

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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Short Title: Modify Protective Services Law/ALE. (Public)

Sponsors:

Referred to:

March 7, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE VARIOUS CHANGES TO THE PRIVATE PROTECTIVE SERVICES
3 ACT AND TO ALLOW THE DEPARTMENT OF PUBLIC SAFETY TO RELOCATE
4 ALCOHOL LAW ENFORCEMENT AS SUITABLE STATE-OWNED PROPERTY IS
5 IDENTIFIED.

6 The General Assembly of North Carolina enacts:

7
8 **PART I. PRIVATE PROTECTIVE SERVICES ACT CHANGES**

9 **SECTION 1.1.(a)** G.S. 74C-3 reads as rewritten:

10 "(a) As used in this Chapter, the term "private protective services profession" means and
11 includes the following:

12 ...

13 (5) Detection of deception examiner. – Any person, firm, association, or
14 corporation ~~which~~ which, for a fee or other valuable consideration, uses any
15 device or instrument, regardless of its name or design, for the purpose of the
16 detection of deception or any person who reviews the work product of an
17 examiner including charts, tapes or other methods of record keeping for the
18 purpose of detecting deception or determining accuracy.

19 (5a) Electronic countermeasures profession. – Any person, firm, association, or
20 corporation which for a fee or other valuable consideration discovers, locates,
21 or disengages by electronic, electrical, or mechanical means any ~~listening of~~
22 the following:

23 a. Listening or other monitoring equipment surreptitiously placed to
24 gather information concerning any individual, firm, association, or
25 ~~corporation.~~ corporation.

26 b. Any device intended to block the transmission of any electronic signal.

27 ...

28 (8) Private detective or private investigator. – Any person who engages in the
29 profession of or accepts employment to furnish, agrees to make, or makes
30 inquiries or investigations concerning any of the following on a contractual
31 basis:

32 ...

33 f. ~~Protection of individuals from serious bodily harm or death.~~

34 ...



* S 2 0 2 - P C S 3 5 4 3 9 - B H F - 3 8 *

1 (10) Close personal protection. – Any person, firm, association, or corporation
 2 which, for a fee or other valuable consideration, provides or offers to provide
 3 security measures to ensure the safety of a business executive, elected or
 4 appointed public official, celebrity, or other individuals who may be exposed
 5 to elevated personal risk because of the individual's employment, status,
 6 wealth, associations, or geographical location.

7 (11) Digital forensics examination. – Any individual, firm, association, or
 8 corporation which, for a fee or other valuable consideration, provides or offers
 9 to provide examination of digitally stored data to recover, image, analyze, or
 10 examine the data by using software to determine responsibility or reconstruct
 11 usage of the data.

12 (b) "Private protective services" shall not include any of the following:

13 ...

14 (17) ~~A person engaged in (i) computer or digital forensic services or in the~~
 15 ~~acquisition, review, or analysis of digital or computer based information,~~
 16 ~~whether for the purposes of obtaining or furnishing information for~~
 17 ~~evidentiary or other purposes, or for providing expert testimony before a~~
 18 ~~court; or (ii) network or system vulnerability testing, including network scans~~
 19 ~~and risk assessment and analysis of computers connected to a~~
 20 ~~network, network, and routine service or repair.~~

21 (18) A person under contract with an occupational licensing board as defined by
 22 G.S. 93B-1 while performing an investigation solely for that board."

23 **SECTION 1.1.(b)** G.S. 74C-3(a)(10), as enacted by this section, becomes effective
 24 July 1, 2021. The remainder of this section becomes effective October 1, 2020.

25 **SECTION 1.1A.(a)** G.S. 74C-2 reads as rewritten:

26 "**§ 74C-2. Licenses required.**

27 ...

28 (d) A private investigator who engages in close personal protection under
 29 G.S. 74C-3(a)(10) must possess a close personal protection endorsement. The board shall adopt
 30 rules setting forth the requirements to obtain a close personal protection endorsement. A licensed
 31 North Carolina private investigator, or permitted private investigator trainee who has provided at
 32 least five years of services in the protection of individuals from seriously bodily harm or death
 33 within the immediate five years prior to July 1, 2021, upon submission of sufficient proof of
 34 services to the board, shall be issued a close personal protection endorsement."

