

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library [\(609\) 278-2640 ext.103](tel:6092782640) or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RH/CL

P.L. 2017, CHAPTER 351, *approved January 16, 2018*
Assembly, No. 1856 (*First Reprint*)

1 AN ACT concerning security officers and amending P.L.2004,
2 c.134.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 4 of P.L.2004, c.134 (C.45:19A-4) shall be amended as
8 follows:

9 4. a. A person shall not be employed as a security officer by a
10 security officer company or a company maintaining a proprietary or
11 in-house security function, or perform the functions and activities of a
12 security officer, unless that person is registered with the superintendent
13 as required in this section.

14 The requirements of this section shall not apply to:

15 (1) a loss prevention employee;

16 (2) an employee of a company whose business includes hosting
17 sporting and entertainment events at an arena or stadium where a State,
18 county, or municipal law enforcement agency is on the premises
19 during the event and whose in-house security employees do not carry
20 handguns or other licensed weapons;

21 (3) a security officer employed by a company maintaining a
22 proprietary or in-house security function whose in-house security
23 employees do not carry handguns or other licensed weapons; or

24 (4) a security employee regulated under federal law. Any person
25 who violates the provisions of this section shall be guilty of a crime of
26 the fourth degree.

27 b. An application for registration as a security officer shall be
28 filed with the superintendent on a form and in a manner prescribed by
29 the superintendent and shall set forth under oath:

30 (1) the applicant's full name, age, which shall be at least 18 years,
31 and residence;

32 (2) the name and address of all employers or occupations engaged
33 in for the immediately preceding five years;

34 (3) that the applicant has not been convicted of any disqualifying
35 crime or offense as set forth in subsection c. of this section; and

36 (4) such further information as the superintendent may require to
37 show the good character, competency and integrity of the applicant.

38 Any person who shall knowingly make a false statement in, or
39 knowingly omit any material information from, an application as
40 required by this subsection shall be guilty of a crime of the fourth
41 degree in addition to any other crime or offense specified by law.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SMV committee amendments adopted December 11, 2017.

1 c. No person shall be issued a certificate of registration as a
2 security officer under the provisions of this section if the person has
3 been convicted, as indicated by a criminal history record background
4 check performed pursuant to the provisions of this section, of: a crime
5 of the first, second, third or fourth degree; any offense involving the
6 unlawful use, possession or sale of a controlled dangerous substance as
7 defined in N.J.S.2C:35-2; or any offense where the registration of the
8 individual would be contrary to the public interest, as determined by
9 the superintendent ¹~~['.']~~ except as provided in subsection h. of this
10 section. Each applicant shall submit to the superintendent the
11 applicant's fingerprints and written consent for a criminal history
12 record background check to be performed. The superintendent shall
13 compare these to fingerprints on file with the State Bureau of
14 Identification in the Division of State Police and the Federal Bureau of
15 Investigation, consistent with applicable State and federal laws, rules
16 and regulations. The applicant shall bear the cost for the criminal
17 history record background check, including all costs of administering
18 and processing the check.

19 d. A person whose application has been approved by the
20 superintendent shall complete the required education and training
21 program established in section 5 of this act. Upon satisfactory
22 completion of this program, and upon the payment of a fee in an
23 amount established by the superintendent, the applicant shall be
24 entitled to and the superintendent shall issue and deliver to the
25 applicant a security officer certificate of registration.

26 e. The superintendent may revoke or suspend such certificate of
27 registration for a violation of any of the provisions of this act or for
28 other good cause. A certificate of registration shall be surrendered to
29 the superintendent within 72 hours after its term has expired or after
30 notice in writing to the holder that the certificate of registration has
31 been revoked.

32 f. The certificate of registration shall be renewed every two years
33 by an applicant for an unarmed security officer position and each year
34 by an applicant for an armed security officer position upon forms
35 prescribed by the superintendent. The applicant shall pay a fee in an
36 amount established by the superintendent by rule and regulation and
37 shall complete an eight-hour refresher course of classroom instruction
38 taught by a certified security officer instructor. The certificate of
39 registration may be renewed without further investigation unless it is
40 deemed by the superintendent that the applicant no longer qualifies or
41 verified objections to the renewal are received by the superintendent
42 prior to issuance.

43 g. The revocation or suspension of any certificate of registration
44 by the superintendent shall be subject to notice and a hearing.

