

Amendment No. 1 to HB2283

Vaughan
Signature of Sponsor

AMEND Senate Bill No. 2514

House Bill No. 2283*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 62-35-103(b), is amended by deleting the subsection.

SECTION 2. Tennessee Code Annotated, Section 62-35-118(a)(2), is amended by deleting the subdivision and substituting:

(2) An unarmed security guard/officer and an armed security guard/officer applicant shall:

(A) Complete at least four (4) hours of general training administered by a certified trainer and pass an examination, covering, at a minimum, the following subjects:

- (i) Orientation: one (1) hour;
- (ii) Legal powers and limitations of a security guard/officer: one (1) hour;
- (iii) Emergency procedures: one (1) hour; and
- (iv) General duties: one (1) hour;

(B) Complete training in de-escalation techniques and proper and safe restraint techniques; and

(C) Hold a current certification from the American Red Cross, or another qualified certifying agency approved by the commissioner, qualifying the applicant to administer emergency first aid and cardiopulmonary resuscitation (CPR).

SECTION 3. Tennessee Code Annotated, Section 62-35-122, is amended by deleting subsection (d) and adding the following as new subsections:

(d) An armed security guard/officer shall as a prerequisite for the renewal of the person's registration card:

(1) Complete four (4) hours of refresher training administered by a certified trainer in the subjects listed in § 62-35-118(b)(1);

(2) Complete refresher training on the subjects listed in § 62-35-118(a)(2)(B) and (C);

(3) Maintain a valid CPR certification at the time of renewal; and

(4) Requalify in the use of a firearm by achieving a minimum of seventy percent (70%) on a silhouette target course approved by the commissioner.

(e) An unarmed security guard/officer shall as a prerequisite for renewal of the person's registration card:

(1) Complete two (2) hours of refresher training administered by a certified trainer in the subjects listed in § 62-35-118(a)(2)(A);

(2) Complete refresher training on the subjects listed in § 62-35-118(a)(2)(B) and (C); and

(3) Maintain a valid CPR certification at the time of renewal.

SECTION 4. Tennessee Code Annotated, Section 62-35-123, is amended by deleting the section and substituting:

(a) It is unlawful for a person to act as a proprietary security organization without first having notified the commissioner in writing. Except as provided in subsection (d), the notice must include:

(1) The full name and business address of the proprietary security organization;

(2) The full name and the business and residence addresses of the qualifying manager; and

(3) Other information that the commissioner may reasonably require.

(b) An unarmed security guard/officer employed by a proprietary security organization shall not carry a weapon of any kind.

(c) Notwithstanding subsection (a), a hospital that employs only unarmed security guards/officers may voluntarily elect to submit to the requirements for a proprietary security organization under this chapter and evidence the election by filing with the commissioner the notice required in subsection (a). The hospital may revoke the notice at any time upon appropriate notice of revocation to the commissioner.

(d) A proprietary security organization that has a license or permit from the alcoholic beverage commission or a beer board shall:

(1) Include with the initial notice to the commissioner in subsection (a):

(A) Documentation of insurance coverage compliant with § 62-35-114;

(B) One (1) set of classifiable electronic fingerprints of the qualifying manager; and

(C) A registration fee of one hundred dollars (\$100);

(2) Submit a biennial fee of one hundred dollars (\$100) to the commissioner to maintain the organization's status as a proprietary security organization; and

(3) Provide the commissioner with the full name, the business and residence addresses, and one (1) set of classifiable electronic fingerprints of the new qualifying manager within fifteen (15) days of a change in the qualifying manager if a proprietary security organization's qualifying manager changes. A proprietary security organization in violation of this subdivision (d)(3) is subject to a civil penalty pursuant to § 56-1-308.

(e) Upon receipt of a notice to act as a proprietary security organization from a person that has a license or permit from the alcoholic beverage commission or a beer board, the commissioner shall:

(1) Conduct an investigation to determine whether the statements made in the initial notice are true;

(2) Compare or request that the Tennessee bureau of investigation compare the fingerprints submitted with the notice to fingerprints filed with the bureau; and

(3) Submit the fingerprints to the federal bureau of investigation for a search of its files to determine whether the individual fingerprinted has recorded convictions.

SECTION 5. Tennessee Code Annotated, Section 62-35-134(a), is amended by deleting the subsection and substituting:

(a)

(1) It is unlawful for a person to knowingly employ as a security guard/officer an individual who does not hold a valid registration card of the appropriate type, except as provided in § 62-35-119(b).

(2) A violation of this subsection (a) is a Class A misdemeanor, punishable by fine only.

(3) The alcoholic beverage commission or a beer board shall suspend a license or permit, as applicable and in accordance with title 57, of a person for a violation of this subsection (a) for a period of one (1) month per violation.

However, this subsection (a) does not limit the alcoholic beverage commission's or a beer board's ability to seek to revoke or summarily suspend the license or permit.

SECTION 6. This act takes effect January 1, 2023, the public welfare requiring it, and applies to conduct occurring on or after that date.