35 **SECTION 1.1A.(b)** This section becomes effective July 1, 2021.

36 **SECTION 1.2.** G.S. 74C-4 reads as rewritten:

37 "**§ 74C-4. Private Protective Services Board established; members; terms; vacancies;**
 38 **compensation; meetings.**

39 ...

40 (d) Each member of the Board, before assuming the duties of his or her office, shall take
 41 an oath for the faithful performance of his or her duties. A Board member may be removed at the
 42 pleasure of the authority making the original appointment or by the Board for misconduct,
 43 incompetence, or neglect of duty.

44 ...

45 (f) The Board shall elect a ~~chairman, vice chairman, chair, vice-chair~~ and other officers
 46 and committee ~~chairmen-chairs~~ from among its members as the Board deems necessary and
 47 desirable at the first meeting after July 1 of each year. The ~~chairman-chair~~ and ~~vice chairman~~
 48 ~~vice-chair~~ shall be selected by the members of the Board for a term of one year and shall be
 49 eligible for reelection. The Board shall meet at the call of the ~~chairman-chair~~ or a majority of the
 50 members of the Board at such time, date, and location as may be decided upon by a majority of
 51 the Board.

1"

2 SECTION 1.3. G.S. 74C-5 reads as rewritten:

3 "§ 74C-5. Powers of the Board.

4 In addition to the powers conferred upon the Board elsewhere in this Chapter, the Board shall
5 have the power to do all of the following:

6 ...

7 (13) Conduct investigations regarding unlicensed activity and, with the
8 concurrence of the Secretary of Public Safety, issue cease and desist letters.

9 (14) Acquire, hold, rent, encumber, alienate, and otherwise deal with real property
10 in the same manner as a private person or corporation, subject only to approval
11 of the Governor and the Council of State. Collateral pledged by the Board for
12 an encumbrance is limited to the assets, income, and revenues of the Board.

13 (15) Adopt rules establishing standards for the use of any firearm or other weapon
14 approved by the Board.

15 (16) Adopt and publish a code of professional conduct for licensees, registrants,
16 certificate holders, or permit holders, the violation of which is grounds to
17 suspend or revoke a license, registration, or permit pursuant to G.S. 74C-12."

18 SECTION 1.4. G.S. 74C-7 reads as rewritten:

19 "§ 74C-7. Investigative powers of the Secretary of Public Safety.

20 The Secretary of Public Safety for the State of North Carolina ~~shall have~~ has the power to
21 investigate or cause to be investigated any complaints, allegations, or suspicions of wrongdoing
22 or violations of this Chapter involving ~~individuals licensed, unlicensed individuals, licensed~~
23 individuals, or individuals to be licensed, licensed under this Chapter. The Secretary shall retain
24 the authority to enforce the provisions of this Chapter and impose any penalty authorized by
25 G.S. 74C-12(a) and G.S. 74C-17 against any person or entity who is under investigation for or
26 charged with a violation of this Chapter even if the person or entity's license or registration has
27 been surrendered or has lapsed. Any investigation conducted pursuant to this section is
28 confidential and is not subject to review under G.S. 132-1 until the investigation is complete and
29 a report is presented to the Board. However, the report may be released to the licensee after the
30 investigation is complete but before the report is presented to the Board."

31 SECTION 1.5. G.S. 74C-8 reads as rewritten:

32 "§ 74C-8. License requirements.

33 ...

34 (b) Application. – To apply for a license, an applicant must submit a verified application
35 in writing to the Board that includes all of the following:

36 ...

37 (7) Accompanying trainee permit applications only, a notarized statement signed
38 by the applicant and his or her employer stating that the trainee applicant will
39 at all times work with and under the direct supervision of a licensed private
40 detective.

41 (c) Qualifying Agent. – A business entity, other than a sole proprietorship, that engages
42 in private protective services is subject to all of the requirements listed in this subsection with
43 respect to a qualifying agent. For purposes of this Chapter, a "qualifying agent" is an individual
44 in a management position who is licensed under this Chapter and whose name and address have
45 been registered with the Director. The requirements are:

46 ...

