
By: Delegate McClenahan

Requested: July 3, 1995

Introduced and read first time: January 10, 1996

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Private Detective and Security Guard Certification and Agency Licensing**

3 FOR the purpose of requiring the licensure as a security guard agency of any person who
4 provides certain security guard services; providing for certain exceptions; providing
5 for the terms and renewals of the licenses, qualifications for and duties of licensees,
6 display of licenses, and revocation or denial of a license in certain circumstances;
7 providing certain administrative, financial, and insurance responsibilities on a
8 licensed security guard agency; providing for the qualifications for and duties of
9 certified security guards; providing for the denial or revocation of security guard
10 certification; specifying certain prohibited acts and penalties; establishing certain
11 powers of and imposing certain duties on the Secretary of the State Police
12 concerning the licensing of security guard agencies; altering the license and renewal
13 fees for private detective agency licenses; narrowing the scope of private detective
14 agency licenses to exclude the provision of security guard services; imposing certain
15 penalties for certain violations; providing for the application of this Act; defining
16 certain terms; making certain stylistic and technical changes; and generally relating
17 to the licensing of private detective agencies and security guard agencies and the
18 certification of private detectives and security guards.

19 BY repealing

20 Article - Business Occupations and Professions
21 Section 13-101(k) and (l); 13-501 through 13-511, inclusive, and the subtitle
22 "Subtitle 5. Security Guard Services"; 13-701(c) and 13-702(c)
23 Annotated Code of Maryland
24 (1995 Replacement Volume and 1995 Supplement)

25 BY repealing and reenacting, without amendments,

26 Article - Business Occupations and Professions
27 Section 13-101(a)
28 Annotated Code of Maryland
29 (1995 Replacement Volume and 1995 Supplement)

30 BY repealing and reenacting, with amendments,

31 Article - Business Occupations and Professions

2
 1 Section 13-101(b) and (m), 13-201, 13-202, 13-304(b) and (h), 13-307, 13-308(c),
 2 13-313(a), 13-604(a) and (b), 13-606(a), (b), and (c), 13-608, 13-702(a),
 3 13-703, and 13-706
 4 Annotated Code of Maryland
 5 (1995 Replacement Volume and 1995 Supplement)

6 BY adding to
 7 Article - Business Occupations and Professions
 8 Section 19-101 through 19-701 to be under the new title "Title 19. Security Guard
 9 Agencies and Security Guard Certification"
 10 Annotated Code of Maryland
 11 (1995 Replacement Volume and 1995 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 13 MARYLAND, That Section(s) 13-501 through 13-511, inclusive, and the subtitle
 14 "Subtitle 5. Security Guard Services" of Article - Business Occupations and Professions
 15 of the Annotated Code of Maryland be repealed.

16 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
 17 read as follows:

18 **Article - Business Occupations and Professions**

19 13-101.

20 (a) In this title the following words have the meanings indicated.

21 (b) "Certification card" means a card issued by the Secretary[:

22 (1)] under § 13-406 of this title to an individual certified as a private
 23 detective[; or

24 (2) under § 13-505 of this title to an individual certified as a security
 25 guard].

26 [(k) "Security guard" means an individual who provides security guard services,
 27 regardless of whether the individual is described as a security guard, watchman, or private
 28 patrolman or by other title.

29 (l) "Security guard services" includes any activity that is performed for
 30 compensation as a security guard to protect any individual or property, except the
 31 activities of an individual while performing as:

32 (1) a marine guard or ship watchman, regardless of whether the guard or
 33 watchman is stationed aboard a ship or on a pier; or

34 (2) a special police officer, as exempted from the provisions of this title
 35 under § 13-102 of this subtitle.

36 (m)] (K) "Secretary" means the Secretary of the State Police.

3

1 13-201.

2 Subject to the provisions of this title, the Secretary is responsible for the licensing of
3 private detective agencies and the regulation of those persons who provide private
4 detective [or security guard services] in the State.

5 13-202.

6 (a) In addition to any powers set forth elsewhere, the Secretary may:

7 (1) adopt regulations to carry out this title;

8 (2) use any member of the Department of State Police, as necessary, to
9 carry out and enforce this title; and

10 (3) make inquiries and conduct an investigation regarding any applicant:

11 (i) for a license; or

12 (ii) for employment with a licensee as a private detective[or security
13 guard].

14 (b) In addition to any duties set forth elsewhere, the Secretary shall:

15 (1) adopt regulations that set standards for the certification of employees of
16 private detective agencies as[:

17 (i)] private detectives; and

18 [(ii) security guards; and]

19 (2) keep a [separate] roster of the individuals certified as private detectives
20 [and security guards] under this title, including on [each] THE roster:

21 (i) the names of individuals certified;

22 (ii) the name of the licensed private detective agency with or by which
23 each individual is associated or employed; and

24 (iii) any other information that the Secretary considers appropriate.

25 13-304.

26 (b) (1) An applicant for a license shall pay to the Secretary an application fee
27 of:

28 (i) [\$400] \$200, if the applicant is an individual; or

29 (ii) [\$750] \$375, if the applicant is a firm.

30 (2) (i) As part of the application for a license, the applicantshall submit
31 to the Secretary:

32 1. a complete set of the applicant's legible fingerprints taken on
33 standard fingerprint cards; and

2. payment for the cost of the fingerprint card record checks.

4

1 (ii) If the applicant is a firm, the applicant shall pay the cost of the
2 fingerprint card record checks for each firm member.

3 (h) An applicant for a license who intends to employ at least 5 individuals as
4 private detectives [or as security guards] shall submit with the application proof of
5 liability insurance, as required under 13-604 of this title.

6 13-307.

7 While a license is in effect, it authorizes the licensee to:

8 (1) conduct a business that provides private detective services for
9 compensation;

10 (2) maintain an office for the conduct of the business at each location stated
11 in the agency license certificate;

12 (3) employ individuals as private detectives to provide private detective
13 services to the public on behalf of the licensee; AND

14 (4) [engage in the business of providing security guards for hire, as provided
15 under Subtitle 5 of this title; and

16 (5)] represent the licensee to the public as a private detective agency.

17 13-308.

18 (c) A licensee periodically may renew the license for an additional 1-year term, if
19 the licensee:

20 (1) otherwise is entitled to be licensed;

21 (2) pays to the Secretary:

22 (i) a renewal fee of:

23 1. [\$200] \$100, if the licensee is an individual; or

24 2. [\$400] \$200, if the licensee is a firm; and

25 (ii) any late fee required under § 13-309 of this subtitle; and

26 (3) submits to the Secretary:

27 (i) a renewal application on the form that the Secretary provides; and

28 (ii) the annual statements required under § 13-309 of this subtitle.

29 13-313.

