

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass

Vote: 10 - 0 - 0

Yeas: Garrett, Hicks, Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Barker, Krieger

Exc.:

Prepared By: Bill Taylor, Counsel

Meeting Dates: 2/15

WHAT THE MEASURE DOES: Redefines “private security services” to include within the definition of a “private security services” individuals controlling access to the premises the Oregon Liquor Control Commission (OLCC) licenses if minors are prohibited from entering the premises. Consequently those controlling access would have to be certified by the Department of Public Safety Standards and Training (DPSST) as “private security providers.” Excludes from the definition of “private security provider” a person with a valid alcohol server’s permit when the person is performing age verification and controlling access to premises if the person is: (1) Not armed; (2) Not permitted to initiate confrontation or to seize property; or (c) Not hired with the primary responsibility of being a bouncer. This exemption does not apply to an organized event that is on a scale substantially outside the ordinary course of the bar, restaurant or nightclub’s business.

ISSUES DISCUSSED:

- Bartender can occasionally check identifications at door
- Not armed
- Not confrontational

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: ORS 181.871 provides exemptions to the licensing requirements generally required of individuals working in private security. Individuals working in private security are subject to a range of requirements under ORS 181.870 to 181.887, governing training, licensing and other requirements. The existing statutory structure provides for a range of exempted classes, including a person performing crowd management or guest services, including but not limited to a ticket taker, usher, parking attendant, event staff or person employed for the purpose of age verification by a licensee of the OLCC, who is not armed and not hired primarily for law enforcement actions.

Senate Bill 878 from the 2011 session, among other things, attempted to clarify that individuals with OLCC server licenses could ask at the entrance to a bar, restaurant or nightclub prospective patrons for identification proving the prospective patron was at least twenty-one years old. The server could do this so long as it was not part of his or her primary responsibilities. If it were, the server would have to be certified by the DPSST as a “private security professional.” After the 2011 session, the cities of Portland and Eugene had concerns as to when a server could and could not check identifications. Senate Bill 1524 is intended to address these concerns.