47 (3) In the event that the qualifying agent upon whom the business entity relies in
48 order to do business ceases to perform his or her duties as qualifying agent,
49 the business entity shall notify the Director within 10 working days. The
50 business entity must obtain a substitute qualifying agent within ~~30~~ 90 days
51 after the original qualifying agent ceases to serve as qualifying agent unless

1 the Board, in its discretion, extends ~~this the 90-day period~~, for good cause, for
 2 ~~a period of time not to exceed three months~~ an additional 30 days upon the
 3 filing of a petition by the business entity and upon a hearing by the Board. The
 4 Board may require the payment of a late fee for a business entity failing to
 5 obtain a substitute qualifying agent pursuant to the requirements of this
 6 subdivision.

7 (d) Criminal Record Check. – An applicant must meet all of the following requirements
 8 and qualifications determined by a background investigation conducted by the Board in
 9 accordance with G.S. 74C-8.1 and upon receipt of an application:

10 ...

11 (2) That the applicant is of good moral character and temperate habits. The
 12 following shall be prima facie evidence that the applicant does not have good
 13 moral character or temperate habits: conviction by any local, State, federal, or
 14 military court of any crime involving the illegal use, carrying, or possession
 15 of a ~~firearm; firearm or other deadly weapon;~~ conviction of any crime
 16 involving the illegal use, possession, sale, manufacture, distribution, or
 17 transportation of a controlled substance, drug, narcotic, or alcoholic beverage;
 18 conviction of a crime involving ~~felonious~~ assault or an act of violence;
 19 conviction of a crime involving unlawful breaking or entering, burglary,
 20 larceny, or any offense involving moral turpitude; or a history of addiction to
 21 alcohol or a narcotic drug; provided that, for purposes of this subsection,
 22 "conviction" means and includes the entry of a plea of guilty or no contest or
 23 a verdict rendered in open court by a judge or jury.

24 ...

25 (f) Issuance. – Upon a finding that the application is in proper form, the completion of
 26 the background investigation, and the completion of an examination required by the Board, the
 27 Director shall submit to the Board the application and the Director's recommendations. Upon
 28 completion of the background investigation, the Director may issue a temporary license pending
 29 approval of the application by the Board at the next regularly scheduled meeting. The Board shall
 30 determine whether to approve or deny the application for a license. Upon approval by the Board,
 31 a license will be issued to the applicant upon payment by the applicant of the initial license fee
 32 and the required contribution to the Private Protective Services Education Fund, and filing of a
 33 certificate of liability ~~insurance~~ insurance with the Board. The applicant must pay the initial
 34 license fee and make the required contribution to the Fund within 90 days from the date the
 35 applicant receives notice of pending licensure approval unless the Board, in its discretion, extends
 36 the 90-day period, for good cause, for an additional 30 days upon the filing of a petition by the
 37 applicant and upon a hearing by the Board. The Board may require the payment of a late fee for
 38 an applicant failing to pay the initial license fee or failing to make the contribution to the Fund
 39 pursuant to the requirements of this subsection."

40 **SECTION 1.6.** G.S. 74C-9 reads as rewritten:

41 **"§ 74C-9. Form of license; term; renewal; posting; branch offices; not assignable; late**
 42 **renewal fee.**

43 ...

44 (e) The Board is authorized to charge reasonable application and license fees as follows:

45 ...

46 (7) An application fee for a firearm registration permit for all applicants and
 47 licensees subject to G.S. 74C-13 not to exceed fifty dollars (\$50.00).

48 (8) A new, renewal, replacement, or reissuance fee for a firearm registration
 49 permit for all applicants and licensees subject to G.S. 74C-13 not to exceed
 50 thirty dollars (\$30.00).

51 ...

1 (16) A late fee for a business entity subject to G.S. 74C-8(c)(3) or an applicant for
2 licensure under G.S. 74C-8(f) not to exceed one hundred dollars (\$100.00).
3 Except as provided in G.S. 74C-13(k), all fees collected pursuant to this section shall be
4 expended, under the direction of the Board, for the purpose of defraying the expenses of
5 administering this Chapter.

