

## HOUSE AMENDMENTS TO HOUSE BILL 2315

By COMMITTEE ON JUDICIARY

February 18

1 On page 1 of the printed bill, line 3, delete “and amending ORS 181.854 and 192.501” and insert  
2 “amending ORS 181.662, 181.878 and 192.501; and declaring an emergency”.

3 On page 5, line 15, after “the” delete the rest of the line and line 16 and insert “department  
4 issues the report described in ORS 181.662 or 181.878.”.

5 On page 9, line 7, after “the” delete the rest of the line and line 8 and insert “department issues  
6 the report described in ORS 181.662 or 181.878.”.

7 Delete lines 9 through 45 and insert:

8 “**SECTION 3.** ORS 181.878 is amended to read:

9 “181.878. (1) The Board on Public Safety Standards and Training shall establish standards for:

10 “(a) Issuing, denying, renewing and revoking licenses for executive managers and supervisory  
11 managers; and

12 “(b) Reviewing the private security services of executive managers in relation to the licensing  
13 and certification standards set forth in ORS 181.870 to 181.887.

14 “(2) In accordance with any applicable provision of ORS chapter 183, to promote consistent  
15 standards for private security services by improving the competence of private security providers,  
16 the board, in conjunction with the Private Security Policy Committee, shall establish reasonable  
17 minimum standards of physical, emotional, intellectual and moral fitness for private security pro-  
18 viders.

19 “(3) The board, in consultation with the Department of Public Safety Standards and Training,  
20 may establish by rule accreditation standards for required training programs. The board, in consul-  
21 tation with the Private Security Policy Committee, may establish to what extent training or educa-  
22 tional programs offered by employers may be considered equivalent to required training programs.

23 “(4) The department shall:

24 “(a) Establish and carry out procedures for issuing, denying, renewing and revoking, subject to  
25 terms and conditions imposed by the department, a private security provider’s certificate or license;

26 “(b) In collaboration with the Private Security Policy Committee, recommend for approval by the  
27 board the content of and standards for all training courses and testing required for certification as  
28 a private security professional and the standards for all instructors providing the training;

29 “(c) Establish procedures in consultation with the board for temporary assignment of persons  
30 performing private security services for a period of no longer than 120 days while an application for  
31 certification is being processed;

32 “(d) In collaboration with the Private Security Policy Committee, establish fees for issuing cer-  
33 tificates and licenses to private security providers. The fees may not exceed the prorated direct  
34 costs of administering:

35 “(A) The certification or licensing program required by this section;

1 “(B) The criminal records checks required by ORS 181.880; and  
2 “(C) Any training program required by rules of the department or board; and  
3 “(e) In collaboration with the Private Security Policy Committee, establish fees for accrediting  
4 training programs offered by employers.  
5 “(5) In establishing procedures for issuing certificates and licenses under subsection (4)(a) of this  
6 section, the department shall establish a procedure for issuing a certificate or license to a person  
7 upon submission by the person of proof of successful completion of a training program accredited  
8 by the board pursuant to subsection (3) of this section as being equivalent to the required training  
9 program offered by the department.  
10 “(6) The department shall investigate alleged violations of the provisions of ORS 181.870 to  
11 181.887 and of any rules adopted by the department or the board. **The department shall issue a**  
12 **report when the investigation is complete.**  
13 “(7) The department and the board may adopt rules necessary to carry out their duties under  
14 ORS 181.870 to 181.887 and 181.991. For efficiency, the department and board may adopt rules jointly  
15 as a single set of combined rules.  
16 “**SECTION 4.** ORS 181.662 is amended to read:  
17 “181.662. (1) The Department of Public Safety Standards and Training may deny the application  
18 for training, or deny, suspend or revoke the certification, of any instructor or public safety officer,  
19 except a youth correction officer or fire service professional, after written notice and hearing con-  
20 sistent with the provisions of ORS 181.661, based upon a finding that:  
21 “(a) The public safety officer or instructor falsified any information submitted on the application  
22 for certification or on any documents submitted to the Board on Public Safety Standards and  
23 Training or the department.  
24 “(b) The public safety officer or instructor has been convicted of a crime or violation in this  
25 state or any other jurisdiction.  
26 “(c) The public safety officer or instructor does not meet the applicable minimum standards,  
27 minimum training or the terms and conditions established under ORS 181.640 (1)(a) to (d).  
28 “(d) The public safety officer failed to comply with ORS 181.789 (3)(b).  
29 “(2) The department shall deny, suspend or revoke the certification of a fire service professional,  
30 after written notice and hearing consistent with the provisions of ORS 181.661, based upon a finding  
31 that the fire service professional has been convicted in this state of a crime listed in ORS 137.700  
32 or in any other jurisdiction of a crime that, if committed in this state, would constitute a crime  
33 listed in ORS 137.700.  
34 “(3) The department may deny, suspend or revoke the certification of any fire service profes-  
35 sional after written notice and hearing consistent with the provisions of ORS 181.661, based upon  
36 a finding:  
37 “(a) That the fire service professional falsified any information submitted on the application for  
38 certification or on any documents submitted to the board or the department; or  
39 “(b) Consistent with ORS 670.280, that the fire service professional is not fit to receive or hold  
40 the certification as a result of conviction of a crime in this state, or in any other jurisdiction, other  
41 than a crime described in subsection (2) of this section.  
42 “(4) The department shall deny, suspend or revoke the certification of any public safety officer  
43 or instructor, except a youth correction officer, after written notice and hearing consistent with the  
44 provisions of ORS 181.661, based upon a finding that the public safety officer or instructor has been  
45 discharged for cause from employment as a public safety officer.

1           “(5) The department, in consultation with the board, shall adopt rules specifying those crimes  
2 and violations for which a conviction requires the denial, suspension or revocation of the certifi-  
3 cation of a public safety officer or instructor.

4           “(6) Notwithstanding the lapse, suspension, revocation or surrender of the certification of a  
5 public safety officer or instructor, the department may:

6           “(a) Proceed with any investigation of, or any action or disciplinary proceedings against, the  
7 public safety officer or instructor; or

8           “(b) Revise or render void an order suspending or revoking the certification.

9           “(7) The department shall deny, suspend or revoke the accreditation of a training or educational  
10 program or any course, subject, facility or instruction thereof if the program, course, subject, facility  
11 or instruction is not in compliance with rules adopted or conditions prescribed under ORS 181.640  
12 (1)(g) or 181.650 (3).

13           **“(8) When the department completes an investigation relating to a person’s qualifications  
14 for employment, training or certification under this section, the department shall issue a  
15 report.**

16           **“SECTION 5. The amendments to ORS 192.501 by sections 1 and 2 of this 2009 Act apply  
17 to records in the possession of the Department of Public Safety Standards and Training on  
18 or after the effective date of this 2009 Act.**

19           **“SECTION 6. This 2009 Act being necessary for the immediate preservation of the public  
20 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect  
21 on its passage.”.**

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