

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 878
98TH GENERAL ASSEMBLY

Reported from the Committee on Transportation, Infrastructure and Public Safety, April 23, 2015, with recommendation that the Senate Committee Substitute do pass.

1516S.02C

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal section 590.750, RSMo, and to enact in lieu thereof one new section relating to corporate security advisors, with an existing penalty provision.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 590.750, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 590.750, to read as follows:

590.750. 1. The department of public safety shall have the sole authority to regulate and license all corporate security advisors. **Licensed corporate security advisors who are not also commissioned by the department shall not have the power of arrest for violations of the criminal code, except as otherwise provided by law.**

2. The director shall have the sole authority to commission corporate security advisors. No person shall hold a commission as a corporate security advisor without a valid peace officer license. The director shall commission corporate security advisors as he or she deems appropriate, taking into consideration the education, training, and experience of each individual in relation to the powers of peace officers and the limitations on the powers of peace officers in regard to the constitutional rights of citizens to be secure in their persons and property. Each individual commissioned by the department shall be issued a commission by the director of the department and before entering into the performance of his or her duties shall subscribe before the clerk of a circuit court of this state an oath, in the form prescribed by article VII, section 11 of the Constitution of Missouri, to

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

19 **support the constitution and laws of the United States and this state;**
20 **to faithfully demean himself or herself in the office; and to faithfully**
21 **perform the duties of the office. The executed oath of office, along with**
22 **a copy of the individual's commission, shall be filed with the director**
23 **until the commission is terminated or revoked.**

24 **3.** The authority and jurisdiction of a corporate security advisor shall be
25 limited only by the geographical limits of the state, unless the corporate security
26 advisor's license is recognized by the laws or regulations of another state or the
27 federal government.

28 **[2.] 4. The department shall establish a minimum amount of**
29 **liability insurance to be provided by the prospective or current**
30 **employer of the corporate security advisor, and require the employer**
31 **to provide a statement that the corporate security advisor will be**
32 **included in the policy as a named insured.**

33 **5.** Acting as a corporate security advisor without a license from the
34 department of public safety is a class A misdemeanor.

35 **[3.] 6.** The director may promulgate rules to implement the provisions of
36 this section under chapter 536 and section 590.190.

37 **[4.] 7.** Any corporate security advisor licensed as of February 1, 2014
38 shall not be required to apply for a new license from the department until the
39 advisor's license expires or is otherwise revoked.

40 **8.** All applications for corporate security advisor licenses shall
41 be made upon such forms and in such manner as the director shall
42 prescribe. The department shall charge a fee for issuance of a license
43 under this section, in an amount, not to exceed two hundred dollars,
44 established by regulation promulgated in accordance with the
45 provisions of chapter 536.

46 **9.** Nothing in this section is intended to nor shall it be construed
47 as a waiver of sovereign immunity or the acknowledgment or creation
48 of any liability on the part of the state for personal injury, death, or
49 property damage. The department of public safety and the director
50 shall have immunity from civil liability arising out of the
51 commissioning of corporate security advisors under this section.