persons engaging in the activities of private security services businesses that:

1. Establish the qualifications of applicants for registration, certification, or licensure under Article 4 (§ 9.1-138) of this chapter;

2. Examine, or cause to be examined, the qualifications of each applicant for registration, certification, or licensure, including when necessary the preparation, administration, and grading of examinations;

3. Certify qualified applicants for private security training schools and instructors or license qualified applicants as practitioners of private security services businesses;

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59 4. Levy and collect fees for registration, certification, or licensure and renewal that are sufficient to  
60 cover all expenses for administration and operation of a program of registration, certification, and  
61 licensure for private security services businesses and training schools;

62 5. Are necessary to ensure continued competency, and to prevent deceptive or misleading practices  
63 by practitioners and effectively administer the regulatory system adopted by the Board;

64 6. Receive complaints concerning the conduct of any person whose activities are regulated by the  
65 Board, to conduct investigations, and to take appropriate disciplinary action if warranted; and

66 7. Revoke, suspend or fail to renew a registration, certification, or license for just cause as  
67 enumerated in Board regulations.

68 D. In adopting its regulations under subsections A and C, the Board shall seek the advice of the  
69 Private Security Services Advisory Board established pursuant to § 9.1-143.

70 **§ 9.1-150.2. Powers of Criminal Justice Services Board relating to special conservators of the**  
71 **peace appointed pursuant to § 19.2-13.**

72 The Board shall adopt regulations establishing compulsory minimum, entry-level, in-service, and  
73 advanced training standards for special conservators of the peace. The regulations may include  
74 provisions delegating to the Board's staff the right to inspect the facilities and programs of persons  
75 conducting training to ensure compliance with the law and its regulations. In establishing compulsory  
76 training standards for special conservators of the peace, the Board shall require training to be obtained at  
77 a criminal justice training academy established pursuant to § 15.2-1747, or at a private security training  
78 school certified by the Department, and shall ensure the public safety and welfare against incompetent or  
79 unqualified persons engaging in the activities regulated by this section. The regulations may provide for  
80 exemption from training of persons having previous employment as law-enforcement officers for a state  
81 or the federal government. However, no such exemption shall be granted to persons having less than  
82 five continuous years of such employment, nor shall an exemption be provided for any person whose  
83 employment as a law-enforcement officer was terminated because of his misconduct or incompetence or  
84 who has been decertified as a law-enforcement officer. The regulations may include provisions for  
85 exemption from such training for persons having previous training that meets or exceeds the minimum  
86 training standards and has been approved by the Department. The Board may also adopt regulations that  
87 (i) establish the qualifications of applicants for registration; (ii) cause to be examined the qualifications  
88 of each applicant for registration; (iii) provide for collection of fees for registration and renewal that are  
89 sufficient to cover all expenses for administration and operation of a program of registration; (iv) ensure  
90 continued competency and prevent deceptive or misleading practices by practitioners; (v) effectively  
91 administer the regulatory system promulgated by the Board; (vi) provide for receipt of complaints  
92 concerning the conduct of any person whose activities are regulated by the Board; (vii) provide for  
93 investigations, and appropriate disciplinary action if warranted; and (viii) allow the Board to revoke,  
94 suspend or refuse to renew a registration, certification, or license for just cause as enumerated in  
95 regulations of the Board. The Board shall adopt compulsory, entry-level training standards that shall not  
96 exceed, but shall be a minimum of 98 hours for unarmed special conservators of the peace and that shall  
97 not exceed, but shall be a minimum of 130 hours for armed special conservators of the peace. *For*  
98 *armed special conservators of the peace, such compulsory minimum, entry-level, and in-service training*  
99 *standards shall include patrol rifle classroom training.* In adopting its regulations, the Board shall seek  
100 the advice of the Private Security Services Advisory Board established pursuant to § 9.1-143.