30 (a) Subject to the hearing provisions of § 13-315 of this subtitle, the Secretary
31 may deny a license to any applicant, reprimand any licensee, or suspend or revoke a
32 license if the applicant or licensee:

33 (1) fraudulently or deceptively obtains or attempts to obtain a license for
34 the applicant or licensee or for another;

5

1 (2) fraudulently or deceptively uses a license;

2 (3) aids an individual to obtain or to attempt to obtain fraudulently or
3 deceptively certification under this title as a private detective [or as a security guard];

4 (4) while not licensed, willfully engages in a business providing private
5 detective services in the State;

6 (5) while not licensed, willfully advertises:

7 (i) as a private detective agency; OR

8 (ii) the provision of private detective services; [or

9 (iii) the provision of security guards for hire;]

10 (6) willfully makes a false statement or misrepresentation that an individual
11 is or was in the employ of the applicant or licensee;

12 (7) willfully makes a false statement or misrepresentation in any renewal
13 application, in any annual statement, or in any other report or document that the
14 Secretary requires to be submitted;

15 (8) fails to notify the Secretary about any change among the firm members
16 or in the address of the principal office or any branch office of a licensee;

17 (9) fails to maintain a bond as required by § 13-603 of this title;

18 (10) fails to maintain the liability insurance required under § 13-604 of this
19 title; or

20 (11) violates any other provision of this title.

21 13-604.

22 (a) A private detective agency that employs 5 or more individuals as private
23 detectives [or security guards] shall:

24 (1) maintain general liability insurance in an amount not less than \$100,000;
25 and

26 (2) submit proof of the required insurance to the Secretary.

27 (b) (1) If an applicant for a license intends to employ 5 or more individuals as
28 private detectives [or security guards], the applicant shall submit proof of the liability
29 insurance required under subsection (a) of this section to the Secretary with the license
30 application.

31 (2) The Secretary may not issue a license to an applicant to whom the
32 insurance requirements of this section would apply unless the applicant submits proof of
33 the insurance.

34 13-606.

35 (a) A private detective agency may not divulge information obtained while
36 [conducting a case] PROVIDING SERVICES unless:

6

1 (1) directed by the client for whom the [case is conducted] SERVICES ARE
2 PROVIDED;

3 (2) authorized by subsection (b) of this section; or

4 (3) required by law.

5 (b) If, while [conducting a case] PROVIDING SERVICES, a private detective
6 agency obtains any information about a criminal offense, the private detective agency may
7 divulge the information to:

8 (1) a law enforcement officer;

9 (2) the Attorney General or a representative of the Attorney General; or

10 (3) a State's Attorney or a representative of a State's Attorney.

11 (c) Except as provided in subsection (d) of this section, an individual who is
12 employed by a private detective agency may not divulge to anyone other than to
13 authorized staff of the agency any information that:

14 (1) was acquired by the employee or other agency staff while [conducting a
15 case] PROVIDING SERVICES for the agency; and

16 (2) relates to the [case] ASSIGNMENT FOR WHICH SERVICES ARE
17 PROVIDED.

18 13-608.

19 If a certified private detective [or certified security guard] loses a certification
20 card, the private detective [or security guard] immediately shall give the Secretary notice
21 of the loss and the circumstances regarding the loss.

22 13-701.

23 [(c) A person may not engage in, attempt to engage in, or offer to engage in the
24 business of providing security guards for hire in the State unless licensed as a private
25 detective agency by the Secretary.]

26 13-702.

27 (a) Unless authorized under this title to engage in business for the purpose of
28 providing private detective services, a person may not represent to the public, by use of a
29 title, including "licensed private detective agency", "private detective agency", "private
30 detectives", or "private investigators", by description of services, methods, or procedures,
31 or otherwise, that the person is authorized to engage in the business of providing private
32 detective services [or security guards for hire] in the State.

33 [(c) Unless an individual is certified as a security guard under this title, the
34 individual may not represent to the public, by use of a title, including "certified security
35 guard", or by use of a badge or identification card, that the individual is certified as a
36 security guard under this title.]

7

1 13-703.

2 (a) Except as authorized under this title, a private detective agency may not
3 provide any person with a badge or a certification card or other document indicating that
4 any individual is a private detective [or a security guard].

5 (b) [(1)] A certified private detective may not lend the private detective's
6 certification card or badge to another person or allow another person to use or display the
7 card or badge.

8 [(2) A certified security guard may not lend the security guard's certification
9 card or badge to another person or allow another person to use or display the card or
10 badge.]

11 (c) Regardless of any association that an individual may have with a private
12 detective agency, unless authorized under this title, the individual may not wear or carry
13 a badge that:

14 (1) represents that the individual is a private detective [or security guard];
15 or

16 (2) otherwise represents that the individual is associated with a private
17 detective agency.

18 13-706.

19 An individual whom a licensee employs as a private detective [or as a security
20 guard] may not willfully make a false statement or report to the licensee about any case
21 conducted or services provided by the licensee.

22 TITLE 19. SECURITY GUARD AGENCIES AND SECURITY GUARD CERTIFICATION.

23 SUBTITLE 1. DEFINITIONS.

24 19-101.

25 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

26 (B) "CERTIFICATION CARD" MEANS A CARD ISSUED BY THE SECRETARY
27 UNDER § 19-405 OF THIS TITLE TO AN INDIVIDUAL CERTIFIED AS A SECURITY
28 GUARD.

29 (C) "FIRM" MEANS A PARTNERSHIP OR CORPORATION.

30 (D) "FIRM MEMBER" MEANS A PARTNER OF A PARTNERSHIP OR AN OFFICER
31 OR DIRECTOR OF A CORPORATION.

32 (E) "LICENSE" MEANS, UNLESS THE CONTEXT REQUIRES OTHERWISE, A
33 LICENSE ISSUED BY THE SECRETARY TO CONDUCT A BUSINESS TO PROVIDE
34 SECURITY GUARD SERVICES.

8

1 (F) "LICENSED SECURITY GUARD AGENCY" MEANS A PERSON WHO IS
2 LICENSED BY THE SECRETARY TO CONDUCT A BUSINESS THAT PROVIDES SECURITY
3 GUARD SERVICES.

4 (G) "REPRESENTATIVE MEMBER" MEANS A FIRM MEMBER WHO IS
5 APPOINTED UNDER § 19-302(B) OF THIS TITLE TO ACT ON BEHALF OF THE FIRM.

6 (H) "SECURITY GUARD" MEANS AN INDIVIDUAL WHO PROVIDES SECURITY
7 GUARD SERVICES, REGARDLESS OF WHETHER THE INDIVIDUAL IS DESCRIBED AS A
8 SECURITY GUARD, WATCHMAN, OR PRIVATE PATROLMAN OR BY OTHER TITLE.

9 (I) "SECURITY GUARD AGENCY" MEANS A PERSON WHO CONDUCTS A
10 BUSINESS THAT PROVIDES SECURITY GUARD SERVICES.

11 (J) "SECURITY GUARD SERVICES" INCLUDES ANY ACTIVITY THAT IS
12 PERFORMED FOR COMPENSATION AS A SECURITY GUARD TO PROTECT ANY
13 INDIVIDUAL OR PROPERTY, EXCEPT THE ACTIVITIES OF AN INDIVIDUAL WHILE
14 PERFORMING AS:

15 (1) A MARINE GUARD OR SHIP WATCHMAN, REGARDLESS OF WHETHER
16 THE GUARD OR WATCHMAN IS STATIONED ABOARD A SHIP OR ON A PIER; OR

17 (2) A SPECIAL POLICE OFFICER APPOINTED AND WHILE PERFORMING
18 UNDER ARTICLE 41, TITLE 4, SUBTITLE 9 OF THE CODE OR § 16-16 OF THE CODE OF
19 PUBLIC LOCAL LAWS OF BALTIMORE CITY.

