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SESSION 2021

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Short Title: Private Protective Srvs. Licensing Mods.

(Public)

Sponsors:

Referred to:

April 1, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE VARIOUS CHANGES TO THE PRIVATE PROTECTIVE SERVICES
3 BOARD AND THE PRIVATE PROTECTIVE SERVICES PROFESSION.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 1 of Chapter 74C of the General Statutes, as amended by
6 Section 3 of S.L. 2021-84, reads as rewritten:

7 "Article 1.

8 "Private Protective Services Board.

9 ...

10 "§ 74C-3. Private protective services profession defined.

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

13 ...

14 (3a) Close personal protection. – Any person, firm, association, or corporation
15 which, for a fee or other valuable consideration, provides or offers to provide
16 security measures to ensure the safety of a business executive, elected or
17 appointed public official, celebrity, or other individuals who may be exposed
18 to elevated personal risk because of the individual's employment, status,
19 wealth, associations, or geographical location.

20 ...

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

27 (5a) Digital forensics examination. – Any individual, firm, association, or
28 corporation which, for a fee or other valuable consideration, provides or offers
29 to provide examination of digitally stored data to recover, image, analyze, or
30 examine the data by using software to determine responsibility or reconstruct
31 usage of the data for use in any criminal, civil, or administrative court
32 proceeding.

33 (5a)(5b) Electronic countermeasures profession. – Any person, firm, association, or
34 corporation ~~which~~ which, for a fee or other valuable consideration



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1 consideration, discovers, locates, or disengages by electronic, electrical, or
 2 mechanical means any listening of the following:

3 a. Listening or other monitoring equipment surreptitiously placed to
 4 gather information concerning any individual, firm, association, or
 5 corporation.

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

7 ...

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

12 ...

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

14 ...

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

16 ...

17 (4) An attorney at law licensed to practice in North Carolina while engaged in the
 18 practice of law ~~and or~~ the attorney's ~~agent, employee,~~ provided the ~~agent~~
 19 ~~employee~~ is performing duties only in connection with his or her ~~principal's~~
 20 ~~employer's~~ practice of law.

21 ...

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

29 (18) A person under contract with an occupational licensing board, as defined by
 30 G.S. 93B-1(2), or a State agency licensing board, as defined by G.S. 93B-1(3),
 31 while performing an investigation solely for that board.

32 **"§ 74C-4. Private Protective Services Board established; members; terms; vacancies;**
 33 **compensation; meetings.**

34 ...

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

39 ...

40 **"§ 74C-5. Powers of the Board.**

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

43 ...

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

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

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

1 ...

2 **"§ 74C-7. Investigative powers of the Secretary of Public Safety.**

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

14 **"§ 74C-8. License requirements.**

15 ...

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

18 ...

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

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

28 ...

29 (3) In the event that the qualifying agent upon whom the business entity relies in
30 order to do business ceases to perform his or her duties as qualifying agent,
31 the business entity shall notify the Director within 10 working days. The
32 business entity must obtain a substitute qualifying agent within ~~30~~ 90 days
33 after the original qualifying agent ceases to serve as qualifying agent unless
34 the Board, in its discretion, extends ~~this the 90-day period~~, for good cause, for
35 ~~a period of time not to exceed three months~~ an additional 30 days upon the
36 filing of a petition by the business entity and upon a hearing by the Board. The
37 Board may require the payment of a late fee for a business entity failing to
38 obtain a substitute qualifying agent pursuant to the requirements of this
39 subdivision.

40 ...

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

44 ...

45 (2) That the applicant is of good moral character and temperate habits. The
46 following shall be prima facie evidence that the applicant does not have good
47 moral character or temperate habits: conviction by any local, State, federal, or
48 military court of any crime involving the illegal use, carrying, or possession
49 of a ~~firearm; firearm~~ or other deadly weapon; conviction of any crime
50 involving the illegal use, possession, sale, manufacture, distribution, or
51 transportation of a controlled substance, drug, narcotic, or alcoholic beverage;

conviction of a crime involving ~~felonious~~ assault or an act of violence; conviction of a crime involving unlawful breaking or entering, burglary, ~~larceny, or any offense involving moral turpitude; or larceny;~~ or a history of addiction to alcohol or a narcotic drug; provided that, for purposes of this subsection, "conviction" means and includes the entry of a plea of guilty or no contest or a verdict rendered in open court by a judge or jury.

...

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

...

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

...

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

...

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

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

...

(16) A late fee for a business entity subject to G.S. 74C-8(c)(3) or an applicant for licensure under G.S. 74C-8(f) not to exceed one hundred dollars (\$100.00).

