

Enrolled
Senate Bill 878

Sponsored by COMMITTEE ON JUDICIARY

CHAPTER

AN ACT

Relating to private security professionals; amending ORS 181.871; and declaring an emergency.

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

SECTION 1. ORS 181.871 is amended to read:

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

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

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

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

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

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

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

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

(g) A person who monitors alarm systems that are not designed to detect threats to public safety or personal well-being.

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

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

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

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

(L) A person performing security services at a facility regulated by the United States Nuclear Regulatory Commission if the facility is operated by the person's employer.

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

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

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

- (a) To a person who is not:
 - (A) Armed;
 - (B) Permitted to initiate confrontational activities; or
 - (C) Hired with the primary responsibility of taking enforcement action as described in ORS 181.870 (8)(f);

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

[(b)] (c) If any enforcement action, as described in ORS 181.870 (8)(f), other than incidental or temporary action, is taken by or under the supervision of a person certified or licensed under ORS 181.878; and

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

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

Passed by Senate April 25, 2011

Received by Governor:

Repassed by Senate June 13, 2011

.....M,....., 2011

Approved:

.....
Robert Taylor, Secretary of Senate

.....M,....., 2011

.....
Peter Courtney, President of Senate

.....
John Kitzhaber, Governor

Passed by House June 8, 2011

Filed in Office of Secretary of State:

.....
Bruce Hanna, Speaker of House

.....M,....., 2011

.....
Arnie Roblan, Speaker of House

.....
Kate Brown, Secretary of State