45 h. ¹~~['A']~~ Notwithstanding subsection c. of this section, a¹ veteran
46 who has been convicted of a crime of the third or fourth degree, or a
47 lesser offense involving the unlawful use, possession, or sale of a
48 controlled dangerous substance as defined in N.J.S.2C:35-2, prior to

1 service in the armed forces ¹ **]; and who has not been convicted of any**
2 other charge since enlistment and acceptance in the armed forces,
3 shall ¹ **may** be issued a certificate of registration as a security officer
4 under the provisions of this section ¹ **], except where** if the individual
5 meets all other statutory requirements for registration, submits
6 documentary evidence required by the superintendent demonstrating
7 that he or she is a veteran, has not been convicted of any criminal
8 offense since enlistment and acceptance in the armed forces, and the
9 superintendent determines that ¹ the registration of the individual
10 would ¹ **not** ¹ be contrary to the public interest ¹ **], as determined by the**
11 superintendent ¹ **].**

12 For purposes of this subsection, "veteran" means any person who
13 has been honorably discharged or released under honorable
14 circumstances from active service in any branch of the armed forces of
15 the United States.

16 (cf: P.L.2015, c.295, s.2)

17

18 2. This act shall take effect immediately.

19

20

21

22

23 Makes certain veterans eligible for certificates of registration
24 under Security Officer Registration Act.

ASSEMBLY, No. 1856

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Assemblyman **BENJIE E. WIMBERLY**
District 35 (Bergen and Passaic)

Co-Sponsored by:

Assemblywoman Oliver

SYNOPSIS

Makes certain veterans eligible for certificates of registration under Security Officer Registration Act.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 1/28/2016)

A1856 WIMBERLY

2

1 AN ACT concerning security officers and amending P.L.2004,
2 c.134.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 4 of P.L.2004, c.134 (C.45:19A-4) shall be amended
8 as follows:

9 4. a. No person shall be employed as, or perform the functions
10 and activities of, a security officer unless that person is registered
11 with the superintendent as required in this section. Any person who
12 violates the provisions of this section shall be guilty of a crime of
13 the fourth degree.

14 b. An application for registration as a security officer shall be
15 filed with the superintendent on a form and in a manner prescribed
16 by the superintendent and shall set forth under oath:

17 (1) the applicant's full name, age, which shall be at least 18
18 years, and residence;

19 (2) the name and address of all employers or occupations
20 engaged in for the immediately preceding five years;

21 (3) that the applicant has not been convicted of any
22 disqualifying crime or offense as set forth in subsection c. of this
23 section; and

24 (4) such further information as the superintendent may require
25 to show the good character, competency and integrity of the
26 applicant.

27 Any person who shall knowingly make a false statement in, or
28 knowingly omit any material information from, an application as
29 required by this subsection shall be guilty of a crime of the fourth
30 degree in addition to any other crime or offense specified by law.

31 c. No person shall be issued a certificate of registration as a
32 security officer under the provisions of this section if the person has
33 been convicted, as indicated by a criminal history record
34 background check performed pursuant to the provisions of this
35 section, of: a crime of the first, second, third or fourth degree; any
36 offense involving the unlawful use, possession or sale of a
37 controlled dangerous substance as defined in N.J.S.2C:35-2; or any
38 offense where the registration of the individual would be contrary to
39 the public interest, as determined by the superintendent, except as
40 provided in subsection h. of this section. Each applicant shall
41 submit to the superintendent the applicant's fingerprints and written
42 consent for a criminal history record background check to be
43 performed. The superintendent shall compare these to fingerprints
44 on file with the State Bureau of Identification in the Division of
45 State Police and the Federal Bureau of Investigation, consistent

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 with applicable State and federal laws, rules and regulations. The
2 applicant shall bear the cost for the criminal history record
3 background check, including all costs of administering and
4 processing the check.

5 d. A person whose application has been approved by the
6 superintendent shall complete the required education and training
7 program established in section 5 of this act. Upon satisfactory
8 completion of this program, and upon the payment of a fee in an
9 amount established by the superintendent, the applicant shall be
10 entitled to and the superintendent shall issue and deliver to the
11 applicant a security officer certificate of registration.

12 e. The superintendent may revoke or suspend such certificate
13 of registration for a violation of any of the provisions of this act or
14 for other good cause. A certificate of registration shall be
15 surrendered to the superintendent within 72 hours after its term has
16 expired or after notice in writing to the holder that the certificate of
17 registration has been revoked.