Except as provided in G.S. 74C-13(k), all fees collected pursuant to this section shall be expended, under the direction of the Board, for the purpose of defraying the expenses of administering this Chapter.

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

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

...

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

(a) through (d) Repealed by Session Laws 1983, c. 673, s. 4.

1 (e) No security guard and patrol, armored car, or special limited guard and patrol license
2 shall be issued under this Chapter unless the applicant files with the Board evidence of a ~~policy~~
3 ~~of liability insurance~~ insurance policy. The policy must provide for the following minimum
4 coverage: fifty thousand dollars (\$50,000) because of bodily injury or death of one person as a
5 result of the negligent act or acts of the principal insured or his or her agents operating in the
6 course and scope of his or her employment; subject to said limit for one person, one hundred
7 thousand dollars (\$100,000) because of bodily injury or death of two or more persons as the result
8 of the negligent act or acts of the principal insured or his or her agents operating in the course
9 and scope of his or her agency; twenty thousand dollars (\$20,000) because of injury to or
10 destruction of property of others as the result of the negligent act or acts of the principal insured
11 or his agents operating in the course and scope of his or her agency. If the licensee, a licensee or
12 a trainee supervised by a licensee, other than a security guard and patrol, armored car, or special
13 limited guard and patrol licensee, carries a firearm while engaged in private protective services
14 activities, the licensee shall obtain a policy of liability insurance with a minimum coverage as
15 specified above. A licensee or trainee is deemed to be "carrying a firearm" for purposes of this
16 section while engaged in private protective services if the licensee or trainee has a firearm on the
17 licensee's or trainee's person or in the automobile the licensee or trainee is using to perform
18 private protective services. A licensee may provide coverage for a trainee under the licensee's
19 supervision; however, failure of the licensee to provide coverage does not exempt the trainee
20 from the requirements of this section.

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

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

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

29 ...
30 **"§ 74C-11. Probationary employees and registration of regular employees; unarmed**
31 **security guard required to have registration card.**

32 ...
33 (g) Notwithstanding the provisions of this section, during a disaster declaration or state
34 of emergency declared by the Governor pursuant to Article 1A of Chapter 166A of the General
35 Statutes, a licensee may employ a person properly registered or licensed as an armed security
36 guard in another state, provided that the licensee, prior to deploying the armed security guard in
37 this State, submit to the Director all of the following:

- 38 (1) The name, address, and social security number of the armed security guard.
- 39 (2) The name of the state of current registration or licensing of the armed security
40 guard.
- 41 (3) Proof of completion of the 4-hour training course mandated by
42 G.S. 74C-13(h)(1)a. and 14B NCAC 116 .0807(c)(1), administered by a North
43 Carolina certified trainer.
- 44 (4) Qualification by a firearms instructor certified by the North Carolina Private
45 Protective Services Board, based on the firearm the armed security guard
46 intends to carry, meeting the qualification requirements approved by the
47 Board and the Secretary of Public Safety for each firearm.

48 (h) The Director may approve the employment of the armed security guard in this State,
49 if the person meets all of the requirements of subsection (g) of this section. Qualification under
50 subsection (g) of this section shall be valid for a 12-month period. The duration of the deployment

1 of an armed security guard from another state by a licensee shall not exceed the length of the
 2 disaster declaration or state of emergency.

3 **"§ 74C-12. Denial, suspension, or revocation of license, registration, or permit; duty to**
 4 **report criminal arrests.**

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

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

12 ...
 13 (6) Engaged in or knowingly permitted any employee to engage in a private
 14 protective services profession when not lawfully in possession of a valid
 15 license or registration issued under the provisions of this Chapter.

16 ...
 17 (9) Committed an unlawful breaking or entering, assault, battery, ~~or~~
 18 ~~kidnapping~~ kidnapping, or violated any State or federal firearms law.

19 ...
 20 (24) Fraudulently held himself or herself out as employed by or licensed by the
 21 ~~State Bureau of Investigation~~ Department of Public Safety or any other
 22 governmental authority.

23 ...

24 (d) A licensee shall report to the Board in writing within 30 days any charge, arrest for,
 25 or conviction of a misdemeanor or felony for any of the following:

26 ...
 27 ~~(6) Any offense involving moral turpitude.~~

28 For purposes of this section, the term "conviction" includes the entry of a plea of guilty, a plea
 29 of nolo contendere, prayer for judgment continued, adjudication withheld, or a finding of guilt
 30 by a court of competent jurisdiction. The licensee's failure to report a charge, arrest for, or
 31 conviction of a misdemeanor or felony is grounds for revocation of the license.

