

SECOND REGULAR SESSION

# SENATE BILL NO. 791

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR PARSON.

Pre-filed December 8, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5201S.011

## AN ACT

To repeal section 590.750, RSMo, and to enact in lieu thereof one new section relating to corporate security advisors, with an existing penalty provision.

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

Section A. Section 590.750, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 590.750, to read as follows:

590.750. 1. The department of public safety shall have the sole authority  
2 to regulate and license all corporate security advisors. Licensed corporate  
3 security advisors who are not also commissioned by the department shall not  
4 have the power of arrest for violations of the criminal code, except as otherwise  
5 provided by law.

6 2. The director shall have the sole authority to commission corporate  
7 security advisors. No person shall hold a commission as a corporate security  
8 advisor without a valid peace officer license. The director shall commission  
9 corporate security advisors as he or she deems appropriate, taking into  
10 consideration the education, training, and experience of each individual in  
11 relation to the powers of peace officers and the limitations on the powers of peace  
12 officers in regard to the constitutional rights of citizens to be secure in their  
13 persons and property. Each individual commissioned by the department shall be  
14 issued a commission by the director of the department and before entering into  
15 the performance of his or her duties shall subscribe before the clerk of a circuit  
16 court of this state an oath, in the form prescribed by Article VII, Section 11 of the  
17 Constitution of Missouri, to support the Constitution and laws of the United  
18 States and this state; to faithfully demean himself or herself in the office; and to  
19 faithfully perform the duties of the office. The executed oath of office, along with  
20 a copy of the individual's commission, shall be filed with the director until the

21 commission is terminated or revoked.

22           3. The authority and jurisdiction of a corporate security advisor shall be  
23 limited only by the geographical limits of the state, unless the corporate security  
24 advisor's license is recognized by the laws or regulations of another state or the  
25 federal government.

26           4. The department shall establish a minimum amount of liability  
27 insurance to be provided by the prospective or current employer of the corporate  
28 security advisor, and require the employer to provide a statement that the  
29 corporate security advisor will be included in the policy as a named insured.

30           5. Acting as a corporate security advisor without a license from the  
31 department of public safety is a class A misdemeanor.

32           6. The director may promulgate rules to implement the provisions of this  
33 section under chapter 536 and section 590.190.

34           7. Any corporate security advisor licensed as of February 1, 2014, shall  
35 not be required to apply for a new license from the department until the advisor's  
36 license expires or is otherwise revoked.

37           8. All applications for corporate security advisor licenses shall be made  
38 upon such forms and in such manner as the director shall prescribe. The  
39 department shall charge a fee for issuance of a license under this section in an  
40 amount, not to exceed two hundred **fifty** dollars, established by regulation  
41 promulgated in accordance with the provisions of chapter 536.

42           9. Nothing in this section is intended to nor shall it be construed as a  
43 waiver of sovereign immunity or the acknowledgment or creation of any liability  
44 on the part of the state for personal injury, death, or property damage. The  
45 department of public safety and the director shall have immunity from civil  
46 liability arising out of the commissioning of corporate security advisors under this  
47 section.

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