6 (f) A license or trainee permit granted under the provisions of this Chapter may be
7 renewed by the Private Protective Services Board upon notification by the licensee or permit
8 holder to the Director of intended renewal, the payment of the proper fee, and evidence of a
9 ~~policy of liability insurance~~ policy as prescribed in G.S. 74C-10(e).

10 The renewal shall be finalized before the expiration date of the license. In no event will
11 renewal be granted more than three months after the date of expiration of a license or trainee
12 permit.

13 "

14 **SECTION 1.7.** G.S. 74C-10 reads as rewritten:

15 "**§ 74C-10. Certificate of liability insurance required; form and approval; suspension for**
16 **noncompliance.**

17 ...

18 (e) No security guard and patrol, armored car, or special limited guard and patrol license
19 shall be issued under this Chapter unless the applicant files with the Board evidence of a ~~policy~~
20 ~~of liability insurance.~~ liability insurance policy. The policy must provide for the following
21 minimum coverage: fifty thousand dollars (\$50,000) because of bodily injury or death of one
22 person as a result of the negligent act or acts of the principal insured or his or her agents operating
23 in the course and scope of his or her employment; subject to said limit for one person, one
24 hundred thousand dollars (\$100,000) because of bodily injury or death of two or more persons
25 as the result of the negligent act or acts of the principal insured or his or her agents operating in
26 the course and scope of his or her agency; twenty thousand dollars (\$20,000) because of injury
27 to or destruction of property of others as the result of the negligent act or acts of the principal
28 insured or his or her agents operating in the course and scope of his or her agency. ~~If the licensee,~~
29 ~~a licensee or a trainee supervised by a licensee,~~ other than a security guard and patrol, armored
30 car, or special limited guard and patrol licensee, carries a firearm while engaged in private
31 protective services activities, the licensee or trainee shall obtain a ~~policy of liability insurance~~
32 policy with a minimum coverage as specified above. A licensee or trainee is deemed to be
33 "carrying a firearm" for purposes of this section while engaged in private protective services if
34 the licensee or trainee has a firearm on the licensee's or trainee's person or in the automobile the
35 licensee or trainee is using to perform private protective services. A licensee may provide
36 coverage for a trainee under the licensee's supervision; however, failure of the licensee to provide
37 coverage does not exempt the trainee from the requirements of this section.

38 (e1) The Board shall approve the form, execution, and terms of the liability insurance
39 policy.

40 (f) An insurance carrier ~~shall have~~ has the right to cancel ~~such policy of liability~~
41 ~~insurance~~ a liability insurance policy upon giving a 30-day notice to the Board. Provided,
42 however, that ~~such the~~ cancellation shall not affect any liability on the policy ~~which that~~ accrued
43 prior thereto. ~~The policy of liability shall be approved by the Board as to form, execution, and~~
44 ~~terms thereon.~~

45 (g) ~~The holder of any trainee permit and persons~~ Persons registered pursuant to
46 G.S. 74C-11 ~~shall not be~~ are not required to obtain a certificate of liability insurance.

47 "

48 **SECTION 1.8.** G.S. 74C-11 is amended by adding a new subsection to read:

49 "(g) Notwithstanding the provisions of this section, during a State of Disaster or State of
50 Emergency declared by the Governor of this State pursuant to Article 1 of Chapter 166A of the
51 General Statutes, a licensee may employ a person properly registered or licensed as an armed

1 security guard in another state provided the licensee, prior to deploying the armed security guard
 2 in this State, submits to the Director the name, address, and Social Security number of the armed
 3 security guard, the name of the state of current registration or licensing of the armed security
 4 guard, proof of completion of the four-hour training course mandated by G.S. 74C-13(h)(1)a.
 5 and 14B NCAC 16 .0807(c)(1), administered by a North Carolina certified trainer, qualification
 6 by a North Carolina Private Protective Services Board certified firearms instructor based on the
 7 firearm the armed security guard intends to carry, meeting the qualification requirements
 8 approved by the Board and the Secretary of Public Safety for each firearm, and the Director
 9 approves the employment of the armed security guard in this State. Qualification shall be valid
 10 for a period of 12 months. The duration of the deployment of an armed security guard from
 11 another state by a licensee shall not exceed the declared State of Emergency or Disaster."