32 **"§ 74C-13. Armed licensee or registered employee required to have firearm registration**
 33 **permit; firearms training.**

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

41 (a1) The following definitions apply in this section:

42 ...
 43 (4) Armed armored car guard. – An individual employed by a contract armored
 44 car company, who has a principal duty of an armored car service guard, and
 45 who, at any time, wears, carries, or possesses a firearm in the performance of
 46 duty.

47 (b) It shall be unlawful for any person, firm, association, or corporation and its agents
 48 and employees to employ an armed security guard or an armed private investigator and
 49 knowingly authorize or permit the armed security guard or armed private investigator to carry a
 50 firearm during the course of performing his or her duties as an armed security guard or an armed
 51 private investigator if the Board has not issued him or her a firearm registration permit under this

1 section or if the person, firm, association, or corporation permits an armed security guard or an
2 armed private investigator to carry a firearm during the course of performing his or her duties
3 whose firearm registration permit has been suspended, revoked, or has otherwise expired:

4 ...

5 (2) All firearms carried by authorized armed security guards or armed licensees
6 in the performance of their duties shall be owned or leased by the employer.
7 Personally owned firearms not leased to the employer shall not be carried by
8 an armed security guard or armed licensee in the performance of his or her
9 duties.

10 (c) The applicant for a firearm registration permit shall submit an application to the Board
11 on a form provided by the Board.

12 (d) Each firearm registration permit issued under this section to an armed security guard
13 shall be in the form of a pocket card designed by the Board and shall identify the contract security
14 company or proprietary security organization by whom the holder of the firearm registration
15 permit is employed. A firearm registration permit issued to an armed security guard expires one
16 year after the date of its issuance and must be renewed annually unless the permit holder's
17 employment terminates before the expiration of the permit. The Board may require all permit
18 holders to complete continuing education courses approved by the Board before renewal of their
19 permits.

20 (d1) Each firearm registration permit issued under this section to an armed private
21 investigator shall be in the form of a pocket card designed by the Board and shall identify the
22 name of the armed private investigator. While carrying a firearm and engaged in private
23 protective services, the armed private investigator shall carry the firearms registration permit
24 issued by the Board, together with valid identification, and shall disclose to any law enforcement
25 officer that the person holds a valid permit and is carrying a firearm, whether concealed or in
26 plain view, when approached or addressed by the law enforcement officer, and shall display both
27 the permit and the proper identification upon the request of a law enforcement officer. A private
28 investigator firearm registration permit expires one year from the date of issuance and shall be
29 renewed annually. The Board may require all permit holders to complete continuing education
30 courses approved by the Board before renewal of their permits.

31 (d2) A proprietary security organization that employs an armed security guard shall submit
32 an application to the Board for a license on a form, provided by the Board. A proprietary security
33 organization shall renew its license every two years.

34 ...

35 (g) The Board may suspend, revoke, or deny a firearm registration permit if the holder or
36 applicant has been convicted of any crime ~~involving moral turpitude or any crime involving the~~
37 ~~illegal use, carrying, or possession of a deadly weapon set forth in G.S. 74C-8(d)~~ or for violation
38 of this section or rules promulgated by the Board to implement this section. The Director may
39 summarily suspend a firearm registration permit pending resolution of charges ~~involving the~~
40 ~~illegal use, carrying, or possession of a firearm lodged against the holder of the permit for any of~~
41 the offenses set forth in G.S. 74C-12 or any crime set forth in G.S. 74C-8(d).

42 (h) The Board and the Secretary of Public Safety shall establish a firearms training
43 program for licensees and registered employees to be conducted by agencies and institutions
44 approved by the Board and the Secretary of Public Safety. The Board and the Secretary of Public
45 Safety may approve training programs conducted by a contract security company and the security
46 department of a proprietary security organization, if the contract security company or security
47 department of a proprietary security organization offers the courses listed in subdivision (1) of
48 this subsection and if the instructors of the training program are certified trainers approved by
49 the Board and the Secretary of Public Safety:

- 1 (1) The basic training course approved by the Board and the Secretary of Public
2 Safety shall consist of a minimum of four hours of classroom training which
3 shall include all of the following:
4 a. Legal limitations on the use of ~~hand guns~~ firearms and on the powers
5 and authority of an armed security guard.
6 b. Familiarity with this section.
7 c. Range firing and procedure and ~~hand gun~~ firearm safety and
8 maintenance.
9 ...
- 10 (o) The Board shall not knowingly issue a firearm registration permit to an individual
11 who is prohibited by federal or State law from possessing a firearm.