20 (K) "SECRETARY", UNLESS THE CONTEXT REQUIRES OTHERWISE, MEANS
21 THE SECRETARY OF THE STATE POLICE.

22 SUBTITLE 2. SECRETARY.

23 19-201.

24 SUBJECT TO THE PROVISIONS OF THIS TITLE, THE SECRETARY IS RESPONSIBLE
25 FOR THE LICENSING OF SECURITY GUARD AGENCIES AND THE REGULATION OF
26 THOSE PERSONS WHO PROVIDE SECURITY GUARD SERVICES IN THE STATE.

27 19-202.

28 (A) IN ADDITION TO ANY POWERS SET FORTH ELSEWHERE, THE SECRETARY
29 MAY:

30 (1) ADOPT REGULATIONS TO CARRY OUT THIS TITLE;

31 (2) USE ANY MEMBER OF THE DEPARTMENT OF STATE POLICE, AS
32 NECESSARY, TO CARRY OUT AND ENFORCE THIS TITLE; AND

33 (3) MAKE INQUIRIES AND CONDUCT AN INVESTIGATION REGARDING
34 ANY APPLICANT:

35 (I) FOR A LICENSE; OR

36 (II) FOR EMPLOYMENT WITH A LICENSEE AS A SECURITY GUARD.

9

1 (B) IN ADDITION TO ANY DUTIES SET FORTH ELSEWHERE, THE SECRETARY
2 SHALL:

3 (1) ADOPT REGULATIONS THAT SET STANDARDS FOR THE
4 CERTIFICATION OF EMPLOYEES OF SECURITY GUARD AGENCIES AS SECURITY
5 GUARDS; AND

6 (2) KEEP A ROSTER OF THE INDIVIDUALS CERTIFIED AS SECURITY
7 GUARDS UNDER THIS TITLE, INCLUDING ON THE ROSTER:

8 (I) THE NAMES OF INDIVIDUALS CERTIFIED;

9 (II) THE NAME OF THE LICENSED SECURITY GUARD AGENCY WITH
10 OR BY WHICH EACH INDIVIDUAL IS ASSOCIATED OR EMPLOYED; AND

11 (III) ANY OTHER INFORMATION THAT THE SECRETARY CONSIDERS
12 APPROPRIATE.

13 SUBTITLE 3. SECURITY GUARD AGENCY LICENSES.

14 19-301.

15 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, A PERSON SHALL BE
16 LICENSED BY THE SECRETARY AS A SECURITY GUARD AGENCY BEFORE THE
17 PERSON MAY CONDUCT A BUSINESS THAT PROVIDES SECURITY GUARD SERVICES IN
18 THE STATE.

19 (B) AN INDIVIDUAL OR A FIRM MAY QUALIFY FOR A LICENSE AS A SECURITY
20 GUARD AGENCY.

21 19-302.

22 (A) TO QUALIFY FOR A LICENSE, AN APPLICANT SHALL MEET THE
23 REQUIREMENTS OF THIS SECTION.

24 (B) IF THE APPLICANT IS A FIRM, THE FIRM SHALL APPOINT A FIRM MEMBER
25 AS THE REPRESENTATIVE MEMBER TO MAKE THE APPLICATION ON BEHALF OF THE
26 FIRM.

27 (C) (1) IF THE APPLICANT IS AN INDIVIDUAL, THE APPLICANT SHALL BE OF
28 GOOD CHARACTER AND REPUTATION.

29 (2) IF THE APPLICANT IS A FIRM, EACH FIRM MEMBER SHALL BE OF
30 GOOD CHARACTER AND REPUTATION.

31 (D) THE INDIVIDUAL APPLICANT OR THE REPRESENTATIVE MEMBER SHALL
32 BE AT LEAST 25 YEARS OLD.

33 (E) THE APPLICANT SHALL MEET THE EXPERIENCE REQUIREMENTS OF §
34 19-303 OF THIS SUBTITLE.

35 19-303.

36 (A) IN THIS SECTION, "ORGANIZED POLICE AGENCY" MEANS:

10

1 (1) A POLICE DEPARTMENT OF THE STATE OR OF A COUNTY OR
2 MUNICIPAL CORPORATION OF THE STATE;

3 (2) A PRIVATE POLICE DEPARTMENT THAT IS ALLOWED TO ENROLL ITS
4 OFFICERS IN APPROVED POLICE TRAINING COMMISSION SCHOOLS AND ACADEMIES;
5 OR

6 (3) A LAW ENFORCEMENT AGENCY OF THE UNITED STATES, OF ANY
7 STATE, OR OF ANY COUNTY OR MUNICIPAL CORPORATION OF ANY STATE.

8 (B) AN INDIVIDUAL APPLICANT OR, IF THE APPLICANT IS A FIRM, THE
9 REPRESENTATIVE MEMBER SHALL HAVE:

10 (1) AT LEAST 5 YEARS OF EXPERIENCE AS A FULL-TIME SECURITY
11 GUARD CERTIFIED UNDER SUBTITLE 4 OF THIS TITLE WITH A MINIMUM OF 3 YEARS
12 IN A SUPERVISORY OR MANAGERIAL POSITION OR AT LEAST 5 YEARS EXPERIENCE
13 AS A FULL-TIME PRIVATE DETECTIVE CERTIFIED UNDER TITLE 13 OF THIS ARTICLE;

14 (2) AT LEAST:

15 (I) 5 YEARS OF EXPERIENCE AS A FULL-TIME POLICE OFFICER
16 WITH AN ORGANIZED POLICE AGENCY; AND

17 (II) COMPLETED SUCCESSFULLY THE POLICE OFFICER TRAINING
18 COURSE OF THE POLICE TRAINING COMMISSION;

19 (3) AT LEAST 3 YEARS OF EXPERIENCE IN AN INVESTIGATIVE CAPACITY
20 AS A DETECTIVE WHILE SERVING AS A POLICE OFFICER WITH AN ORGANIZED
21 POLICE AGENCY;

22 (4) AT LEAST:

23 (I) 3 YEARS OF EXPERIENCE IN AN INVESTIGATIVE CAPACITY IN
24 ANY UNIT OF THE UNITED STATES, OF THE STATE, OR OF A COUNTY OR MUNICIPAL
25 CORPORATION OF THE STATE FOR THE PURPOSE OF LAW ENFORCEMENT; AND

26 (II) COMPLETED SUCCESSFULLY THE POLICE OFFICER TRAINING
27 REQUIRED BY THE POLICE TRAINING COMMISSION; OR

28 (5) AT LEAST:

29 (I) 5 YEARS OF EXPERIENCE AS A FULL-TIME FIRE INVESTIGATOR
30 FOR A FIRE DEPARTMENT OR LAW ENFORCEMENT AGENCY OF THE STATE OR OF A
31 COUNTY OR MUNICIPAL CORPORATION OF THE STATE; AND

32 (II) COMPLETED SUCCESSFULLY THE TRAINING CERTIFIED BY THE
33 POLICE TRAINING COMMISSION OR THE MARYLAND FIRE-RESCUE EDUCATION AND
34 TRAINING COMMISSION.

