

A-Engrossed
Senate Bill 635

Ordered by the Senate April 11
Including Senate Amendments dated April 11

Sponsored by Senators PROZANSKI, NELSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Excepts from private security professional certification requirement person who provides security services as volunteer or for de minimis consideration other than money for event operated for benefit of nonprofit or federally tax exempt corporation **and certain student enrolled in community college while engaged in supervised, nonconfrontational activities that contribute to campus safety.**

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to private security services; amending ORS 181.871; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 181.871 is amended to read:

5 181.871. (1) ORS 181.870 to 181.887 do not apply to:

6 (a) A person certified by the Department of Public Safety Standards and Training as a police
7 officer or a parole and probation officer.

8 (b) A law enforcement officer of the United States.

9 (c) An officer or employee of this state, Oregon Health and Science University established by
10 ORS 353.020 or the United States while performing duties of the office or employment.

11 (d) A person appointed or commissioned by the Governor to perform law enforcement or security
12 services.

13 (e) An attorney admitted to practice law in this state while engaged in the practice of law.

14 (f) An insurance adjuster licensed in this state while performing duties authorized by the license.

15 (g) A person who monitors fire alarm systems and other alarm systems that are not designed to
16 detect unauthorized intrusions while monitoring such systems.

17 (h) A person while protecting the person's property.

18 (i) A person who repairs and installs intrusion alarms while repairing or installing intrusion
19 alarms.

20 (j) A person acting as an investigator as defined in ORS 703.401.

21 (k) A person performing crowd management or guest services, including, but not limited to, a
22 person described as a ticket taker, an usher, a parking attendant or event staff or a person employed
23 for the purpose of age verification by a licensee of the Oregon Liquor Control Commission, who is
24 not armed and is not hired with the primary responsibility of taking enforcement action as described
25 in ORS 181.870 (8)(f).

26 (L) A person performing security services at a facility regulated by the United States Nuclear

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 Regulatory Commission if the facility is operated by the person's employer.

2 (m) An individual while on active duty as a member of the armed services or while performing
3 duties as a law enforcement officer.

4 (n) An employee of a financial institution who has been designated as a security officer for the
5 financial institution pursuant to the Bank Protection Act of 1968 (12 U.S.C. 1881 et seq.) and regu-
6 lations adopted thereunder or pursuant to ORS 723.276 (5).

7 (o) **A person who provides security services as a volunteer or for de minimis consider-**
8 **ation other than money for an event operated for the benefit of a corporation that is or-**
9 **ganized not for profit pursuant to ORS chapter 65 or any predecessor of ORS chapter 65 or**
10 **that is exempt from taxation under section 501(a) of the Internal Revenue Code as an or-**
11 **ganization described in section 501(c) of the Internal Revenue Code.**

12 (p) **A student enrolled in a community college as defined in ORS 341.005 while engaged in**
13 **nonconfrontational activities that contribute to campus safety under the direct or indirect**
14 **supervision of a law enforcement professional or private security professional certified or**
15 **licensed by the Department of Public Safety Standards and Training, provided the community**
16 **college has conducted a criminal background check on the student.**

17 (2) The exemption provided by subsection (1)(k) of this section applies only:

18 (a) If there is at least one person on-site who is certified or licensed under ORS 181.878 for ev-
19 ery 10 or fewer uncertified persons performing the services described in subsection (1)(k) of this
20 section;

21 (b) If any enforcement action, as described in ORS 181.870 (8)(f), other than incidental or tem-
22 porary action, is taken by or under the supervision of a person certified or licensed under ORS
23 181.878; and

24 (c) During the time when a crowd has assembled for the purpose of attending or taking part in
25 an organized event, including pre-event assembly, event operation hours and post-event departure
26 activities.

27 **SECTION 2. This 2011 Act being necessary for the immediate preservation of the public**
28 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
29 **on its passage.**

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