18 f. The certificate of registration shall be renewed every two
19 years upon forms prescribed by the superintendent and payment of a
20 fee in an amount established by the superintendent by rule and
21 regulation. The certificate of registration may be renewed without
22 further investigation unless it is deemed by the superintendent that
23 the applicant no longer qualifies or verified objections to the
24 renewal are received by the superintendent prior to issuance.

25 g. The revocation or suspension of any certificate of
26 registration by the superintendent shall be subject to notice and a
27 hearing.

28 h. A veteran who has been convicted of a crime of the third or
29 fourth degree, or a lesser offense involving the unlawful use,
30 possession, or sale of a controlled dangerous substance as defined
31 in N.J.S.2C:35-2, prior to service in the armed forces; and who has
32 not been convicted of any other charge since enlistment and
33 acceptance in the armed forces, shall be issued a certificate of
34 registration as a security officer under the provisions of this section,
35 except where the registration of the individual would be contrary to
36 the public interest, as determined by the superintendent.

37 For purposes of this subsection, "veteran" means any person who
38 has been honorably discharged or released under honorable
39 circumstances from active service in any branch of the armed forces
40 of the United States.

41 (cf: P.L.2004, c.134, s.4)

42

43 2. This act shall take effect immediately.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

STATEMENT

This bill provides that a veteran who committed a third or fourth degree crime, or lesser drug related offense prior to service in the armed forces, and who has not been convicted of any subsequent offense since being accepted into the armed forces, is eligible to be issued a certificate of registration as a security officer under the Security Officer Registration Act (SORA).

Under current law, any person who has been convicted of a first, second, third or fourth degree crime, or any offense involving the unlawful use, possession, or sale of a controlled dangerous substance, is barred from being issued a certificate of registration as a security officer. The law also grants the superintendent the discretion to refuse to issue a certificate of registration where the registration of the individual would be contrary to the public interest.

This bill specifically provides that a veteran who was convicted of a crime of the third or fourth degree, or a lesser offense involving the unlawful use, possession or sale of a controlled dangerous substance, prior to service in the armed forces; and who has not been convicted of any other charge since enlistment and acceptance in the armed forces, shall be issued a certificate of registration as a security officer except where the registration of the individual would be contrary to the public interest, as determined by the superintendent.

For the purposes of this bill, a “veteran” is defined as “any resident of the State who has been honorably discharged or released under honorable circumstances from active service in any branch of the armed forces of the United States.”

ASSEMBLY MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1856

STATE OF NEW JERSEY

DATED: JANUARY 19, 2017

The Assembly Military and Veterans' Affairs Committee reports favorably Assembly, No. 1856.

This bill provides that a veteran who committed a third or fourth degree crime, or lesser drug related offense prior to service in the armed forces, and who has not been convicted of any subsequent offense since being accepted into the armed forces, is eligible to be issued a certificate of registration as a security officer under the Security Officer Registration Act (SORA).

Under current law, any person who has been convicted of a first, second, third or fourth degree crime, or any offense involving the unlawful use, possession, or sale of a controlled dangerous substance, is barred from being issued a certificate of registration as a security officer. The law also grants the superintendent the discretion to refuse to issue a certificate of registration where the registration of the individual would be contrary to the public interest.

This bill specifically provides that a veteran who was convicted of a crime of the third or fourth degree, or a lesser offense involving the unlawful use, possession or sale of a controlled dangerous substance, prior to service in the armed forces, and who has not been convicted of any other charge since enlistment and acceptance in the armed forces, shall be issued a certificate of registration as a security officer except where the registration of the individual would be contrary to the public interest, as determined by the superintendent.

For the purposes of this bill, a "veteran" is defined as "any resident of the State who has been honorably discharged or released under honorable circumstances from active service in any branch of the armed forces of the United States."

This bill was pre-filed for introduction in the 2016-2017 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1856

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 11, 2017

The Senate Military and Veterans' Affairs Committee reports favorably and with committee amendments Assembly Bill No. 1856.

As amended, this bill provides that a veteran who committed a third or fourth degree crime, or lesser drug related offense prior to service in the armed forces, and who has not been convicted of any subsequent offense since being accepted into the armed forces, is eligible to be issued a certificate of registration as a security officer under the Security Officer Registration Act (SORA).

