

SB0227S01 compared with SB0227

~~text~~ shows text that was in SB0227 but was deleted in SB0227S01.

text shows text that was not in SB0227 but was inserted into SB0227S01.

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Senator Margaret Dayton proposes the following substitute bill:

PRIVATE SECURITY LICENSING BOARD AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Margaret Dayton

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies the ~~Public Safety Code~~ Title 58, Occupations and Professions, regarding private ~~investigators~~ security services.

Highlighted Provisions:

This bill:

- ▶ modifies the membership of the ~~Private Investigator Hearing and Licensure~~ Security Services Licensing Board.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

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AMENDS:

~~{53-9-104}~~58-63-201, as last amended by Laws of Utah ~~{2010}~~2013, Chapter ~~{286}~~436

Be it enacted by the Legislature of the state of Utah:

Section 1. Section ~~{53-9-104}~~58-63-201 is amended to read:

~~{53-9-104}~~58-63-201. **Board -- ~~{Creation-- Qualifications -- Appointments -- Terms -- Immunity}~~Duties.**

(1) There is ~~{established a Private Investigator Hearing and Licensure}~~created the Security Services Licensing Board consisting of ~~{ five members appointed by the commissioner:~~

~~———— (2) Each member of the board shall be a citizen of the United States and a resident of this state at the time of appointment.~~

~~———— (a) [Two] Three members shall be qualifying parties who are licensed as provided in this chapter.~~

~~———— (b) One member shall be a supervisory investigator from the commissioner's office.~~

~~———— (c) One member shall be a chief of police or sheriff.~~

~~———— [(d) One member shall be a public member who shall not have a financial interest in a private investigative agency and shall not have an immediate family member or a household member or friend who is licensed or registered];~~

(a) [two] three individuals who are officers or owners of a licensed contract security company;

(b) one individual who is an officer or owner of a licensed armored car company;

(c) one individual from among nominees of the Utah Sheriffs' Association;

(d) one individual from among nominees of the Utah Chiefs of Police Association; and

(e) [two individuals] one individual representing the general public.

(2) (a) The executive director shall appoint board members in accordance with Section 58-1-201.

(b) A board member serves in accordance with Section 58-1-201.

(3) (a) The board shall carry out its duties and responsibilities in accordance with Sections 58-1-202 and 58-1-203.

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(b) The board shall designate one of its members on a permanent or rotating basis to:

(i) assist the division in reviewing a complaint concerning the unlawful or unprofessional conduct of a person licensed under this chapter~~{.}~~

~~—— (3) (a) Each member of the board shall serve four-year staggered terms beginning and ending on January 1.~~

~~—— (b) Notwithstanding the term requirements of Subsection (3)(a), the commissioner may adjust the length of terms to ensure the terms of board members are staggered so that approximately one member of the board is appointed every year.~~

~~—— (4) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.~~

~~—— (5) At its first meeting every year, the board shall elect a chair, vice chair, and secretary from its membership.~~

~~—— (6) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:~~

~~—— (a) Section 63A-3-106;~~

~~—— (b) Section 63A-3-107; and~~

~~—— (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.~~

~~—— (7) A member shall not serve more than one term, except that a member appointed to fill a vacancy or appointed for an initial term of less than four years may be reappointed for one full term.~~

~~—— (8) The commissioner, after a board hearing and recommendation, may remove any member of the board for misconduct, incompetency, or neglect of duty.~~

~~—— (9) Members of the board are immune from suit with respect to all acts done and actions taken in good faith in furtherance of the purposes of this chapter.~~

Legislative Review Note

Office of Legislative Research and General Counsel~~};~~ and

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(ii) advise the division in its investigation of the complaint.

(4) A board member who, under Subsection (3), has reviewed a complaint or advised in its investigation is disqualified from participating with the board when the board serves as a presiding officer in an adjudicative proceeding concerning the complaint.