12 **"§ 74C-13.1. Exemption from firearms training requirements.**

13 (a) The following persons shall be exempt from the firearms training requirements of
14 G.S. 74C-13:

- 15 (1) Any person who has successfully completed the North Carolina Basic Law
16 Enforcement Training (BLET) and the first year of probationary employment.
17 (2) Persons who have retired or separated in good standing within three years
18 preceding the date of application, including by years of service or medical
19 disability, as a sworn law enforcement officer from a federal, state, county, or
20 municipal law enforcement agency that included in their duty the use and
21 qualification of a firearm.
22 (3) Military personnel who have been honorably discharged within three years
23 preceding the date of application, and whose military occupational specialty
24 included Military Police or Criminal Investigative Division (CID) within three
25 years preceding the date of application.
26 (4) Employees of a nuclear power plant that are required to comply with 10 C.F.R.
27 § 73.55 Appendix B, "Training and Qualification of Security Personnel," as
28 supplemented by the United States Nuclear Regulatory Commission
29 Regulatory Guide 5.75.

30 (b) An applicant claiming an exemption contained in subsection (a) of this section must
31 provide the Board the following documentation, as appropriate:

- 32 (1) A copy of a North Carolina BLET training certificate and a letter from the
33 applicant's department that verifies the probationary employment period of the
34 applicant has been completed.
35 (2) Retirement documentation from within the preceding three years that verifies
36 the applicant's previous sworn status, or the card issued by the North Carolina
37 Criminal Justice Training & Standards Division that authorizes concealed
38 carry under the United States Law Enforcement Officers' Safety Act of 2004.
39 (3) Documentation from a United States Department of Defense Form DD-214,
40 Form DD-215, or Form NGB-22 noting a Military Police or CID military
41 occupational specialty.
42 (4) Retirement or separation from employment documentation from a federal law
43 enforcement agency with a United States Office of Personnel Management
44 job series of 1811.
45 (5) Documentation of current and direct employment with a nuclear power plant
46 located in this State.

47 (c) The Board shall deny the exemption claimed by the applicant if the applicant fails to
48 provide the documentation, as appropriate, as described in subsection (b) of this section.

49 (d) The applicant must qualify within the first three attempts on the required firearm
50 qualification course when applying for an exemption under this section. If the applicant fails to

1 qualify on the firearm training course, the applicant shall be required to undergo the entire
2 20-hour course of instruction.

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

5 ...

6 **"§ 74C-15. Pocket identification cards issued to licensees and trainees.**

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

13 ...

14 **"§ 74C-17. Enforcement.**

15 ...

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

23 ...

24 **"§ 74C-18. Reciprocity; temporary permit.**

25 ...

26 (b) The Director, in his or her discretion and subject to the approval of the Board, may
27 issue a temporary permit to a nonresident who has complied with the provisions of G.S. 74C-10
28 and who is validly licensed in another state to engage in a private protective service activity
29 incidental to a specific case originating in another state. A temporary permit may be issued for a
30 period of no more than 30 days and may be renewed. A temporary permit may contain ~~such~~
31 restrictions which the Board, in its discretion, deems appropriate.

32 ...

33 **"§ 74C-21. Law enforcement officer provisions.**

34 ...

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

39 ...

40 **"§ 74C-23. Acquisition or change of ownership or control of licensed firm, association, or**
41 **corporation.**

42 In the event a company, firm, or corporation licensed under this Chapter transfers ownership,
43 control, or a majority of assets to another person, firm, association, or corporation, the person,
44 firm, association, or corporation acquiring control or ownership shall have the following
45 responsibilities:

46 ...

47 (4) Provide to the Director ~~within 60~~ no later than 10 calendar days ~~from prior to~~
48 ~~the effective date of the transaction~~ the following:

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

50 b. ~~Written confirmation of completion of any changes necessary for the~~
51 ~~acquiring party to comply with the requirements of this Chapter or any~~

applicable rules adopted by the Board on a form approved by the Director.

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

SECTION 1.(b) This section becomes effective October 1, 2022.

SECTION 2.(a) G.S. 74C-3, as amended by Section 1 of this act, is amended by adding a new subsection to read:

"(c) A private investigator licensed under this Chapter licensed on or before December 31, 2021, or a private investigator trainee permitted under this Chapter on or before December 31, 2021, may continue to provide services pursuant to sub-subdivision f. of subdivision (8) of subsection (a) of this section and shall not be subject to the provisions of the close personal protection provision in subdivision (3a) of subsection (a) of this section. This exception shall be indicated by an endorsement on the existing private investigator license or trainee permit."

SECTION 2.(b) This section becomes effective January 1, 2023, and applies to licenses and permits granted on or after that date.

SECTION 3.(a) G.S. 14-269.3 reads as rewritten:

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

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

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

...." SECTION 3.(b) This section becomes effective December 1, 2022, and applies to offenses committed on or after that date.

SECTION 4. Except where otherwise provided, this act is effective when it becomes law.