

**First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 21-0055.01 Jery Payne x2157

**HOUSE BILL 21-1120**

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**HOUSE SPONSORSHIP**

**Caraveo and Weissman,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**  
Judiciary

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE LICENSURE OF PERSONS IN THE BUSINESS OF**  
102 **PROVIDING PRIVATE GUARD SERVICES.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill creates the "Guard Training and Standards Act" (Act). The Act requires the following persons to obtain a license to practice their occupation:

- Armed guards who, for financial compensation, carry a firearm and may use physical force to protect a person or property;

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

- Protection guards who, for financial compensation, may use physical force to protect a person or property; and
- Security guards who, for financial compensation, secure a person or property.

The Act also requires a guard employer to be registered with the director of the division of professions and occupations in the department of regulatory agencies (director).

The licensing is administered by the director, who, subject to the administrative procedures act, has the power and duty to:

- Promulgate rules;
- Establish licensure fees;
- Investigate, hold hearings, and gather evidence;
- Enter, during business hours, the business premises of a licensee where violations are alleged to have occurred;
- Take disciplinary action upon proof of a violation of the Act or the rules promulgated to implement the Act;
- Issue cease-and-desist orders;
- Apply to a court for an order enjoining any act or practice that violates the Act;
- Approve training programs that are required to meet the standards for licensure as a protection guard or an armed guard;
- Implement a requirement that protection guards and armed guards wear body cameras and record interactions with members of the public in a similar manner to the requirements for peace officers;
- Set marking, design, and equipment standards for motor vehicles used by a guard in the guard's duties;
- Set standards for uniforms, including external identification, worn by a guard;
- Set standards for when it is appropriate to wear plain clothes and for the issuance of a plainclothes permit; and
- Establish a procedure and standards for waiving a portion of the training required for a protection guard or an armed guard to be issued a license.

A person may use the titles of "security guard", "protection guard", or "armed guard" only if the person is licensed. A person who engages in the occupation of being a guard without the required license or who employs a guard without a registration commits a class 2 misdemeanor for the first offense and a class 6 felony for the second or subsequent offense. Peace officers are exempt from the licensing requirements.

To be issued a license, a person must apply, pay a fee, prove qualifications as required in the Act, and submit to a criminal history background check. Upon being licensed, the person is given a license document that contains the guard's photograph and other relevant

information.

Security guards are prohibited from carrying a firearm and using physical force to secure or protect people or property. To be qualified for a security guard license, a person must not have a conviction within the last 10 years for certain crimes that relate to violence or unlawful sexual behavior or for attempting or conspiring to commit these types of crimes.

Protection guards are prohibited from carrying a firearm. To be qualified for a protection guard license, a person must:

- Not have a conviction, within the last 10 years, for the same type of crimes described for security guards; and
- Have successfully completed 80 hours of training that is approved by rule and covers the obligations and restrictions imposed on a protection guard by the Act.

To be qualified for an armed guard license, a person must:

- Have a concealed carry permit for firearms;
- Not have a conviction, within the last 10 years, for the same type of crimes described for security guards;
- Have successfully completed 80 hours of training that is approved by rule and covers the obligations and restrictions imposed on an armed guard by the Act; and
- Have completed firearms training that is substantially equivalent to the training required to be certified as a peace officer.

To renew a protection guard license or armed guard license, the license holder must successfully complete 8 hours of training approved by the director by rule.

Within 30 days after a felony or misdemeanor conviction for certain listed crimes, which are broader than the crimes that disqualify a person to be a guard because the crimes cover certain property offenses and offenses involving fraud, a guard must report the conviction to the director. Within 30 days after terminating the employment of a guard for misconduct, a guard employer must report the termination and the misconduct that is the basis for the termination to the director. Within 30 days after using physical force to protect a person or property, a guard and the guard's employer must report the use of physical force to the director. The report must include the demographic information, as required by rule, of the guard using physical force and of the individual subjected to the physical force.

The director will maintain a database of licensed guards. The database contains the name of each licensee and the following information about each licensee:

- Each criminal conviction of the type the guard must report; and
- Each termination of employment for misconduct and the misconduct.

The director will make the database available, including online through the director's website, to a registered guard employer.

The Act establishes standards of conduct for guards that include obeying the Act and rules promulgated under the Act and the following standards:

- All guards must:
  - Wear a uniform unless the guard has been issued a plainclothes permit;
  - Carry the guard's license;
  - Use a vehicle that complies with the marking, design, and equipment rules promulgated by the director; and
  - Not use a canine to detect explosive devices unless the canine is certified by a nationally recognized training association or a law enforcement agency, and the guard handling the canine is one of the canine's primary handlers.
- An armed guard must wear a form of identification on the outermost part of the armed guard's uniform.

The director sets standards for issuing a plainclothes permit.

The director may discipline each type of guard or a guard employer for:

- Fraud or intentional misrepresentation in obtaining or attempting to obtain, reinstate, or renew a license;
- Violating a currently valid order of the director;
- Violating the Act or a rule promulgated under the Act;
- Being convicted of a felony when acting within the course and scope of the guard's duties;
- Using false advertising or intentionally misleading advertising;
- Failing to meet the mentioned standards of practice;
- Failing to pay a fine assessed by the director; and
- Using deadly force or authorizing the use of deadly force against any individual unless the use of deadly force is necessary to prevent an immediate risk of serious physical harm to an individual.

The director may discipline or require additional training of:

- A security guard for using unlawful physical force on another person;
- A protection guard or armed guard for:
  - Failing to use a body camera;
  - Using physical force that is prohibited for peace officers to use; or
  - Being convicted of a crime that would disqualify the protection guard or armed guard from being issued

- a license; and
- A guard employer for:
  - Authorizing a guard to take an action that is a ground for discipline;
  - Failing to ensure that protection guards and armed guards use body cameras; or
  - Failing to make a required report.

The director may adopt rules establishing fines that the director may impose on a licensee for violating the Act or rules under the Act, with a minimum fine of not less than \$50 and a maximum fine of not more than \$5,000 per violation.

In accordance with the sunset law, the Act will repeal on September 1, 2031. Before the repeal, the Act is scheduled for review by the department of regulatory agencies.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 hereby finds and declares that:

4 (a) Colorado is among a small minority of states whose laws  
5 provide no oversight framework for private security guards;

6 (b) Although a few municipalities in Colorado provide oversight  
7 of private security guards within their jurisdictions, most do not; and

8 (c) A leading professional association of private security guards  
9 recommends specific training for persons working in this capacity.