35 19-304.

36 (A) (1) AN APPLICANT FOR A LICENSE SHALL:

37 (I) SUBMIT TO THE SECRETARY AN APPLICATION ON THE FORM
38 THAT THE SECRETARY PROVIDES;

11

1 (II) SUBMIT THE DOCUMENTS REQUIRED UNDER THIS SECTION;
2 AND

3 (III) PAY TO THE SECRETARY THE FEES REQUIRED UNDER
4 SUBSECTION (B) OF THIS SECTION.

5 (2) IF THE APPLICANT IS A FIRM, THE REPRESENTATIVE MEMBER
6 SHALL COMPLETE THE APPLICATION FORM AND OTHERWISE BE RESPONSIBLE FOR
7 THE FIRM'S COMPLIANCE WITH THIS SECTION.

8 (B) (1) AN APPLICANT FOR A LICENSE SHALL PAY TO THE SECRETARY AN
9 APPLICATION FEE OF:

10 (I) \$200, IF THE APPLICANT IS AN INDIVIDUAL; OR

11 (II) \$375, IF THE APPLICANT IS A FIRM.

12 (2) (I) AS PART OF THE APPLICATION FOR A LICENSE, THE APPLICANT
13 SHALL SUBMIT TO THE SECRETARY:

14 1. A COMPLETE SET OF THE APPLICANT'S LEGIBLE
15 FINGERPRINTS TAKEN ON STANDARD FINGERPRINT CARDS; AND

16 2. PAYMENT FOR THE COST OF THE FINGERPRINT CARD
17 RECORD CHECKS.

18 (II) IF THE APPLICANT IS A FIRM, THE APPLICANT SHALL PAY THE
19 COST OF THE FINGERPRINT CARD RECORD CHECKS FOR EACH FIRM MEMBER.

20 (C) (1) IF THE APPLICANT IS AN INDIVIDUAL, THE APPLICATION FORM
21 PROVIDED BY THE SECRETARY SHALL REQUIRE:

22 (I) THE NAME OF THE APPLICANT;

23 (II) THE AGE OF THE APPLICANT;

24 (III) THE ADDRESS OF THE APPLICANT; AND

25 (IV) THE CURRENT AND PREVIOUS EMPLOYMENT OF THE
26 APPLICANT.

27 (2) IF THE APPLICANT IS A FIRM, THE APPLICATION FORM PROVIDED
28 BY THE SECRETARY SHALL REQUIRE:

29 (I) A LIST OF ALL OF THE FIRM MEMBERS; AND

30 (II) FOR EACH FIRM MEMBER, THE SAME INFORMATION
31 REQUIRED REGARDING AN INDIVIDUAL APPLICANT UNDER PARAGRAPH (1) OF
32 THIS SUBSECTION.

33 (3) FOR ALL APPLICANTS, THE APPLICATION FORM SHALL REQUIRE:

34 (I) THE ADDRESS OF THE APPLICANT'S PROPOSED PRINCIPAL
35 PLACE OF BUSINESS AND OF EACH PROPOSED BRANCH OFFICE;

12

1 (II) ANY TRADE OR FICTITIOUS NAME THAT THE APPLICANT
2 INTENDS TO USE WHILE CONDUCTING THE BUSINESS OF THE SECURITY GUARD
3 AGENCY;

4 (III) THE SUBMISSION OF A FACSIMILE OF ANY TRADEMARK THAT
5 THE APPLICANT INTENDS TO USE WHILE CONDUCTING THE BUSINESS OF THE
6 SECURITY GUARD AGENCY; AND

7 (IV) AS THE SECRETARY CONSIDERS APPROPRIATE, ANY OTHER
8 INFORMATION TO ASSIST IN THE EVALUATION OF:

9 1. AN INDIVIDUAL APPLICANT; OR

10 2. IF THE APPLICANT IS A FIRM, ANY FIRM MEMBER.

11 (D) THE APPLICATION FORM PROVIDED BY THE SECRETARY SHALL CONTAIN
12 A STATEMENT ADVISING THE APPLICANT THAT WILLFULLY MAKING A FALSE
13 STATEMENT ON AN APPLICATION IS A MISDEMEANOR, SUBJECT TO A FINE OR
14 IMPRISONMENT OR BOTH, AS PROVIDED UNDER §§ 19-605 AND 19-607 OF THIS TITLE.

15 (E) (1) IF THE APPLICANT IS AN INDIVIDUAL, THE APPLICATION FORM
16 SHALL BE SIGNED, UNDER OATH, BY THE INDIVIDUAL.

17 (2) IF THE APPLICANT IS A FIRM, THE APPLICATION FORM SHALL BE
18 SIGNED, UNDER OATH, BY THE REPRESENTATIVE MEMBER, AS THE
19 REPRESENTATIVE MEMBER, AND BY ALL THE OTHER FIRM MEMBERS.

20 (F) (1) (I) IF THE APPLICANT IS AN INDIVIDUAL, THE APPLICATION
21 SHALL BE ACCOMPANIED BY AT LEAST FIVE WRITTEN RECOMMENDATIONS OF THE
22 INDIVIDUAL.

23 (II) IF THE APPLICANT IS A FIRM, THE APPLICATION SHALL BE
24 ACCOMPANIED BY AT LEAST FIVE WRITTEN RECOMMENDATIONS OF EACH FIRM
25 MEMBER.

26 (2) EACH RECOMMENDATION SHALL BE SIGNED, UNDER OATH, BY A
27 REPUTABLE CITIZEN WHO OWNS PROPERTY IN THE COUNTY WHERE THE
28 INDIVIDUAL APPLICANT OR FIRM MEMBER RESIDES OR WHERE THE BUSINESS OF
29 THE SECURITY GUARD AGENCY IS TO BE CONDUCTED.

30 (G) AN APPLICANT FOR A LICENSE SHALL SUBMIT WITH THE APPLICATION
31 FORM A BOND IN ACCORDANCE WITH THE REQUIREMENTS OF § 19-503 OF THIS
32 TITLE.

33 (H) AN APPLICANT FOR A LICENSE WHO INTENDS TO EMPLOY AT LEAST FIVE
34 INDIVIDUALS AS SECURITY GUARDS SHALL SUBMIT WITH THE APPLICATION PROOF
35 OF LIABILITY INSURANCE, AS REQUIRED UNDER § 19-504 OF THIS TITLE.

36 (I) IN ADDITION TO MEETING THE OTHER REQUIREMENTS OF THIS SECTION,
37 A NONRESIDENT APPLICANT SHALL SUBMIT A CONSENT AND ANY RELATED
38 DOCUMENT, AS REQUIRED BY § 19-505 OF THIS TITLE.