Under current law, any person who has been convicted of a first, second, third or fourth degree crime, or any offense involving the unlawful use, possession, or sale of a controlled dangerous substance, is barred from being issued a certificate of registration as a security officer. The law also grants the superintendent the discretion to refuse to issue a certificate of registration where the registration of the individual would be contrary to the public interest.

This bill specifically provides that a veteran who was convicted of a crime of the third or fourth degree, or a lesser offense involving the unlawful use, possession or sale of a controlled dangerous substance, prior to service in the armed forces; and who has not been convicted of any other charge since enlistment and acceptance in the armed forces, may be issued a certificate of registration as a security officer if the superintendent determines that the registration would not be contrary to the public interest.

For the purposes of this bill, a "veteran" is defined as "any resident of the State who has been honorably discharged or released under honorable circumstances from active service in any branch of the armed forces of the United States."

SENATE, No. 3557

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED NOVEMBER 30, 2017

Sponsored by:

Senator NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

Senator COLIN BELL

District 2 (Atlantic)

SYNOPSIS

Makes certain veterans eligible for certificates of registration under Security Officer Registration Act.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/1/2017)

1 AN ACT concerning security officers and amending P.L.2004,
2 c.134.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 4 of P.L.2004, c.134 (C.45:19A-4) is amended to
8 read as follows:

9 4. a. A person shall not be employed as a security officer by a
10 security officer company or a company maintaining a proprietary or
11 in-house security function, or perform the functions and activities of
12 a security officer, unless that person is registered with the
13 superintendent as required in this section.

14 The requirements of this section shall not apply to:

15 (1) a loss prevention employee;

16 (2) an employee of a company whose business includes hosting
17 sporting and entertainment events at an arena or stadium where a
18 State, county, or municipal law enforcement agency is on the
19 premises during the event and whose in-house security employees
20 do not carry handguns or other licensed weapons;

21 (3) a security officer employed by a company maintaining a
22 proprietary or in-house security function whose in-house security
23 employees do not carry handguns or other licensed weapons; or

24 (4) a security employee regulated under federal law. Any
25 person who violates the provisions of this section shall be guilty of
26 a crime of the fourth degree.

27 b. An application for registration as a security officer shall be
28 filed with the superintendent on a form and in a manner prescribed
29 by the superintendent and shall set forth under oath:

30 (1) the applicant's full name, age, which shall be at least 18
31 years, and residence;

32 (2) the name and address of all employers or occupations
33 engaged in for the immediately preceding five years;

34 (3) that the applicant has not been convicted of any
35 disqualifying crime or offense as set forth in subsection c. of this
36 section; and

37 (4) such further information as the superintendent may require
38 to show the good character, competency and integrity of the
39 applicant.

40 Any person who shall knowingly make a false statement in, or
41 knowingly omit any material information from, an application as
42 required by this subsection shall be guilty of a crime of the fourth
43 degree in addition to any other crime or offense specified by law.

44 c. No person shall be issued a certificate of registration as a
45 security officer under the provisions of this section if the person has

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 been convicted, as indicated by a criminal history record
2 background check performed pursuant to the provisions of this
3 section, of: a crime of the first, second, third or fourth degree; any
4 offense involving the unlawful use, possession or sale of a
5 controlled dangerous substance as defined in N.J.S.2C:35-2; or any
6 offense where the registration of the individual would be contrary to
7 the public interest, as determined by the superintendent, except as
8 provided in subsection h. of this section. Each applicant shall
9 submit to the superintendent the applicant's fingerprints and written
10 consent for a criminal history record background check to be
11 performed. The superintendent shall compare these to fingerprints
12 on file with the State Bureau of Identification in the Division of
13 State Police and the Federal Bureau of Investigation, consistent
14 with applicable State and federal laws, rules and regulations. The
15 applicant shall bear the cost for the criminal history record
16 background check, including all costs of administering and
17 processing the check.

18 d. A person whose application has been approved by the
19 superintendent shall complete the required education and training
20 program established in section 5 of this act. Upon satisfactory
21 completion of this program, and upon the payment of a fee in an
22 amount established by the superintendent, the applicant shall be
23 entitled to and the superintendent shall issue and deliver to the
24 applicant a security officer certificate of registration.