12 **SECTION 1.9.** G.S. 74C-12 reads as rewritten:

13 **"§ 74C-12. Denial, suspension, or revocation of license, registration, or permit; duty to**
 14 **report criminal arrests.**

15 (a) The Board may, after compliance with Chapter 150B of the General Statutes, deny,
 16 suspend or revoke a license, certification, registration, or permit issued under this Chapter if it is
 17 determined that the applicant, licensee, trainee, registrant, or permit holder has done any of the
 18 following acts:

19 (1) Made any false statement or given any false information in connection with
 20 any application for a license, certification, registration, or permit or for the
 21 renewal or reinstatement of a license, certification, registration, or permit.

22 ...

23 (6) Engaged in or permitted any employee to engage in a private protective
 24 services profession when not lawfully in possession of a valid license or
 25 registration issued under the provisions of this Chapter.

26 ...

27 (9) Committed an unlawful breaking or entering, assault, battery, or
 28 ~~kidnapping~~ kidnapping or violated any State or federal firearms law.

29 ...

30 (24) Fraudulently held himself or herself out as employed by or licensed by the
 31 ~~State Bureau of Investigation~~ Department of Public Safety or any other
 32 governmental authority.

33"

34 **SECTION 1.10.** G.S. 74C-13 reads as rewritten:

35 **"§ 74C-13. Armed licensee or registered employee required to have firearm registration**
 36 **permit; firearms training.**

37 (a) It shall be unlawful for any person performing private protective services duties to
 38 carry a firearm in the performance of those duties without first having met the qualifications of
 39 this section and having been issued a firearm registration permit by the Board. A licensee or
 40 proprietary employer described in G.S. 74C-3(b)(13) shall register any individual carrying a
 41 firearm within 30 days of employment. Before engaging in any private protective services
 42 activity, the individual shall receive any required training prescribed by the ~~Board~~ Board, unless
 43 specifically exempted from training by G.S. 74C-13.1.

44 ...

45 (d2) A proprietary security organization that employs an armed security guard shall submit
 46 to the Board an application for a license on a form provided by the Board for that purpose. A
 47 proprietary security organization shall renew its license every two years.

48 ...

49 (g) The Board may suspend, revoke, or deny a firearm registration permit if the holder or
 50 applicant has been convicted of any crime involving moral turpitude or any crime ~~involving the~~
 51 ~~illegal use, carrying, or possession of a deadly weapon~~ set forth in G.S. 74C-8(d) or for violation

1 of this section or rules promulgated by the Board to implement this section. The Director may
2 summarily suspend a firearm registration permit pending resolution of charges ~~involving the~~
3 ~~illegal use, carrying, or possession of a firearm lodged against the holder of the permit for any~~
4 crime involving moral turpitude, any of the offenses set forth in G.S. 74C-12, or any crime set
5 forth in G.S. 74C-8(d).

6 (h) The Board and the Secretary of Public Safety shall establish a firearms training
7 program for licensees and registered employees to be conducted by agencies and institutions
8 approved by the Board and the Secretary of Public Safety. The Board and the Secretary of Public
9 Safety may approve training programs conducted by a contract security company and the security
10 department of a proprietary security organization, if the contract security company or security
11 department of a proprietary security organization offers the courses listed in subdivision (1) of
12 this subsection and if the instructors of the training program are certified trainers approved by
13 the Board and the Secretary of Public Safety:

- 14 (1) The basic training course approved by the Board and the Secretary of Public
15 Safety shall consist of a minimum of four hours of ~~classroom~~ training which
16 shall include all of the following:
- 17 a. Legal limitations on the use of ~~hand-guns~~ firearms and on the powers
18 and authority of an armed security guard.
 - 19 b. Familiarity with this section.
 - 20 c. Range firing and procedure and ~~hand-gun~~ firearm safety and
21 maintenance.

22 ...