10 (2) By enacting House Bill 21-\_\_\_, the Colorado General  
11 Assembly intends to:

12 (a) Create appropriate uniform standards for persons working as  
13 private security guards in Colorado;

14 (b) Reduce instances of inappropriate or excessive force being  
15 employed by persons working as private security guards, thereby reducing  
16 the risk of injury to Colorado residents;

17 (c) Allow individuals and organizations with security concerns to

1 take appropriate measures for the protection of their employees, their  
2 customers, and themselves; and

3 (d) Promote public safety by allowing trained individuals to  
4 practice the profession of private security.

5 **SECTION 2.** In Colorado Revised Statutes, **add** article 165 to  
6 title 12 as follows:

7 **ARTICLE 165**

8 **Private Security Training and Standards**

9 **12-165-101. Short title.** THE SHORT TITLE OF THIS ARTICLE 165 IS  
10 THE "GUARD TRAINING AND STANDARDS ACT".

11 **12-165-102. Applicability of common provisions.** ARTICLES 1  
12 AND 20 OF THIS TITLE 12 APPLY, ACCORDING TO THEIR TERMS, TO THIS  
13 ARTICLE 165.

14 **12-165-103. Definitions.** AS USED IN THIS ARTICLE 165, UNLESS  
15 THE CONTEXT OTHERWISE REQUIRES:

16 (1) "ARMED GUARD" MEANS AN INDIVIDUAL WHO, FOR FINANCIAL  
17 COMPENSATION, CARRIES A FIREARM AND USES PHYSICAL FORCE OR IS  
18 PREPARED TO USE PHYSICAL FORCE TO PROTECT A PERSON OR PROPERTY  
19 FOR A PERIOD OF TIME.

20 (2) "CONCEALED CARRY PERMIT" MEANS A PERMIT TO CARRY A  
21 FIREARM ISSUED IN ACCORDANCE WITH PART 2 OF ARTICLE 12 OF TITLE 18.

22 (3) "CONVICTED" OR "CONVICTION" MEANS:

23 (a) A PLEA OF GUILTY OR NOLO CONTENDERE; OR

24 (b) A VERDICT OF GUILTY.

25 (4) "GUARD" MEANS A SECURITY GUARD, A PROTECTION GUARD,  
26 OR AN ARMED GUARD.

27 (5) "GUARD EMPLOYER" MEANS A PERSON WHO EMPLOYS A

1 GUARD.

2 (6) "PROTECTION GUARD" MEANS AN INDIVIDUAL WHO, FOR  
3 FINANCIAL COMPENSATION, USES OR IS PREPARED TO USE PHYSICAL FORCE  
4 TO PROTECT A PERSON OR PROPERTY FOR A PERIOD OF TIME.

5 (7) "SECURITY GUARD" MEANS AN INDIVIDUAL WHO, FOR  
6 FINANCIAL COMPENSATION, SECURES A PERSON OR PROPERTY FOR A  
7 PERIOD OF TIME.

8 **12-165-104. Powers and duties - rules.** (1) THE DIRECTOR HAS  
9 THE FOLLOWING POWERS AND DUTIES:

10 (a) TO PROMULGATE RULES IN ACCORDANCE WITH SECTION  
11 12-20-204 THAT ARE NECESSARY TO ADMINISTER THIS ARTICLE 165,  
12 INCLUDING THE RULES SPECIFIED IN SUBSECTION (2) OF THIS SECTION AND  
13 ANY OTHER RULES SPECIFIED IN THIS ARTICLE 165;

14 (b) TO ESTABLISH LICENSURE FEES IN ACCORDANCE WITH SECTION  
15 12-20-105;

16 (c) TO INVESTIGATE, HOLD HEARINGS, AND GATHER EVIDENCE IN  
17 ACCORDANCE WITH SECTIONS 12-20-403 AND 24-4-105;

18 (d) TO ENTER, DURING BUSINESS HOURS, THE BUSINESS PREMISES  
19 OF A LICENSEE WHERE VIOLATIONS ARE ALLEGED TO HAVE OCCURRED;

20 (e) TO TAKE DISCIPLINARY OR OTHER ACTION AS AUTHORIZED IN  
21 SECTION 12-20-404 UPON PROOF OF A VIOLATION OF THIS ARTICLE 165 OR  
22 THE RULES PROMULGATED TO IMPLEMENT THIS ARTICLE 165;

23 (f) TO ISSUE CEASE-AND-DESIST ORDERS UNDER THE  
24 CIRCUMSTANCES AND IN ACCORDANCE WITH THE PROCEDURES SPECIFIED  
25 IN SECTION 12-20-405; AND

26 (g) TO APPLY, IN ACCORDANCE WITH SECTION 12-20-406, FOR AN  
27 ORDER ENJOINING ANY ACT OR PRACTICE THAT CONSTITUTES A VIOLATION

1 OF THIS ARTICLE 165.

2 (2) THE DIRECTOR SHALL PROMULGATE RULES:

3 (a) APPROVING TRAINING PROGRAMS THAT ARE REQUIRED TO MEET  
4 THE STANDARDS FOR LICENSURE AS A PROTECTION GUARD OR AN ARMED  
5 GUARD SPECIFIED IN SECTIONS 12-165-109 AND 12-165-110;

6 (b) IMPLEMENTING A REQUIREMENT THAT PROTECTION GUARDS  
7 AND ARMED GUARDS WEAR BODY CAMERAS AND RECORD INTERACTIONS  
8 WITH MEMBERS OF THE PUBLIC TO THE DEGREE THAT BOTH ARE  
9 SUBSTANTIALLY EQUIVALENT TO THE DUTIES CONTAINED IN PART 9 OF  
10 ARTICLE 31 OF TITLE 24 AND COMPLY WITH ANY OTHER DUTIES THAT ARE  
11 SUBSTANTIALLY EQUIVALENT TO THE DUTIES CONTAINED IN PART 9 OF  
12 ARTICLE 31 OF TITLE 24, BUT NOT INCLUDING THOSE DUTIES THAT ARE  
13 RELEVANT ONLY TO PEACE OFFICERS OR LAW ENFORCEMENT AGENCIES;

14 (c) SETTING:

15 (I) MARKING, DESIGN, AND EQUIPMENT STANDARDS FOR MOTOR  
16 VEHICLES USED BY A GUARD IN THE COURSE AND SCOPE OF THE GUARD'S  
17 DUTIES;