13

1 19-305.

2 THE SECRETARY MAY NOT ISSUE A LICENSE TO AN APPLICANT WHOSE TRADE
3 OR FICTITIOUS NAME OR TRADEMARK IS SO SIMILAR TO THAT USED BY ANOTHER
4 LICENSEE THAT THE PUBLIC MAY BE CONFUSED OR MISLED BY THE SIMILARITY.

5 19-306.

6 (A) (1) THE SECRETARY SHALL ISSUE A LICENSE TO EACH APPLICANT WHO
7 MEETS THE REQUIREMENTS OF THIS SUBTITLE.

8 (2) THE SECRETARY SHALL ISSUE AN AGENCY LICENSE CERTIFICATE
9 TO EACH LICENSED SECURITY GUARD AGENCY AND A BRANCH OFFICE
10 CERTIFICATE FOR EACH PROPOSED BRANCH OFFICE.

11 (B) (1) THE SECRETARY SHALL INCLUDE ON EACH AGENCY LICENSE
12 CERTIFICATE THAT THE SECRETARY ISSUES:

13 (I) THE FULL NAME OF THE LICENSEE;

14 (II) THE LOCATION OF THE PRINCIPAL OFFICE AND OF EACH
15 BRANCH OFFICE OF THE LICENSED SECURITY GUARD AGENCY;

16 (III) THE DATE OF ISSUANCE OF THE LICENSE;

17 (IV) THE DATE ON WHICH THE LICENSE EXPIRES; AND

18 (V) THE NAME AND ADDRESS OF THE REPRESENTATIVE MEMBER,
19 IF THE LICENSEE IS A FIRM.

20 (2) THE SECRETARY SHALL INCLUDE ON EACH BRANCH OFFICE
21 CERTIFICATE:

22 (I) THE FULL NAME OF THE LICENSEE;

23 (II) THE LOCATION OF THE PRINCIPAL OFFICE OF THE LICENSEE
24 AND OF THE AGENCY BRANCH OFFICE FOR WHICH THE CERTIFICATE IS ISSUED;

25 (III) THE DATE OF ISSUANCE OF THE BRANCH OFFICE
26 CERTIFICATE;

27 (IV) THE DATE ON WHICH THE LICENSE OF THE LICENSEE EXPIRES;
28 AND

29 (V) THE NAME AND ADDRESS OF THE REPRESENTATIVE MEMBER,
30 IF THE LICENSEE IS A FIRM.

31 19-307.

32 WHILE A LICENSE IS IN EFFECT, IT AUTHORIZES THE LICENSEE TO:

33 (1) CONDUCT A BUSINESS THAT PROVIDES SECURITY GUARD SERVICES
34 FOR COMPENSATION OR FOR HIRE;

35 (2) MAINTAIN AN OFFICE FOR THE CONDUCT OF BUSINESS AT EACH
36 LOCATION STATED IN THE SECURITY GUARD AGENCY LICENSE CERTIFICATE;

14

1 (3) EMPLOY INDIVIDUALS AS SECURITY GUARDS TO PROVIDES
2 SECURITY GUARD SERVICES TO THE PUBLIC ON BEHALF OF THE LICENSEE; AND

3 (4) REPRESENT THE LICENSEE TO THE PUBLIC AS A LICENSED
4 SECURITY GUARD AGENCY.

5 19-308.

6 (A) UNLESS A LICENSE IS RENEWED FOR A 1-YEAR TERM AS PROVIDED IN
7 THIS SECTION, THE LICENSE EXPIRES ON THE FIRST APRIL 30 AFTER THE EFFECTIVE
8 DATE OF THE LICENSE.

9 (B) AT LEAST 1 MONTH BEFORE A LICENSE EXPIRES, THE SECRETARY SHALL
10 MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE:

11 (1) A RENEWAL APPLICATION FORM; AND

12 (2) A NOTICE THAT STATES:

13 (I) THE DATE ON WHICH THE CURRENT LICENSE EXPIRES;

14 (II) THAT THE SECRETARY MUST RECEIVE THE RENEWAL
15 APPLICATION AND THE ANNUAL STATEMENTS REQUIRED UNDER § 19-309 OF THIS
16 SUBTITLE, ON OR BEFORE APRIL 15, FOR THE RENEWAL TO BE ISSUED AND MAILED
17 BEFORE THE LICENSE EXPIRES;

18 (III) THE AMOUNT OF THE RENEWAL FEE;

19 (IV) THAT, IF THE ANNUAL STATEMENTS ARE NOT RECEIVED ON
20 OR BEFORE APRIL 15, A FEE OF \$10 PER DAY SHALL BE CHARGED AGAINST THE
21 LICENSEE UNTIL THE STATEMENTS ARE RECEIVED; AND

22 (V) THAT THE SUBMISSION OF A FALSE STATEMENT IN THE
23 RENEWAL APPLICATION OR IN THE ANNUAL STATEMENTS IS CAUSE FOR
24 REVOCATION OF THE LICENSE.

25 (C) A LICENSEE PERIODICALLY MAY RENEW THE LICENSE FOR AN
26 ADDITIONAL 1-YEAR TERM, IF THE LICENSEE:

27 (1) OTHERWISE IS ENTITLED TO BE LICENSED;

28 (2) PAYS TO THE SECRETARY:

29 (I) A RENEWAL FEE OF:

30 1. \$100, IF THE LICENSEE IS AN INDIVIDUAL; OR

31 2. \$200, IF THE LICENSEE IS A FIRM; AND

32 (II) ANY LATE FEE REQUIRED UNDER § 19-309 OF THIS SUBTITLE;
33 AND

34 (3) SUBMITS TO THE SECRETARY:

35 (I) A RENEWAL APPLICATION ON THE FORM THAT THE
36 SECRETARY PROVIDES; AND

15

1 (II) THE ANNUAL STATEMENTS REQUIRED UNDER § 19-309 OF THIS
2 SUBTITLE.

3 (D) THE SECRETARY SHALL RENEW THE LICENSE OF EACH LICENSEE WHO
4 MEETS THE REQUIREMENTS OF THIS SECTION.

5 19-309.

6 (A) AS A CONDITION FOR LICENSE RENEWAL, A LICENSEE SHALL SUBMIT TO
7 THE SECRETARY WITH THE RENEWAL APPLICATION:

8 (1) A CERTIFICATION OR, AS AUTHORIZED BY THE SECRETARY, OTHER
9 DOCUMENTATION THAT THE LICENSED SECURITY GUARD AGENCY HAS PAID, FOR
10 THE PAST CALENDAR YEAR, ALL WITHHOLDING AND SOCIAL SECURITY TAXES;

11 (2) A CERTIFICATION OR, AS AUTHORIZED BY THE SECRETARY, OTHER
12 DOCUMENTATION THAT THE LICENSED SECURITY GUARD AGENCY HAS PAID, FOR
13 THE PAST CALENDAR YEAR, ALL OTHER OBLIGATIONS PAYABLE FOR THE
14 EMPLOYEES OF THE LICENSED SECURITY GUARD AGENCY TO THE STATE OR THE
15 FEDERAL GOVERNMENT;

16 (3) A CERTIFICATE FROM AN INSURANCE CARRIER OR, AS
17 AUTHORIZED BY THE SECRETARY, OTHER DOCUMENTATION SHOWING THAT THE
18 LICENSED SECURITY GUARD AGENCY HAS IN EFFECT WORKERS' COMPENSATION
19 INSURANCE FOR ITS COVERED EMPLOYEES, AS DEFINED IN § 9-101 OF THE LABOR
20 AND EMPLOYMENT ARTICLE; AND

21 (4) A RECEIPT FROM THE COMPTROLLER'S OFFICE OR, AS AUTHORIZED
22 BY THE SECRETARY, OTHER DOCUMENTATION SHOWING THAT THE STATE INCOME
23 TAX OF THE LICENSED SECURITY GUARD AGENCY HAS BEEN PAID FOR THE PAST
24 CALENDAR YEAR.