23 (o) The Board shall not knowingly issue a firearm registration permit to an individual
24 who is prohibited by federal or State law from possessing a firearm."

25 **SECTION 1.11.** Article 1 of Chapter 74C of the General Statutes is amended by
26 adding a new section to read:

27 **"§ 74C-13.1. Exemption from firearms training requirements.**

28 (a) The following persons may be exempt from the firearms training requirements of
29 G.S. 74C-13(b):

- 30 (1) Those who have successfully completed the North Carolina Basic Law
31 Enforcement Training (BLET) and the first year of probationary employment.
- 32 (2) Persons who have retired either by years of service or by medical disability,
33 or separated in good standing as a sworn law enforcement officer from a
34 federal, state, county, or municipal law enforcement agency that included in
35 their duty the use and qualification of a firearm. Retirement or separation must
36 have occurred within three years of application.
- 37 (3) Military personnel who have been honorably discharged within three years of
38 application and whose military occupational specialty (MOS) included
39 Military Police or Criminal Investigative Division (CID) within three years of
40 application.
- 41 (4) Employees of a nuclear power plant that are required to comply with 10 C.F.R.
42 § 73.55 Appendix B, "Training and Qualification of Security Personnel," as
43 supplemented by the United States Nuclear Regulatory Commission
44 Regulatory Guide 5.75.

45 (b) An applicant claiming one of the above exemptions from the 20-hour course of armed
46 guard instruction must provide the Board the following documentation, as appropriate:

- 47 (1) A copy of a North Carolina BLET training certificate and a letter from the
48 applicant's department verifying that the probationary employment period has
49 been completed.
- 50 (2) Retirement documentation not older than three years verifying sworn status,
51 or the card issued by the North Carolina Criminal Justice Training &

1 Standards Division authorizing concealed carry under the United States Law
2 Enforcement Officers' Safety Act of 2004.

3 (3) Documentation from a United States Department of Defense Form DD 214,
4 Form DD 215, or Form NGB 22 noting a Military Police or CID military
5 occupational specialty.

6 (4) Documentation of retirement or separation from a federal law enforcement
7 agency with a United States Office of Personnel Management job series of
8 1811.

9 (5) Documentation of current, direct employment with a nuclear power plant
10 located in North Carolina.

11 (c) The Board shall deny the exemption if the applicant fails to provide the
12 documentation, as applicable, set forth above.

13 (d) When utilizing this exemption, the applicant must qualify within the first three
14 attempts on the required firearm qualification course. If the applicant fails to qualify on both of
15 these required courses, the applicant shall be required to undergo the entire 20-hour course of
16 instruction.

17 (e) When utilizing this exemption, the applicant must complete the legal block of
18 instruction required by G.S. 74C-13(h)(1) and the Board's administrative rules."

19 **SECTION 1.12.** G.S. 74C-15(a) reads as rewritten:

20 "(a) Upon the issuance of a license or trainee permit, a pocket identification card of design,
21 size, and content approved by the Board shall be issued by the Board without charge to each
22 licensee or trainee. The holder must have this card in his or her possession at all times when he
23 or she is on duty and working within the scope of his or her employment. When a licensee or
24 trainee to whom a card has been issued terminates his or her position as a licensee or trainee, the
25 card must be surrendered to the Director of the Board within 10 working days thereafter."

26 **SECTION 1.13.** G.S. 74C-17 reads as rewritten:

27 "**§ 74C-17. Enforcement.**

28 ...

29 (b) Any person, firm, association, or corporation or their agents and employees violating
30 any of the provisions of this Chapter or knowingly violating any rule promulgated to implement
31 this Chapter shall be guilty of a Class 1 misdemeanor. The Attorney General, or his or her
32 representative, shall have concurrent jurisdiction with the district attorneys of this State to
33 prosecute violations of this Chapter.

34 (c) In lieu of revocation or suspension of a license or permit under G.S. 74C-12, a civil
35 penalty of not more than two thousand dollars (\$2,000) per violation may be assessed by the
36 Board against any person or business who violates any provision of this Chapter or any rule of
37 the Board adopted pursuant to this Chapter. In determining the amount of any penalty, the Board
38 shall consider the degree and extent of harm caused by the violation. The clear proceeds of civil
39 penalties provided for in this subsection shall be remitted to the Civil Penalty and Forfeiture Fund
40 in accordance with G.S. 115C-457.2.