25 e. The superintendent may revoke or suspend such certificate
26 of registration for a violation of any of the provisions of this act or
27 for other good cause. A certificate of registration shall be
28 surrendered to the superintendent within 72 hours after its term has
29 expired or after notice in writing to the holder that the certificate of
30 registration has been revoked.

31 f. The certificate of registration shall be renewed every two
32 years by an applicant for an unarmed security officer position and
33 each year by an applicant for an armed security officer position
34 upon forms prescribed by the superintendent. The applicant shall
35 pay a fee in an amount established by the superintendent by rule
36 and regulation and shall complete an eight-hour refresher course of
37 classroom instruction taught by a certified security officer
38 instructor. The certificate of registration may be renewed without
39 further investigation unless it is deemed by the superintendent that
40 the applicant no longer qualifies or verified objections to the
41 renewal are received by the superintendent prior to issuance.

42 g. The revocation or suspension of any certificate of
43 registration by the superintendent shall be subject to notice and a
44 hearing.

45 h. A veteran who has been convicted of a crime of the third or
46 fourth degree, or a lesser offense involving the unlawful use,
47 possession, or sale of a controlled dangerous substance as defined
48 in N.J.S.2C:35-2, prior to service in the armed forces, and who has

1 not been convicted of any other charge since enlistment and
2 acceptance in the armed forces, shall be issued a certificate of
3 registration as a security officer under the provisions of this section,
4 except where the registration of the individual would be contrary to
5 the public interest, as determined by the superintendent.

6 For purposes of this subsection, "veteran" means any person who
7 has been honorably discharged or released under honorable
8 circumstances from active service in any branch of the armed forces
9 of the United States.

10 (cf: P.L.2015, c.295, s.2)

11

12 2. This act shall take effect immediately.

13

14

15

STATEMENT

16

17 This bill provides that a veteran who committed a third or fourth
18 degree crime, or lesser drug related offense prior to service in the
19 armed forces, and who has not been convicted of any subsequent
20 offense since being accepted into the armed forces, is eligible to be
21 issued a certificate of registration as a security officer under the
22 Security Officer Registration Act (SORA).

23 Under current law, any person who has been convicted of a first,
24 second, third or fourth degree crime, or any offense involving the
25 unlawful use, possession, or sale of a controlled dangerous
26 substance, is barred from being issued a certificate of registration as
27 a security officer. The law also grants the superintendent the
28 discretion to refuse to issue a certificate of registration where the
29 registration of the individual would be contrary to the public
30 interest.

31 This bill specifically provides that a veteran who was convicted
32 of a crime of the third or fourth degree, or a lesser offense involving
33 the unlawful use, possession or sale of a controlled dangerous
34 substance, prior to service in the armed forces, and who has not
35 been convicted of any other charge since enlistment and acceptance
36 in the armed forces, shall be issued a certificate of registration as a
37 security officer except where the registration of the individual
38 would be contrary to the public interest, as determined by the
39 superintendent.

40 For the purposes of this bill, a "veteran" is defined as "any
41 resident of the State who has been honorably discharged or released
42 under honorable circumstances from active service in any branch of
43 the armed forces of the United States."

SENATE MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO

SENATE, No. 3557

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 11, 2017

The Senate Military and Veterans Affairs Committee reports favorably and with committee amendments Senate Bill No. 3557.

As amended, this bill provides that a veteran who committed a third or fourth degree crime, or lesser drug related offense prior to service in the armed forces, and who has not been convicted of any subsequent offense since being accepted into the armed forces, is eligible to be issued a certificate of registration as a security officer under the Security Officer Registration Act (SORA).

Under current law, any person who has been convicted of a first, second, third or fourth degree crime, or any offense involving the unlawful use, possession, or sale of a controlled dangerous substance, is barred from being issued a certificate of registration as a security officer. The law also grants the superintendent the discretion to refuse to issue a certificate of registration where the registration of the individual would be contrary to the public interest.

This bill specifically provides that a veteran who was convicted of a crime of the third or fourth degree, or a lesser offense involving the unlawful use, possession or sale of a controlled dangerous substance, prior to service in the armed forces; and who has not been convicted of any other charge since enlistment and acceptance in the armed forces, may be issued a certificate of registration as a security officer if the superintendent determines that the registration would not be contrary to the public interest.

For the purposes of this bill, a “veteran” is defined as “any resident of the State who has been honorably discharged or released under honorable circumstances from active service in any branch of the armed forces of the United States.”