18 (II) STANDARDS FOR UNIFORMS, INCLUDING EXTERNAL  
19 IDENTIFICATION, WORN BY A GUARD IN THE COURSE AND SCOPE OF THE  
20 GUARD'S DUTIES; AND

21 (III) STANDARDS FOR WHEN IT IS APPROPRIATE TO WEAR PLAIN  
22 CLOTHES AND FOR THE ISSUANCE OF A PLAINCLOTHES PERMIT; AND

23 (d) ESTABLISHING A PROCEDURE AND STANDARDS TO WAIVE A  
24 PORTION OF THE TRAINING REQUIRED UNDER SECTION 12-165-109 OR  
25 12-165-110 FOR A PROTECTION GUARD OR AN ARMED GUARD TO BE ISSUED  
26 A LICENSE IF THE APPLICANT HAS RECEIVED:

27 (I) ALTERNATIVE TRAINING, INCLUDING MILITARY TRAINING, THAT



1 IS SUBSTANTIALLY EQUIVALENT TO OR SUPERIOR TO THE TRAINING  
2 REQUIRED TO QUALIFY FOR A PROTECTION GUARD LICENSE OR ARMED  
3 GUARD LICENSE IN ACCORDANCE WITH THIS ARTICLE 165; OR

4 (II) TRAINING TO BE OR EXPERIENCE FROM BEING LICENSED IN  
5 ANOTHER JURISDICTION AND THE TRAINING OR EXPERIENCE IS  
6 SUBSTANTIALLY EQUIVALENT TO OR SUPERIOR TO THE TRAINING REQUIRED  
7 TO QUALIFY FOR A PROTECTION GUARD LICENSE OR ARMED GUARD  
8 LICENSE IN ACCORDANCE WITH THIS ARTICLE 165.

9 **12-165-105. License or registration required - use of title -**  
10 **unauthorized practice - penalty. (1) ON AND AFTER JANUARY 1, 2022:**

11 (a) AN INDIVIDUAL MUST OBTAIN A LICENSE FROM THE DIRECTOR  
12 UNDER THIS ARTICLE 165 TO PROVIDE SERVICES AS A SECURITY GUARD, A  
13 PROTECTION GUARD, OR AN ARMED GUARD; OR

14 (b) A PERSON MUST OBTAIN A REGISTRATION FROM THE DIRECTOR  
15 UNDER THIS ARTICLE 165 TO EMPLOY A GUARD TO PROVIDE SERVICES AS  
16 A SECURITY GUARD, A PROTECTION GUARD, OR AN ARMED GUARD.

17 (2) AN INDIVIDUAL SHALL NOT ADVERTISE AS OR USE THE TITLE OF  
18 "SECURITY GUARD", "PROTECTION GUARD", OR "ARMED GUARD" UNLESS  
19 THE INDIVIDUAL HOLDS A LICENSE THAT IS ISSUED UNDER THIS ARTICLE  
20 165 AND THAT AUTHORIZES THE INDIVIDUAL TO PRACTICE AS THE TYPE OF  
21 GUARD BEING ADVERTISED OR BEING USED AS A TITLE.

22 (3) (a) ANY PERSON WHO PRACTICES OR OFFERS OR ATTEMPTS TO  
23 PRACTICE AS A SECURITY GUARD, A PROTECTION GUARD, OR AN ARMED  
24 GUARD WITHOUT AN ACTIVE LICENSE ISSUED UNDER THIS ARTICLE 165 IS  
25 SUBJECT TO PENALTIES PURSUANT TO SECTION 12-20-407 (1)(a).

26 (b) ANY PERSON THAT EMPLOYS OR OFFERS TO EMPLOY A GUARD  
27 WITHOUT AN ACTIVE GUARD EMPLOYER REGISTRATION ISSUED UNDER THIS

1 ARTICLE 165 IS SUBJECT TO PENALTIES PURSUANT TO SECTION 12-20-407  
2 (1)(a).

3 **12-165-106. Exception - peace officer.** THIS ARTICLE 165 DOES  
4 NOT APPLY TO A PEACE OFFICER CERTIFIED BY THE PEACE OFFICERS  
5 STANDARDS AND TRAINING BOARD IN ACCORDANCE WITH PART 1 OF  
6 ARTICLE 2.5 OF TITLE 16 OR TO A LAW ENFORCEMENT AGENCY OF  
7 COLORADO OR OF A POLITICAL SUBDIVISION OF COLORADO THAT EMPLOYS  
8 A PEACE OFFICER.

9 **12-165-107. Application for license - criminal history record**  
10 **check - issuance of license - identification card - rules.** (1) AN  
11 APPLICANT FOR A LICENSE UNDER THIS ARTICLE 165 MUST:

12 (a) SUBMIT AN APPLICATION IN A FORM AND MANNER AS  
13 DETERMINED BY THE DIRECTOR BY RULE;

14 (b) PAY A FEE SET BY THE DIRECTOR IN ACCORDANCE WITH  
15 SECTION 12-20-105; AND

16 (c) DEMONSTRATE THAT THE APPLICANT IS QUALIFIED FOR THE  
17 TYPE OF LICENSE SOUGHT BY THE APPLICANT.

18 (2) (a) IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (1) OF  
19 THIS SECTION, EACH APPLICANT FOR A GUARD LICENSE MUST HAVE THE  
20 APPLICANT'S FINGERPRINTS TAKEN BY A LOCAL LAW ENFORCEMENT  
21 AGENCY OR ANY THIRD PARTY APPROVED BY THE COLORADO BUREAU OF  
22 INVESTIGATION FOR THE PURPOSE OF OBTAINING A FINGERPRINT-BASED  
23 CRIMINAL HISTORY RECORD CHECK. IF AN APPROVED THIRD PARTY TAKES  
24 THE PERSON'S FINGERPRINTS, THE FINGERPRINTS MAY BE ELECTRONICALLY  
25 CAPTURED USING COLORADO BUREAU OF INVESTIGATION-APPROVED  
26 LIVESCAN EQUIPMENT. THIRD-PARTY VENDORS SHALL NOT KEEP THE  
27 APPLICANT'S INFORMATION FOR MORE THAN THIRTY DAYS UNLESS