41 (d) Proceedings for the assessment of civil penalties under this section shall be governed
42 by Chapter 150B of the General Statutes. If the person assessed a civil penalty fails to pay the
43 penalty to the Board, the Board may institute an action in the superior court of the county in
44 which the person resides or has his or her principal place of business to recover the unpaid amount
45 of the penalty. An action to recover a civil penalty under this section shall not relieve any party
46 from any other penalty prescribed by law."

47 **SECTION 1.14.** G.S. 74C-18(b) reads as rewritten:

48 "(b) The Director, in his or her discretion and subject to the approval of the Board, may
49 issue a temporary permit to a nonresident who has complied with the provisions of G.S. 74C-10
50 and who is validly licensed in another state to engage in a private protective service activity
51 incidental to a specific case originating in another state. A temporary permit may be issued for a

1 period of no more than 30 days and may be renewed. A temporary permit may contain such
2 restrictions which the Board, in its discretion, deems appropriate."

3 **SECTION 1.15.** G.S. 74C-21(b) reads as rewritten:

4 "(b) An off-duty law enforcement officer may be employed during his or her off-duty
5 hours by a licensed security guard and patrol company on an employer-employee basis. An
6 off-duty law enforcement officer shall not wear his or her police officer's uniform or use the
7 police equipment while working for a security guard and patrol company."

8 **SECTION 1.16.** G.S. 74C-23 reads as rewritten:

9 **"§ 74C-23. Acquisition or change of ownership or control of licensed firm, association, or
10 corporation.**

11 In the event a company, firm, or corporation licensed under this Chapter transfers ownership,
12 control, or a majority of assets to another person, firm, association, or corporation, the person,
13 firm, association, or corporation acquiring control or ownership shall have the following
14 responsibilities:

15 ...

16 (4) Provide to the Director ~~within 60-10~~ calendar days ~~from the prior to the~~
17 effective date of the transaction the following: a list of any licensee and any
18 registrants affected by the transaction.

19 a. ~~A list of all registrants or licensees affected by the transaction.~~

20 b. ~~Written confirmation of completion of any changes necessary for the~~
21 ~~acquiring party to comply with the requirements of this Chapter or any~~
22 ~~applicable rules adopted by the Board on a form approved by the~~
23 ~~Director.~~

24 (5) Provide to the Director within 60 calendar days from the effective date of the
25 transaction written confirmation of completion of any changes necessary for
26 the acquiring party to comply with the requirements of this Chapter or any
27 applicable rules adopted by the Board on a form approved by the Director."

28 **SECTION 1.17.** G.S. 14-269.3 reads as rewritten:

29 **"§ 14-269.3. Carrying weapons into assemblies and establishments where alcoholic
30 beverages are sold and consumed.**

31 ...

32 (b) This section shall not apply to any of the following:

33 ...

34 (4) A person registered ~~or hired~~ as a security guard as defined in
35 G.S. 74C-3(b)(13) who is hired by the owner, lessee, or person or organization
36 sponsoring the ~~event~~ event or a person employed by a business licensed
37 pursuant to G.S. 74C-2 who is hired by the owner, lessee, or person or
38 organization sponsoring the event.

39"

40 **PART II. DPS AUTHORITY TO RELOCATE ALE**

41 **SECTION 2.** The Department of Public Safety may begin to relocate the ALE
42 Headquarters and ALE regional offices as State-owned space is identified or recurring funding
43 is secured. Until recurring funding is secured or State-owned space is identified, the Department
44 of Public Safety shall continue to consolidate ALE and SBI regions and regional offices so that
45 district offices remain co-located.

46 **PART III. EFFECTIVE DATE**

47 **SECTION 3.** Sections 1.2 through 1.17 of this act become effective October 1, 2020.
48 Except as otherwise provided, the remainder of this act is effective when it becomes law.
49
50