25 (B) IF THE SECRETARY DOES NOT RECEIVE THE DOCUMENTS REQUIRED
26 UNDER SUBSECTION (A) OF THIS SECTION ON OR BEFORE APRIL 15, THE SECRETARY
27 SHALL CHARGE THE LICENSEE A LATE FEE OF \$10 PER DAY UNTIL THE DOCUMENTS
28 ARE RECEIVED.

29 (C) THE SECRETARY MAY INSPECT ANY OF THE BUSINESS RECORDS OF A
30 LICENSEE THAT RELATE TO ANY MATTER THAT IS SUBJECT TO CERTIFICATION OR
31 DOCUMENTATION UNDER THIS SECTION.

32 19-310.

33 (A) EACH LICENSEE SHALL MAINTAIN AN OFFICE IN THE STATE.

34 (B) EACH LICENSEE SHALL KEEP IN AN OFFICE IN THE STATE ALL FILES OR
35 OTHER RECORDS THAT:

36 (1) ARE MADE IN THE STATE; AND

37 (2) RELATE TO AN INVESTIGATION IN THE STATE.

16

1 19-311.

2 (A) (1) WITHIN 5 DAYS AFTER THE CHANGE, A LICENSEE SHALL SUBMIT TO
3 THE SECRETARY WRITTEN NOTICE OF:

4 (I) THE ADDITION OF A BRANCH OFFICE; AND

5 (II) ANY CHANGE IN THE ADDRESS OF AN EXISTING OFFICE.

6 (2) THE LICENSEE SHALL SUBMIT WITH THE NOTICE:

7 (I) THE AGENCY LICENSE CERTIFICATE; AND

8 (II) IF THE PROPOSED CHANGE AFFECTS AN EXISTING BRANCH
9 OFFICE, THE BRANCH OFFICE CERTIFICATE FOR THAT OFFICE.

10 (3) THE SECRETARY MAY:

11 (I) ENDORSE THE CHANGE ON THE AGENCY LICENSE
12 CERTIFICATE AND, IF APPLICABLE, ON THE BRANCH OFFICE CERTIFICATE OF THE
13 AFFECTED BRANCH OFFICE; OR

14 (II) ISSUE A NEW AGENCY LICENSE CERTIFICATE AND, IF
15 APPLICABLE, A NEW BRANCH OFFICE CERTIFICATE, BOTH OF WHICH SHALL SET
16 FORTH THE SAME DATE AS THE ORIGINAL AGENCY LICENSE CERTIFICATE.

17 (B) WITHIN 5 DAYS AFTER THE OCCURRENCE, A FIRM SHALL SUBMIT TO THE
18 SECRETARY WRITTEN NOTICE OF:

19 (1) THE WITHDRAWAL OF ANY FIRM MEMBER; AND

20 (2) THE DEATH OF ANY FIRM MEMBER.

21 19-312.

22 (A) EACH LICENSED SECURITY GUARD AGENCY SHALL DISPLAY AT ALL
23 TIMES:

24 (1) THE AGENCY LICENSE CERTIFICATE IN A CONSPICUOUS PLACE IN
25 THE PRINCIPAL OFFICE OF THE SECURITY GUARD AGENCY; AND

26 (2) EACH BRANCH OFFICE CERTIFICATE IN A CONSPICUOUS PLACE IN
27 THE AGENCY BRANCH OFFICE FOR WHICH THE CERTIFICATE WAS ISSUED.

28 (B) (1) IF AN AGENCY LICENSE CERTIFICATE OR BRANCH OFFICE
29 CERTIFICATE IS LOST OR DESTROYED, THE LICENSEE IMMEDIATELY SHALL NOTIFY
30 THE SECRETARY.

31 (2) ON RECEIPT OF NOTICE OF THE LOSS OR DESTRUCTION OF AN
32 AGENCY LICENSE CERTIFICATE OR BRANCH OFFICE CERTIFICATE, THE SECRETARY
33 MAY ISSUE A DUPLICATE.

17

1 19-313.

2 (A) SUBJECT TO THE HEARING PROVISIONS OF § 19-315 OF THIS SUBTITLE,
3 THE SECRETARY MAY DENY A LICENSE TO ANY APPLICANT, REPRIMAND ANY
4 LICENSEE, OR SUSPEND OR REVOKE A LICENSE IF THE APPLICANT OR LICENSEE:

5 (1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO
6 OBTAIN A LICENSE FOR THE APPLICANT OR LICENSEE OR FOR ANOTHER;

7 (2) FRAUDULENTLY OR DECEPTIVELY USES A LICENSE;

8 (3) AIDS AN INDIVIDUAL TO OBTAIN OR TO ATTEMPT TO OBTAIN
9 FRAUDULENTLY OR DECEPTIVELY CERTIFICATION UNDER THIS TITLE AS A
10 SECURITY GUARD;

11 (4) WHILE NOT LICENSED, WILLFULLY ENGAGES IN A BUSINESS
12 PROVIDING SECURITY GUARDS SERVICES IN THE STATE;

13 (5) WHILE NOT LICENSED, WILLFULLY ADVERTISES:

14 (I) AS A SECURITY GUARD AGENCY; OR

15 (II) THE PROVISION OF SECURITY GUARD SERVICES;

16 (6) WILLFULLY MAKES A FALSE STATEMENT OR MISREPRESENTATION
17 THAT AN INDIVIDUAL IS OR WAS IN THE EMPLOY OF THE APPLICANT OR LICENSEE;

18 (7) WILLFULLY MAKES A FALSE STATEMENT OR MISREPRESENTATION
19 IN ANY RENEWAL APPLICATION, IN ANY ANNUAL STATEMENT, OR IN ANY OTHER
20 REPORT OR DOCUMENT THAT THE SECRETARY REQUIRES TO BE SUBMITTED;

21 (8) FAILS TO NOTIFY THE SECRETARY ABOUT ANY CHANGE AMONG
22 THE FIRM MEMBERS OR IN THE ADDRESS OF THE PRINCIPAL OFFICE OR ANY
23 BRANCH OFFICE OF A LICENSEE;

24 (9) FAILS TO MAINTAIN A BOND AS REQUIRED BY § 19-503 OF THIS
25 TITLE;

26 (10) FAILS TO MAINTAIN THE LIABILITY INSURANCE REQUIRED UNDER §
27 19-504 OF THIS TITLE; OR

28 (11) VIOLATES ANY OTHER PROVISION OF THIS TITLE.