1 REQUESTED TO DO SO BY THE APPLICANT. THE APPLICANT SHALL SUBMIT  
2 PAYMENT BY CERTIFIED CHECK OR MONEY ORDER FOR THE FINGERPRINTS  
3 AND FOR THE ACTUAL COSTS OF THE RECORD CHECK AT THE TIME THE  
4 FINGERPRINTS ARE SUBMITTED TO THE COLORADO BUREAU OF  
5 INVESTIGATION. UPON RECEIPT OF FINGERPRINTS AND RECEIPT OF THE  
6 PAYMENT FOR COSTS, THE COLORADO BUREAU OF INVESTIGATION SHALL  
7 CONDUCT A STATE AND NATIONAL FINGERPRINT-BASED CRIMINAL HISTORY  
8 RECORD CHECK UTILIZING RECORDS OF THE COLORADO BUREAU OF  
9 INVESTIGATION AND THE FEDERAL BUREAU OF INVESTIGATION AND SHALL  
10 FORWARD THE RESULTS OF THE CRIMINAL HISTORY RECORD CHECK TO THE  
11 DIRECTOR.

12 (b) WHEN THE RESULTS OF A FINGERPRINT-BASED CRIMINAL  
13 HISTORY RECORD CHECK OF AN APPLICANT PERFORMED IN ACCORDANCE  
14 WITH THIS SUBSECTION (2) REVEAL A RECORD OF ARREST WITHOUT A  
15 DISPOSITION, THE DIRECTOR SHALL REQUIRE THE APPLICANT TO SUBMIT TO  
16 A NAME-BASED CRIMINAL HISTORY RECORD CHECK, AS DEFINED IN  
17 SECTION 22-2-119.3 (6)(d). THE APPLICANT SHALL PAY THE ACTUAL COSTS  
18 OF THE NAME-BASED CRIMINAL HISTORY RECORD CHECK.

19 (3) (a) THE DIRECTOR SHALL ISSUE A SECURITY GUARD LICENSE,  
20 A PROTECTION GUARD LICENSE, OR AN ARMED GUARD LICENSE ONLY TO AN  
21 APPLICANT WHO IS AN INDIVIDUAL AND SATISFIES THE REQUIREMENTS FOR  
22 THE PARTICULAR LICENSE IN ACCORDANCE WITH THIS ARTICLE 165.

23 (b) UPON ISSUING A LICENSE TO A GUARD, THE DIRECTOR SHALL  
24 ISSUE THE INDIVIDUAL A LICENSE DOCUMENT THAT IS AN APPROPRIATE  
25 SIZE FOR A PHOTOGRAPHIC IDENTIFICATION CARD AND THAT CONTAINS:

- 26 (I) THE NAME OF THE GUARD;  
27 (II) A PHOTOGRAPH OF THE GUARD;

- 1 (III) THE TYPE OF LICENSE THE GUARD HAS BEEN ISSUED;  
2 (IV) THE EXPIRATION DATE OF THE LICENSE;  
3 (V) ANY PERMITS THE GUARD HAS BEEN ISSUED; AND  
4 (VI) ANY OTHER INFORMATION THE DIRECTOR DETERMINES IS  
5 NECESSARY.

6 **12-165-108. Security guard license - requirements for**  
7 **licensure.** (1) THE DIRECTOR SHALL ISSUE A SECURITY GUARD LICENSE TO  
8 AN APPLICANT WHO SATISFIES THE REQUIREMENTS OF SECTION 12-165-107  
9 AND THIS SECTION. AN INDIVIDUAL LICENSED AS A SECURITY GUARD  
10 SHALL NOT:

11 (a) CARRY A FIREARM WITHIN THE SCOPE OF THE SECURITY  
12 GUARD'S DUTIES; OR

13 (b) USE PHYSICAL FORCE TO SECURE OR PROTECT PEOPLE OR  
14 PROPERTY.

15 (2) TO QUALIFY FOR A SECURITY GUARD LICENSE, AN INDIVIDUAL  
16 MUST NOT HAVE A CONVICTION, WITHIN THE LAST TEN YEARS, FOR ANY OF  
17 THE FOLLOWING CRIMES:

18 (a) AN OFFENSE UNDER ARTICLE 3 OF TITLE 18;

19 (b) AN OFFENSE UNDER PART 1 OR 2 OF ARTICLE 2 OF TITLE 18 IF  
20 THE ATTEMPT OR CONSPIRACY INVOLVES AN OFFENSE UNDER ARTICLE 3 OF  
21 TITLE 18; OR

22 (c) AN OFFENSE THAT IS EQUIVALENT TO A CRIME LISTED IN  
23 SUBSECTION (2)(a) OR (2)(b) OF THIS SECTION UNDER FEDERAL LAW,  
24 ANOTHER STATE'S LAW, OR LOCAL LAW.

25 **12-165-109. Protection guard license - requirements for**  
26 **licensure.** (1) THE DIRECTOR SHALL ISSUE A PROTECTION GUARD LICENSE  
27 TO AN APPLICANT WHO SATISFIES THE REQUIREMENTS OF SECTION

1 12-165-107 AND THIS SECTION. AN INDIVIDUAL LICENSED AS A  
2 PROTECTION GUARD:

3 (a) SHALL NOT CARRY A FIREARM WITHIN THE SCOPE OF THE  
4 PROTECTION GUARD'S DUTIES; AND

5 (b) MAY USE LAWFUL PHYSICAL FORCE TO SECURE OR PROTECT  
6 PEOPLE OR PROPERTY.

7 (2) TO QUALIFY FOR A PROTECTION GUARD LICENSE, AN  
8 INDIVIDUAL MUST:

9 (a) HAVE COMPLETED THE TRAINING REQUIRED IN SUBSECTION (3)  
10 OF THIS SECTION; AND

11 (b) NOT HAVE A CONVICTION, WITHIN THE LAST TEN YEARS, FOR  
12 ANY OF THE FOLLOWING CRIMES:

13 (I) AN OFFENSE UNDER ARTICLE 3 OF TITLE 18;

14 (II) AN OFFENSE UNDER PART 1 OR 2 OF ARTICLE 2 OF TITLE 18 IF  
15 THE ATTEMPT OR CONSPIRACY INVOLVES AN OFFENSE UNDER ARTICLE 3 OF  
16 TITLE 18; OR

17 (III) AN OFFENSE THAT IS EQUIVALENT TO A CRIME LISTED IN  
18 SUBSECTION (2)(b)(I) OR (2)(b)(II) OF THIS SECTION UNDER FEDERAL LAW,  
19 ANOTHER STATE'S LAW, OR LOCAL LAW.

