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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: S-0436.1/07

ATTY/TYPIST: AI:mos

BRIEF DESCRIPTION: Concerning bouncers.

AN ACT Relating to bouncers; and amending RCW 18.170.010 and 18.170.020.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec. 1.** RCW 18.170.010 and 2004 c 50 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Armed private security guard" means a private security guard who has a current firearms certificate issued by the commission and is licensed as an armed private security guard under this chapter.

(2) "Armored vehicle guard" means a person who transports in an armored vehicle under armed guard, from one place to another place, valuables, jewelry, currency, documents, or any other item that requires secure delivery.

(3) "Bouncer" means an individual who is employed by a business with a license to sell beer, wine, or liquor, as defined by RCW 66.04.010, for the purpose of maintaining order in such establishments and to eject disorderly persons as required to fulfill that responsibility.

(4) "Burglar alarm response runner" means a person employed by a private security company to respond to burglar alarm system signals.

~~((4))~~ (5) "Burglar alarm system" means a device or an assembly of equipment and devices used to detect or signal unauthorized intrusion, movement, or exit at a protected premises, other than in a vehicle, to which police or private security guards are expected to respond.

~~((5))~~ (6) "Chief law enforcement officer" means the elected or appointed police administrator of a municipal, county, or state police or sheriff's department that has full law enforcement powers in its jurisdiction.

~~((6))~~ (7) "Classroom instruction" means instruction that takes place in a setting where individuals receiving training are assembled together and learn through lectures, study papers, class discussion, textbook study, or other means of organized formal education techniques, such as video, closed circuit, or other forms of electronic means, and as distinguished from on-the-job education or training.

~~((7))~~ (8) "Commission" means the criminal justice training commission established in chapter 43.101 RCW.

~~((8))~~ (9) "Department" means the department of licensing.

~~((9))~~ (10) "Director" means the director of the department of licensing.

~~((10))~~ (11) "Employer" includes any individual, firm, corporation, partnership, association, company, society, manager, contractor, subcontractor, bureau, agency, service, office, or an agent of any of the foregoing that employs or seeks to enter into an arrangement to employ any person as a private security guard.

~~((11))~~ (12) "Firearms certificate" means the certificate issued by the commission.

~~((12))~~ (13) "Licensee" means a person granted a license required by this chapter.

~~((13))~~ (14) "Person" includes any individual, firm, corporation, partnership, association, company, society, manager, contractor, subcontractor, bureau, agency, service, office, or an agent or employee of any of the foregoing.

~~((14))~~ (15) "Postassignment or on-the-job training" means training that occurs in either an assisted field environment or in a classroom instruction setting, or both.

~~((15))~~ (16) "Preassignment training" means the classroom training completed prior to being assigned to work independently.

~~((16))~~ (17) "Principal corporate officer" means the president, vice-president, treasurer, secretary, comptroller, or any other person who performs the same functions for the corporation as performed by these officers.

~~((17))~~ (18) "Private security company" means a person or entity licensed under this chapter and engaged in the business of providing the services of private security guards on a contractual basis.

~~((18))~~ (19) "Private security guard" means an individual who is licensed under this chapter and principally employed as or typically referred to as one of the following:

- (a) Security officer or guard;
- (b) Patrol or merchant patrol service officer or guard;
- (c) Armed escort or bodyguard;
- (d) Armored vehicle guard;
- (e) Burglar alarm response runner; ~~((e))~~
- (f) Crowd control officer or guard; or
- (g) Bouncers at establishments that serve alcohol.

~~((19))~~ (20) "Qualifying agent" means an officer or manager of a corporation who meets the requirements set forth in this chapter for obtaining a license to own or operate a private security company.

~~((20))~~ (21) "Sworn peace officer" means a person who is an employee of the federal government, the state, a political subdivision, agency, or department branch of a municipality, or other unit of local government, and has law enforcement powers.

**Sec. 2.** RCW 18.170.020 and 2006 c 173 s 1 are each amended to read as follows:

The requirements of this chapter do not apply to:

(1) A person who is employed exclusively or regularly by one employer and performs the functions of a private security guard solely in connection with the affairs of that employer~~((7))~~ if: (a) The employer is not a private security company, or (b) the employee is not a bouncer as defined in RCW 18.170.010(3);

(2) A sworn peace officer while engaged in the performance of the officer's official duties;

(3) A sworn peace officer while employed by any person to engage in off-duty employment as a private security guard, but only if the

employment is approved by the chief law enforcement officer of the jurisdiction where the employment takes place and the sworn peace officer does not employ, contract with, or broker for profit other persons to assist him or her in performing the duties related to his or her private employer; or

(4) Guest services or crowd management employees who do not perform the duties of a private security guard.