

26

27 *Be it enacted by the Legislature of the state of Utah:*28 Section 1. Section **58-63-102** is amended to read:29 **58-63-102. Definitions.**

30 In addition to the definitions in Section 58-1-102, as used in this chapter:

31 (1) "Agreement for services" means a written and signed agreement between a security
32 service provider and a client that:33 (a) contains clear language that addresses and assigns financial responsibility;34 (b) describes the length, duties, and scope of the security services that will be provided;34a ~~H→~~ **and** ~~←H~~35 (c) describes the compensation that will be paid by the client for the security services,
36 including the compensation for each security officer ~~H→~~ [;and] .37 ~~[(d) describes what government-owned vehicles or other equipment may be used, if any,~~
38 ~~by the security service provider while providing security services, including the compensation~~
39 ~~that will be provided by the client for the use of such vehicles or other equipment.] ~~←H~~~~40 ~~[(+)]~~ (2) "Armed courier service" means a person engaged in business as a contract
41 security company who transports or offers to transport tangible personal property from one
42 place or point to another under the control of an armed security officer employed by that
43 service.44 ~~[(2)]~~ (3) "Armed private security officer" means an individual:

45 (a) employed by a contract security company;

46 (b) whose primary duty is:

47 (i) guarding personal or real property; or

48 (ii) providing protection or security to the life and well being of humans or animals;

49 and

50 (c) who wears, carries, possesses, or has immediate access to a firearm in the
51 performance of the individual's duties.52 ~~[(3)]~~ (4) "Armored car company" means a person engaged in business under contract to
53 others who transports or offers to transport tangible personal property, currency, valuables,
54 jewelry, SNAP benefits as defined in Section 35A-1-102, or any other high value items, that
55 require secured delivery from one place to another under the control of an armored car security
56 officer employed by the company using a specially equipped motor vehicle offering a high

88 (iii) the following riders:

89 (A) general liability;

90 (B) assault and battery;

91 (C) personal injury;

92 (D) false arrest;

93 (E) libel and slander;

94 (F) invasion of privacy;

95 (G) broad form property damage;

96 (H) damage to property in the care, custody, or control of the security service provider;

97 and

98 (I) errors and omissions;

99 (c) maintains a workers' compensation insurance policy with at least a \$1,000,000 per
 100 occurrence limit and that covers each security officer employed by the contract security
 101 company; and

102 (d) maintains a federal employer identification number and an unemployment
 103 insurance employer account as required under state and federal law.

104 ~~[(7)]~~ (11) "Identification card" means a personal pocket or wallet size card issued by
 105 the division to each armored car and armed or unarmed private security officer licensed under
 106 this chapter.

107 (12) ~~H→~~ [(a)] ~~←H~~ "Law enforcement agency" means the same as that term is defined in
 107a Section
 108 53-1-102.

109 ~~**H→ [(b) "Law enforcement agency" does not include an individual law enforcement officer.] ←H**~~

110 ~~[(8) "Officer" means a president, vice president, secretary, treasurer, or other officer of~~
 111 ~~a corporation or limited liability company listed as an officer in the files with the Division of~~
 112 ~~Corporations and Commercial Code.]~~

113 ~~[(9) "Owner" means a proprietor or general partner of a proprietorship or partnership, a~~
 114 ~~lessee or assignee of the owner, the manager of the facility, or the event operator.]~~

115 (13) "Owner" means an individual who is listed with the Division of Corporations and
 116 Commercial Code as a majority stockholder of a company, a general partner of a partnership,
 117 or the proprietor of a sole proprietorship.

118 ~~[(10)]~~ (14) "Peace officer" means a person who:

150 (C) the individual is not authorized to use physical force in the performance of the
 151 individual's duties under this Subsection [(12)(c)] (16)(b).

152 [~~(ii) As used in this Subsection (12)(c), "facility" means a sports, concert, or theatrical~~
 153 ~~venue, or a convention center, fairgrounds, public assembly facility, or mass gathering~~
 154 ~~location.~~]

155 (17) "Security service provider" means a contract security company ~~H→~~ [licensed under this
 156 chapter.] or ~~←H~~ an armored car company licensed under this chapter ~~H→~~ [~~, or a law enforcement~~
 156a ~~agency]~~ ~~←H~~ .

157 [(13)] (18) "Security system" means equipment, a device, or an instrument installed
 158 for:

159 (a) detecting and signaling entry or intrusion by an individual into or onto, or exit from
 160 the premises protected by the system; or

161 (b) signaling the commission of criminal activity at the election of an individual having
 162 control of the features of the security system.

163 [(14)] (19) "Specialized resource, motor vehicle, or equipment" means an item of
 164 tangible personal property specifically designed for use in law enforcement or in providing
 165 security or guard services, or that is specially equipped with a device or feature designed for
 166 use in providing law enforcement, security, or guard services, but does not include:

167 (a) standardized clothing, whether or not bearing a company name or logo, if the
 168 clothing does not bear the words "security" or "guard"; or

169 (b) an item of tangible personal property, other than a firearm or nonlethal weapon, that
 170 may be used without modification in providing security or guard services.

171 [(15)] (20) "Street patrol service" means a contract security company that provides
 172 patrols by means of foot, vehicle, or other method of transportation using public streets,
 173 thoroughfares, or property in the performance of the company's duties and responsibilities.

174 [(16)] (21) "Unarmed private security officer" means an individual:

175 (a) employed by a contract security company;

176 (b) whose primary duty is guarding personal or real property or providing protection or
 177 security to the life and well being of humans or animals;

178 (c) who does not wear, carry, possess, or have immediate access to a firearm in the
 179 performance of the individual's duties; and

180 (d) who wears clothing of distinctive design or fashion bearing a symbol, badge,