20 (3) TO BE ISSUED A LICENSE AS A PROTECTION GUARD, AN  
21 APPLICANT MUST SUCCESSFULLY COMPLETE EIGHTY HOURS OF TRAINING  
22 THAT:

23 (a) IS APPROVED BY THE DIRECTOR BY RULE;

24 (b) COVERS THE STANDARDS OF PRACTICE ESTABLISHED IN  
25 SECTION 12-165-114 THAT APPLY TO PROTECTION GUARDS AND THE  
26 GROUNDS FOR DISCIPLINE ESTABLISHED IN SECTION 12-165-115 THAT  
27 APPLY TO PROTECTION GUARDS; AND

- 1 (c) ADDRESSES:
- 2 (I) THE DUTIES OF A PROTECTION GUARD;
- 3 (II) COMMUNICATION PROTOCOLS;
- 4 (III) INTERACTION WITH LAW ENFORCEMENT; AND
- 5 (IV) DE-ESCALATION PRACTICES.

6 **12-165-110. Armed guard license - requirements for licensure.**

7 (1) THE DIRECTOR SHALL ISSUE AN ARMED GUARD LICENSE TO AN  
8 APPLICANT WHO SATISFIES THE REQUIREMENTS OF SECTION 12-165-107  
9 AND THIS SECTION. AN INDIVIDUAL LICENSED AS AN ARMED GUARD MAY  
10 USE LAWFUL PHYSICAL FORCE TO SECURE OR PROTECT PEOPLE OR  
11 PROPERTY WHILE POSSESSING A FIREARM IN THE SCOPE OF THE ARMED  
12 GUARD'S DUTIES.

13 (2) TO QUALIFY FOR AN ARMED GUARD LICENSE, AN INDIVIDUAL  
14 MUST:

15 (a) HAVE COMPLETED THE TRAINING REQUIRED IN SUBSECTION (3)  
16 OF THIS SECTION;

17 (b) POSSESS AND PROVIDE A COPY TO THE DIRECTOR OF A  
18 CURRENTLY VALID CONCEALED CARRY PERMIT; AND

19 (c) NOT HAVE A CONVICTION, WITHIN THE LAST TEN YEARS, FOR  
20 ANY OF THE FOLLOWING CRIMES:

21 (I) AN OFFENSE UNDER ARTICLE 3 OF TITLE 18;

22 (II) AN OFFENSE UNDER PART 1 OR 2 OF ARTICLE 2 OF TITLE 18 IF  
23 THE ATTEMPT OR CONSPIRACY INVOLVES AN OFFENSE UNDER ARTICLE 3 OF  
24 TITLE 18; OR

25 (III) AN OFFENSE THAT IS EQUIVALENT TO A CRIME LISTED IN  
26 SUBSECTION (2)(c)(I) OR (2)(c)(II) OF THIS SECTION UNDER FEDERAL LAW,  
27 ANOTHER STATE'S LAW, OR LOCAL LAW.

1 (3) TO BE ISSUED A LICENSE AS AN ARMED GUARD, AN APPLICANT  
2 MUST SUCCESSFULLY COMPLETE:

3 (a) EIGHTY HOURS OF TRAINING THAT:

4 (I) IS APPROVED BY THE DIRECTOR BY RULE;

5 (II) COVERS THE STANDARDS OF PRACTICE ESTABLISHED IN  
6 SECTION 12-165-114 THAT APPLY TO ARMED GUARDS AND GROUNDS FOR  
7 DISCIPLINE ESTABLISHED IN SECTION 12-165-115 THAT APPLY TO ARMED  
8 GUARDS; AND

9 (III) ADDRESSES:

10 (A) THE DUTIES OF AN ARMED GUARD;

11 (B) COMMUNICATION PROTOCOLS;

12 (C) INTERACTION WITH LAW ENFORCEMENT;

13 (D) DE-ESCALATION PRACTICES; AND

14 (E) THE LEGAL USE OF FIREARMS; AND

15 (b) FIREARMS TRAINING APPROVED BY THE DIRECTOR BY RULE  
16 THAT IS SUBSTANTIALLY EQUIVALENT TO THE TRAINING REQUIRED TO BE  
17 CERTIFIED AS A PEACE OFFICER BY THE PEACE OFFICERS STANDARDS AND  
18 TRAINING BOARD IN ACCORDANCE WITH PART 1 OF ARTICLE 2.5 OF TITLE  
19 16.

20 **12-165-111. Guard employer license - requirements for**  
21 **licensure.** ON AND AFTER JANUARY 1, 2022, A PERSON SHALL NOT  
22 EMPLOY GUARDS UNLESS THE PERSON HAS REGISTERED AS A GUARD  
23 EMPLOYER WITH THE DIRECTOR IN THE FORM AND MANNER DETERMINED  
24 BY THE DIRECTOR BY RULE AND PAID A REGISTRATION FEE DETERMINED BY  
25 THE DIRECTOR IN ACCORDANCE WITH SECTION 12-20-105.

26 **12-165-112. Renewal of licenses - fees - continuing training**  
27 **requirements for protection and armed guards - rules.** (1) LICENSES

1 ISSUED UNDER THIS ARTICLE 165 ARE SUBJECT TO THE RENEWAL,  
2 EXPIRATION, REINSTATEMENT, AND DELINQUENCY FEE PROVISIONS  
3 SPECIFIED IN SECTION 12-20-202 (1) AND (2). A PERSON WHOSE LICENSE  
4 EXPIRES AND WHO CONTINUES TO PROVIDE GUARD SERVICES IS SUBJECT TO  
5 THE PENALTIES PROVIDED IN THIS ARTICLE 165 AND SECTION 12-20-202  
6 (1).

7 (2) (a) TO RENEW A PROTECTION GUARD LICENSE, THE LICENSEE  
8 MUST SUCCESSFULLY COMPLETE EIGHT HOURS OF TRAINING APPROVED BY  
9 THE DIRECTOR BY RULE.

10 (b) TO RENEW AN ARMED GUARD LICENSE, THE LICENSEE MUST  
11 SUCCESSFULLY COMPLETE EIGHT HOURS OF TRAINING APPROVED BY THE  
12 DIRECTOR BY RULE.