29 (B) FOR PURPOSES OF THIS SECTION, AN ACT OR OMISSION OF ANY
30 PRINCIPAL, AGENT, OR EMPLOYEE OF AN APPLICANT OR LICENSEE MAY BE
31 CONSTRUED TO BE THE ACT OR OMISSION OF THE APPLICANT OR LICENSEE, AS
32 WELL AS OF THE PRINCIPAL, AGENT, OR EMPLOYEE.

33 19-314.

34 (A) SUBJECT TO THIS SECTION, THE SECRETARY SHALL COMMENCE
35 PROCEEDINGS UNDER § 19-313 OF THIS SUBTITLE ON THE SECRETARY'S OWN
36 COMPLAINT OR ON A COMPLAINT MADE TO THE SECRETARY BY ANY PERSON.

37 (B) (1) A COMPLAINT SHALL:

18

1 (I) BE IN WRITING;

2 (II) BE SIGNED BY THE COMPLAINANT; AND

3 (III) STATE SPECIFICALLY THE FACTS ON WHICH THE COMPLAINT IS
4 BASED.

5 (2) IF A COMPLAINT IS MADE BY ANY PERSON OTHER THAN THE
6 SECRETARY, THE COMPLAINT SHALL BE MADE UNDER OATH BY THE PERSON WHO
7 SUBMITS THE COMPLAINT.

8 (C) (1) ON RECEIPT OF A COMPLAINT THAT ALLEGES FACTS THAT ARE
9 GROUNDS FOR ACTION UNDER § 19-313 OF THIS SUBTITLE, THE SECRETARY SHALL
10 APPOINT AN OFFICER OF THE DEPARTMENT OF STATE POLICE, WITH THE RANK OF
11 LIEUTENANT OR ABOVE, AS THE INVESTIGATING OFFICER FOR THE COMPLAINT.

12 (2) THE INVESTIGATING OFFICER MAY ASSIGN RESPONSIBILITY FOR
13 CONDUCTING THE INVESTIGATION TO OTHER MEMBERS OF THE DEPARTMENT OF
14 STATE POLICE.

15 (D) (1) ON CONCLUSION OF THE INVESTIGATION, THE INVESTIGATING
16 OFFICER SHALL DETERMINE WHETHER THERE IS A REASONABLE BASIS TO BELIEVE
17 THAT THERE ARE GROUNDS FOR DISCIPLINARY ACTION UNDER § 19-313 OF THIS
18 SUBTITLE.

19 (2) IF THE INVESTIGATING OFFICER FINDS A REASONABLE BASIS AS
20 PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE SECRETARY SHALL
21 ACT ON THE COMPLAINT AS PROVIDED UNDER § 19-315 OF THIS SUBTITLE.

22 19-315.

23 (A) EXCEPT AS OTHERWISE PROVIDED IN § 10-226 OF THE STATE
24 GOVERNMENT ARTICLE, BEFORE THE SECRETARY TAKES ANY FINAL ACTION
25 UNDER § 19-313 OF THIS SUBTITLE, THE SECRETARY SHALL GIVE THE PERSON
26 AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING
27 BEFORE THE SECRETARY.

28 (B) THE SECRETARY SHALL GIVE NOTICE AND HOLD THE HEARING IN
29 ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

30 (C) THE SECRETARY MAY ADMINISTER OATHS IN CONNECTION WITH ANY
31 PROCEEDING UNDER THIS SECTION.

32 (D) THE HEARING NOTICE TO BE GIVEN TO THE PERSON SHALL BE WRITTEN
33 AND SENT AT LEAST 10 DAYS BEFORE THE HEARING.

34 (E) THE PERSON MAY BE REPRESENTED AT THE HEARING BY COUNSEL.

35 (F) IF, AFTER DUE NOTICE, THE PERSON AGAINST WHOM THE ACTION IS
36 CONTEMPLATED FAILS OR REFUSES TO APPEAR, NEVERTHELESS THE SECRETARY
37 MAY HEAR AND DETERMINE THE MATTER.

19

1 19-316.

2 (A) WITHIN 5 DAYS AFTER THE SECRETARY SUSPENDS OR REVOKES THE
3 LICENSE OF A PERSON, THE PERSON SHALL SURRENDER TO THE SECRETARY THE
4 AGENCY LICENSE CERTIFICATE AND EACH BRANCH OFFICE CERTIFICATE OF THE
5 PERSON.

6 (B) THE SECRETARY MAY NOT REFUND TO A PERSON WHOSE LICENSE IS
7 SUSPENDED OR REVOKED ANY FEE PAID UNDER THIS TITLE.

8 SUBTITLE 4. CERTIFICATION OF SECURITY GUARDS.

9 19-401.

10 (A) EXCEPT AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, A
11 LICENSED SECURITY GUARD AGENCY MAY PROVIDE AN INDIVIDUAL FOR HIRE AS A
12 SECURITY GUARD ONLY IF THE INDIVIDUAL IS CERTIFIED BY THE SECRETARY AS A
13 SECURITY GUARD.

14 (B) A LICENSED SECURITY GUARD AGENCY MAY PROVIDE AN UNCERTIFIED
15 INDIVIDUAL FOR HIRE AS A SECURITY GUARD IF:

16 (1) THE SECURITY GUARD AGENCY HAS SUBMITTED TO THE
17 SECRETARY THE APPLICATION OF THE INDIVIDUAL FOR CERTIFICATION AS A
18 SECURITY GUARD, FINGERPRINT CARDS, AND RECORDS FEE AS REQUIRED UNDER §
19 19-402(B) OF THIS SUBTITLE; AND

20 (2) THE SECRETARY HAS NOT DISAPPROVED THE APPLICATION; OR

21 (3) THE INDIVIDUAL HAS OBTAINED AND CURRENTLY POSSESSES
22 CERTIFICATION BY THE MARYLAND POLICE AND CORRECTIONS TRAINING
23 COMMISSION AS A POLICE OFFICER.

24 19-402.

25 (A) TO QUALIFY FOR CERTIFICATION AS A SECURITY GUARD, AN
26 INDIVIDUAL SHALL:

27 (1) MEET THE STANDARDS SET BY THE SECRETARY;

28 (2) BE AN EMPLOYEE OF OR AN APPLICANT FOR EMPLOYMENT WITH A
29 LICENSED SECURITY GUARD AGENCY;

30 (3) SUBMIT TO THE LICENSED SECURITY GUARD AGENCY, FOR
31 FORWARDING TO THE SECRETARY:

32 (I) A SWORN APPLICATION ON THE FORM THE SECRETARY
33 PROVIDES;

34 (II) TWO SETS OF FINGERPRINT CARDS MARKED WITH THE
35 APPLICANT'S FINGERPRINTS; AND

36 (III) A NONREFUNDABLE APPLICATION FEE OF \$15; AND

20

1 (4) PAY TO THE LICENSED SECURITY GUARD AGENCY, FOR
2 FORWARDING TO THE SECRETARY, THE COST OF THE FINGERPRINT CARD RECORD
3 CHECKS.