13 **12-165-113. Reporting use of physical force, convictions, and**  
14 **terminations - database - rules.** (1) WITHIN THIRTY DAYS AFTER THE  
15 CONVICTION, A GUARD SHALL REPORT TO THE DIRECTOR ANY FELONY  
16 CONVICTION OR MISDEMEANOR CONVICTION IF EITHER CONVICTION IS FOR:

17 (a) AN OFFENSE UNDER ARTICLE 3 OF TITLE 18;

18 (b) AN OFFENSE UNDER PART 1, 2, 3, OR 4 OF ARTICLE 4 OF TITLE  
19 18;

20 (c) AN OFFENSE UNDER ARTICLE 5 OF TITLE 18;

21 (d) AN OFFENSE UNDER PART 1 OR 2 OF ARTICLE 2 OF TITLE 18 IF  
22 THE ATTEMPT OR CONSPIRACY INVOLVES AN OFFENSE LISTED IN  
23 SUBSECTION (1)(a), (1)(b), OR (1)(c) OF THIS SECTION; OR

24 (e) AN OFFENSE THAT IS EQUIVALENT TO A CRIME LISTED IN  
25 SUBSECTION (1)(a), (1)(b), (1)(c), OR (1)(d) OF THIS SECTION UNDER  
26 FEDERAL LAW, ANOTHER STATE'S LAW, OR LOCAL LAW.

27 (2) WITHIN THIRTY DAYS AFTER TERMINATING THE EMPLOYMENT



1 OF A GUARD FOR MISCONDUCT, A GUARD EMPLOYER SHALL REPORT THE  
2 TERMINATION AND THE MISCONDUCT THAT IS THE BASIS FOR THE  
3 TERMINATION TO THE DIRECTOR.

4 (3) (a) WITHIN THIRTY DAYS AFTER USING PHYSICAL FORCE TO  
5 PROTECT A PERSON OR PROPERTY, A GUARD SHALL REPORT THE USE OF  
6 PHYSICAL FORCE TO THE DIRECTOR AND THE GUARD'S EMPLOYER. THE  
7 REPORT MUST INCLUDE THE DEMOGRAPHIC INFORMATION, AS REQUIRED BY  
8 RULE, OF THE GUARD USING PHYSICAL FORCE AND OF THE INDIVIDUAL  
9 SUBJECTED TO THE PHYSICAL FORCE.

10 (b) WITHIN THIRTY DAYS AFTER A GUARD USES PHYSICAL FORCE  
11 TO PROTECT A PERSON OR PROPERTY, THE GUARD EMPLOYER THAT  
12 EMPLOYS THE GUARD SHALL REPORT THE USE OF PHYSICAL FORCE TO THE  
13 DIRECTOR. THE REPORT MUST CONTAIN THE DEMOGRAPHIC INFORMATION,  
14 AS REQUIRED BY RULE, OF THE GUARD USING PHYSICAL FORCE AND OF THE  
15 INDIVIDUAL SUBJECTED TO THE PHYSICAL FORCE.

16 (4) (a) THE DIRECTOR SHALL MAINTAIN A DATABASE OF SECURITY  
17 GUARDS, PROTECTION GUARDS, AND ARMED GUARDS WHO ARE LICENSED  
18 UNDER THIS ARTICLE 165. THE DATABASE MUST CONTAIN THE NAME OF  
19 EACH LICENSEE AND THE FOLLOWING INFORMATION ABOUT EACH  
20 LICENSEE:

21 (I) EACH CRIMINAL CONVICTION LISTED IN SUBSECTIONS (1)(a) TO  
22 (1)(e) OF THIS SECTION; AND

23 (II) EACH TERMINATION OF EMPLOYMENT, REPORTED IN  
24 ACCORDANCE WITH SUBSECTION (2) OF THIS SECTION, FOR MISCONDUCT  
25 AND THE MISCONDUCT THAT WAS THE BASIS FOR THE TERMINATION.

26 (b) THE DIRECTOR SHALL MAKE THE DATABASE AVAILABLE,  
27 INCLUDING ONLINE THROUGH THE DIRECTOR'S WEBSITE, TO A REGISTERED

1 GUARD EMPLOYER.

2 **12-165-114. Standards of practice - plainclothes permit - rules.**

3 (1) (a) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, A  
4 GUARD SHALL:

5 (I) COMPLY WITH THIS ARTICLE 165 AND ALL RULES  
6 PROMULGATED UNDER THIS ARTICLE 165;

7 (II) WEAR A UNIFORM AT ALL TIMES WHILE OPERATING WITHIN THE  
8 SCOPE OF THE GUARD'S DUTIES;

9 (III) CARRY THE GUARD LICENSE DOCUMENT ISSUED IN  
10 ACCORDANCE WITH SECTION 12-165-107 (3)(b) AT ALL TIMES WHILE  
11 OPERATING WITHIN THE SCOPE OF THE GUARD'S DUTIES;

12 (IV) USE A VEHICLE THAT COMPLIES WITH THE MARKING, DESIGN,  
13 ANDEQUIPMENT RULES PROMULGATED BY THE DIRECTOR IN ACCORDANCE  
14 WITH SECTION 12-165-104 (2)(c)(I); AND

15 (V) NOT USE A CANINE TO DETECT EXPLOSIVE DEVICES UNLESS:

16 (A) THE CANINE IS CERTIFIED BY A NATIONALLY RECOGNIZED  
17 TRAINING ASSOCIATION OR A LAW ENFORCEMENT AGENCY; AND

18 (B) THE GUARD HANDLING THE CANINE IS ONE OF THE CANINE'S  
19 PRIMARY HANDLERS.

20 (b) AN ARMED GUARD SHALL WEAR, AT ALL TIMES, A FORM OF  
21 IDENTIFICATION, AS DETERMINED BY THE DIRECTOR BY RULE, ON THE  
22 OUTERMOST PART OF THE ARMED GUARD'S UNIFORM. A PLAINCLOTHES  
23 PERMIT ISSUED UNDER SUBSECTION (2) OF THIS SECTION DOES NOT EXEMPT  
24 THE ARMED GUARD FROM THIS REQUIREMENT.

25 (2) (a) A GUARD MAY APPLY FOR A PERMIT TO WEAR PLAIN  
26 CLOTHES IN THE COURSE AND SCOPE OF THE GUARD'S DUTIES. THE  
27 APPLICATION MUST:

1 (I) SPECIFY THE TIMES, EVENTS, AND LOCATIONS WHERE THE  
2 GUARD WILL WEAR PLAIN CLOTHES; AND

3 (II) CONTAIN A VALID COPY OF A CONCEALED CARRY PERMIT  
4 ISSUED TO THE ARMED GUARD IF THE GUARD WHO IS APPLYING FOR THE  
5 PERMIT IS AN ARMED GUARD.

6 (b) THE DIRECTOR SHALL, UPON APPLICATION, ISSUE A PERMIT  
7 AUTHORIZING THE GUARD TO WEAR PLAIN CLOTHES AT THE REQUESTED  
8 TIMES, EVENTS, AND LOCATIONS IF:

9 (I) THE APPLICANT IS A SECURITY GUARD OR PROTECTION GUARD  
10 AND DEMONSTRATES THAT THE SECURITY GUARD OR PROTECTION GUARD  
11 IS UNLIKELY TO VIOLATE THIS ARTICLE 165 OR RULES PROMULGATED  
12 UNDER THIS ARTICLE 165; OR

13 (II) THE APPLICANT IS AN ARMED GUARD, POSSESSES A CONCEALED  
14 CARRY PERMIT, AND DEMONSTRATES THAT THE ARMED GUARD IS  
15 UNLIKELY TO VIOLATE THIS ARTICLE 165 OR RULES PROMULGATED UNDER  
16 THIS ARTICLE 165.

17 **12-165-115. Grounds for discipline - civil penalties.** (1) THE  
18 DIRECTOR MAY TAKE THE DISCIPLINARY OR OTHER ACTION AUTHORIZED  
19 IN SECTION 12-20-404 AGAINST A GUARD OR GUARD EMPLOYER, OR  
20 REQUIRE A GUARD TO COMPLETE ADDITIONAL TRAINING, FOR:

21 (a) ENGAGING IN FRAUD OR INTENTIONAL MISREPRESENTATION IN  
22 OBTAINING OR ATTEMPTING TO OBTAIN, REINSTATE, OR RENEW A LICENSE;

23 (b) VIOLATING A CURRENTLY VALID ORDER OF THE DIRECTOR;

24 (c) VIOLATING THIS ARTICLE 165 OR A RULE PROMULGATED UNDER  
25 THIS ARTICLE 165;

26 (d) BEING CONVICTED OF A FELONY WHEN ACTING WITHIN THE  
27 COURSE AND SCOPE OF THE GUARD'S DUTIES; EXCEPT THAT THE DIRECTOR

1 IS GOVERNED BY SECTIONS 12-20-202 (5) AND 24-5-101 IN CONSIDERING  
2 THE CONVICTION;

3 (e) USING FALSE ADVERTISING OR INTENTIONALLY MISLEADING  
4 ADVERTISING;

5 (f) FAILING TO MEET THE STANDARDS OF PRACTICE IN VIOLATION  
6 OF SECTION 12-165-114;

7 (g) FAILING TO PAY A FINE ASSESSED UNDER THIS SECTION; OR

8 (h) USING DEADLY FORCE OR AUTHORIZING THE USE OF DEADLY  
9 FORCE AGAINST ANY INDIVIDUAL UNLESS THE USE OF DEADLY FORCE IS  
10 NECESSARY TO PREVENT AN IMMEDIATE RISK OF SERIOUS PHYSICAL HARM  
11 TO AN INDIVIDUAL.

12 (2) IN ADDITION TO THE GROUNDS FOR DISCIPLINE LISTED IN  
13 SUBSECTION (1) OF THIS SECTION, THE DIRECTOR MAY TAKE THE  
14 DISCIPLINARY OR OTHER ACTION AUTHORIZED IN SECTION 12-20-404  
15 AGAINST OR REQUIRE ADDITIONAL TRAINING OF A SECURITY GUARD FOR  
16 USING UNLAWFUL PHYSICAL FORCE ON ANOTHER INDIVIDUAL AND IN THE  
17 SCOPE OF THE SECURITY GUARD'S DUTIES.

18 (3) IN ADDITION TO THE GROUNDS FOR DISCIPLINE LISTED IN  
19 SUBSECTION (1) OF THIS SECTION, THE DIRECTOR MAY TAKE THE  
20 DISCIPLINARY OR OTHER ACTION AUTHORIZED IN SECTION 12-20-404  
21 AGAINST OR REQUIRE ADDITIONAL TRAINING OF A PROTECTION GUARD OR  
22 ARMED GUARD FOR:

23 (a) FAILING TO USE A BODY CAMERA IN ACCORDANCE WITH THE  
24 RULES PROMULGATED BY THE DIRECTOR IN ACCORDANCE WITH SECTION  
25 12-165-104 (2)(b);

26 (b) USING PHYSICAL FORCE THAT IS PROHIBITED FOR PEACE  
27 OFFICERS TO USE IN SECTION 18-1-707; OR

1 (c) BEING CONVICTED OF A CRIME LISTED IN SECTION 12-165-109  
2 (2)(b) OR 12-165-110 (2)(c) THAT WOULD DISQUALIFY THE PROTECTION  
3 GUARD OR ARMED GUARD FROM BEING ISSUED A LICENSE.

4 (4) IN ADDITION TO THE GROUNDS FOR DISCIPLINE SPECIFIED IN  
5 SUBSECTION (1) OF THIS SECTION, THE DIRECTOR MAY TAKE THE  
6 DISCIPLINARY OR OTHER ACTION AUTHORIZED IN SECTION 12-20-404  
7 AGAINST A GUARD EMPLOYER FOR:

8 (a) AUTHORIZING A SECURITY GUARD, A PROTECTION GUARD, OR  
9 AN ARMED GUARD TO TAKE AN ACTION THAT IS A GROUND FOR DISCIPLINE  
10 UNDER SUBSECTIONS (1), (2), AND (3) OF THIS SECTION;

11 (b) FAILING TO ENSURE THAT PROTECTION GUARDS AND ARMED  
12 GUARDS WEAR BODY CAMERAS AND RECORD INTERACTIONS WITH  
13 MEMBERS OF THE PUBLIC IN ACCORDANCE WITH THE RULES PROMULGATED  
14 BY THE DIRECTOR UNDER SECTION 12-165-104 (2)(b); OR

15 (c) FAILING TO MAKE A REPORT REQUIRED BY SECTION 12-165-113.

16 (5) THE DIRECTOR MAY ADOPT RULES ESTABLISHING FINES THAT  
17 THE DIRECTOR MAY IMPOSE ON A LICENSEE FOR VIOLATING THIS ARTICLE  
18 165 OR RULES ADOPTED IN ACCORDANCE WITH THIS ARTICLE 165, WITH A  
19 MINIMUM FINE OF NOT LESS THAN FIFTY DOLLARS AND A MAXIMUM FINE  
20 OF NOT MORE THAN FIVE THOUSAND DOLLARS PER VIOLATION.

21 **12-165-116. Repeal of article.** THIS ARTICLE 165 IS REPEALED,  
22 EFFECTIVE SEPTEMBER 1, 2031. BEFORE THE REPEAL, THIS ARTICLE 165 IS  
23 SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 24-34-104.

24 **SECTION 3.** In Colorado Revised Statutes, 12-20-407, **amend**  
25 (1)(a)(IV); and **add** (1)(a)(IV.5) as follows:

26 **12-20-407. Unauthorized practice of profession or occupation**  
27 **- penalties - exclusions.** (1) (a) A person commits a class 2 misdemeanor

1 and shall be punished as provided in section 18-1.3-501 for the first  
2 offense and, for the second or any subsequent offense, commits a class 6  
3 felony and shall be punished as provided in section 18-1.3-401 if the  
4 person:

5 (IV) Engages in or works at or offers or attempts to engage in or  
6 work at the business, trade, or calling of a residential, journeyman,  
7 master, or apprentice plumber; a water conditioning contractor; a water  
8 conditioning installer; or a water conditioning principal without an active  
9 license, permit, or registration issued under article 155 of this title 12; ~~or~~

10 (IV.5) PRACTICES OR OFFERS OR ATTEMPTS TO PRACTICE AS A  
11 SECURITY GUARD, A PROTECTION GUARD, OR AN ARMED GUARD WITHOUT  
12 AN ACTIVE LICENSE ISSUED UNDER ARTICLE 165 OF THIS TITLE 12, OR  
13 EMPLOYS OR OFFERS TO EMPLOY A GUARD WITHOUT AN ACTIVE  
14 REGISTRATION ISSUED UNDER ARTICLE 165 OF THIS TITLE 12; OR

15 **SECTION 4.** In Colorado Revised Statutes, 12-20-408, **add**  
16 (1)(b.5) as follows:

17 **12-20-408. Judicial review.** (1) Except as specified in subsection  
18 (2) of this section, the court of appeals has initial jurisdiction to review  
19 all final actions and orders of a regulator that are subject to judicial  
20 review and shall conduct the judicial review proceedings in accordance  
21 with section 24-4-106 (11); except that, with regard only to  
22 cease-and-desist orders, a district court of competent jurisdiction has  
23 initial jurisdiction to review a final action or order of a regulator that is  
24 subject to judicial review and shall conduct the judicial review  
25 proceedings in accordance with section 24-4-106 (3) for the following:

26 (b.5) ARTICLE 165 OF THIS TITLE 12 CONCERNING SECURITY  
27 GUARDS, PROTECTION GUARDS, ARMED GUARDS, AND GUARDEMPLOYERS;

1           **SECTION 5.** In Colorado Revised Statutes, **repeal** 24-33.5-415.4  
2 as follows:

3           **24-33.5-415.4. Security guard clearance - criminal history**  
4 **record checks.** ~~(1) As used in this section, unless the context otherwise~~  
5 ~~requires:~~

6           ~~(a) "Contract security agency" means any business which, for a~~  
7 ~~fee or other consideration, agrees to furnish a uniformed security guard~~  
8 ~~to protect persons, property, information, or other assets.~~

9           ~~(b) "Proprietary security organization" means any internal~~  
10 ~~functional organizational unit of a company which provides uniformed~~  
11 ~~security guards for the exclusive use of such employing company.~~

12           ~~(c) "Security guard" means any private uniformed security officer,~~  
13 ~~armored car service officer, alarm response runner, watchman, lobby~~  
14 ~~attendant, or other private uniformed person who is engaged in the~~  
15 ~~protection of persons, property, information, or other assets.~~

16           ~~(2) After January 1, 1992, any contract security agency or~~  
17 ~~proprietary security organization may submit fingerprints of security~~  
18 ~~guards to the bureau for purposes of a fingerprint-based criminal history~~  
19 ~~record check pursuant to part 3 of article 72 of this title. The information~~  
20 ~~obtained from the criminal history record check conducted pursuant to~~  
21 ~~this section may be used by the contract security agency or proprietary~~  
22 ~~security organization to determine whether or not to employ a person as~~  
23 ~~a security guard. Nothing in this section shall be used as a basis for~~  
24 ~~discrimination banned by section 24-34-402 (1)(a). The bureau shall~~  
25 ~~charge a fee for record checks conducted pursuant to this section. The~~  
26 ~~bureau shall set such fee at a level sufficient to cover the direct and~~  
27 ~~indirect costs of processing requests made pursuant to this section.~~

1 ~~Moneys collected by the bureau pursuant to this section shall be subject~~  
2 ~~to annual appropriation by the general assembly for the administration of~~  
3 ~~criminal history record checks of security guards pursuant to this section.~~

4         **SECTION 6.** In Colorado Revised Statutes, 24-34-104, **add**  
5 (32)(a)(VI) as follows:

6         **24-34-104. General assembly review of regulatory agencies**  
7 **and functions for repeal, continuation, or reestablishment - legislative**  
8 **declaration - repeal.** (32) (a) The following agencies, functions, or both,  
9 are scheduled for repeal on September 1, 2031:

10         (VI) THE REGULATION OF SECURITY GUARDS, PROTECTION  
11 GUARDS, ARMED GUARDS, AND GUARD EMPLOYERS BY THE DIRECTOR OF  
12 THE DIVISION OF PROFESSIONS AND OCCUPATIONS IN ACCORDANCE WITH  
13 ARTICLE 165 OF TITLE 12.

14         **SECTION 7. Act subject to petition - effective date -**  
15 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
16 the expiration of the ninety-day period after final adjournment of the  
17 general assembly; except that, if a referendum petition is filed pursuant  
18 to section 1 (3) of article V of the state constitution against this act or an  
19 item, section, or part of this act within such period, then the act, item,  
20 section, or part will not take effect unless approved by the people at the  
21 general election to be held in November 2022 and, in such case, will take  
22 effect on the date of the official declaration of the vote thereon by the  
23 governor.

24         (2) This act applies to offenses committed on or after the  
25 applicable effective date of this act.