4 (B) ON RECEIPT FROM AN APPLICANT FOR CERTIFICATION AS A SECURITY
5 GUARD, A LICENSED SECURITY GUARD AGENCY SHALL FORWARD TO THE
6 SECRETARY THE APPLICANT'S APPLICATION FORM, FINGERPRINT CARDS, AND
7 RECORDS FEE.

8 19-403.

9 (A) THE SECRETARY SHALL CERTIFY AS A SECURITY GUARD EACH
10 INDIVIDUAL WHOSE APPLICATION HAS BEEN SUBMITTED AS REQUIRED BY THIS
11 SUBTITLE AND WHO MEETS THE REQUIREMENTS OF THIS SUBTITLE.

12 (B) WITHIN 5 DAYS AFTER THE SECRETARY DENIES THE APPLICATION OF AN
13 INDIVIDUAL FOR CERTIFICATION AS A SECURITY GUARD, THE SECRETARY SHALL
14 SEND WRITTEN NOTICE OF THE DENIAL TO THE LICENSED SECURITY GUARD
15 AGENCY THAT SUBMITTED THE APPLICATION.

16 19-404.

17 WHILE CERTIFICATION OF AN INDIVIDUAL AS A SECURITY GUARD IS IN
18 EFFECT, THE CERTIFICATION AUTHORIZES THE INDIVIDUAL TO REPRESENT TO THE
19 PUBLIC THAT THE INDIVIDUAL IS CERTIFIED BY THE SECRETARY FOR
20 EMPLOYMENT AS A SECURITY GUARD.

21 19-405.

22 (A) THE SECRETARY SHALL ISSUE TO EACH INDIVIDUAL WHO IS CERTIFIED
23 AS A SECURITY GUARD UNDER THIS SUBTITLE A CERTIFICATION CARD THAT
24 IDENTIFIES THE INDIVIDUAL AS A CERTIFIED SECURITY GUARD.

25 (B) (1) SUBJECT TO THIS SUBSECTION, THE SECRETARY SHALL DETERMINE
26 THE FORM AND CONTENT OF THE CERTIFICATION CARD.

27 (2) THE CERTIFICATION CARD SHALL BE OF A SIZE AND MADE OF
28 MATERIALS APPROPRIATE FOR ITS INTENDED USE, AS PROVIDED UNDER § 19-406 OF
29 THIS SUBTITLE.

30 (3) THE CERTIFICATION CARD SHALL CONTAIN:

31 (I) A STATEMENT THAT IN SUBSTANCE SPECIFIES THAT THE
32 INDIVIDUAL IS CERTIFIED BY THE SECRETARY AS A SECURITY GUARD; AND

33 (II) ANY INFORMATION THAT THE SECRETARY CONSIDERS
34 APPROPRIATE TO:

35 1. IDENTIFY THE INDIVIDUAL; OR

36 2. SPECIFY THE AUTHORITY OF THE INDIVIDUAL.

21

1 19-406.

2 (A) AT ANY TIME THAT A CERTIFIED SECURITY GUARD PROVIDES A
3 SECURITY GUARD SERVICE, THE SECURITY GUARD SHALL CARRY THE
4 CERTIFICATION CARD ISSUED UNDER § 19-405 OF THIS SUBTITLE.

5 (B) ON REQUEST OF A LAW ENFORCEMENT OFFICER, A CERTIFIED SECURITY
6 GUARD SHALL SHOW THE SECURITY GUARD'S CERTIFICATION CARD.

7 19-407.

8 WHENEVER A SECURITY GUARD IS IN UNIFORM, THE SECURITY GUARD SHALL
9 WEAR A BADGE THAT IS:

10 (1) OF A DESIGN APPROVED BY THE SECRETARY; AND

11 (2) ISSUED BY THE LICENSED SECURITY GUARD AGENCY THAT
12 EMPLOYS THE SECURITY GUARD.

13 19-408.

14 SUBJECT TO THE HEARING PROVISIONS OF § 19-410 OF THIS SUBTITLE, THE
15 SECRETARY MAY DENY CERTIFICATION AS A SECURITY GUARD TO ANY APPLICANT,
16 REPRIMAND ANY INDIVIDUAL CERTIFIED AS A SECURITY GUARD, OR SUSPEND OR
17 REVOKE THE CERTIFICATION OF AN INDIVIDUAL:

18 (1) FOR ANY APPLICABLE GROUND UNDER § 19-313 OF THIS TITLE;

19 (2) IF THE APPLICANT OR INDIVIDUAL FRAUDULENTLY OR
20 DECEPTIVELY OBTAINS OR ATTEMPTS TO OBTAIN CERTIFICATION AS A SECURITY
21 GUARD FOR THE APPLICANT OR INDIVIDUAL OR FOR ANOTHER; OR

22 (3) IF THE APPLICANT OR INDIVIDUAL FAILS TO MAINTAIN THE
23 STANDARDS SET BY THE SECRETARY FOR CERTIFICATION AS A SECURITY GUARD.

24 19-409.

25 (A) SUBJECT TO THIS SECTION, THE SECRETARY SHALL COMMENCE
26 PROCEEDINGS UNDER § 19-408 OF THIS SUBTITLE ON THE SECRETARY'S OWN
27 COMPLAINT OR ON A COMPLAINT MADE TO THE SECRETARY BY ANY PERSON.

28 (B) (1) A COMPLAINT SHALL:

29 (I) BE IN WRITING;

30 (II) BE SIGNED BY THE COMPLAINANT; AND

31 (III) STATE SPECIFICALLY THE FACTS ON WHICH THE COMPLAINT IS
32 BASED.

33 (2) IF A COMPLAINT IS MADE BY ANY PERSON OTHER THAN THE
34 SECRETARY THE COMPLAINT SHALL BE MADE UNDER OATH BY THE PERSON WHO
35 SUBMITS THE COMPLAINT.

36 (C) (1) ON RECEIPT OF A COMPLAINT THAT ALLEGES FACTS THAT ARE
37 GROUNDS FOR ACTION UNDER § 19-408 OF THIS SUBTITLE, THE SECRETARY SHALL

22

1 APPOINT AN OFFICER OF THE DEPARTMENT OF STATE POLICE, WITH THE RANK OF
2 LIEUTENANT OR ABOVE, AS THE INVESTIGATING OFFICER FOR THE COMPLAINT.

3 (2) THE INVESTIGATING OFFICER MAY ASSIGN RESPONSIBILITY FOR
4 CONDUCTING THE INVESTIGATION TO OTHER MEMBERS OF THE DEPARTMENT OF
5 STATE POLICE.

6 (D) (1) ON CONCLUSION OF THE INVESTIGATION, THE INVESTIGATING
7 OFFICER SHALL DETERMINE WHETHER THERE IS A REASONABLE BASIS TO BELIEVE
8 THAT THERE ARE GROUNDS FOR DISCIPLINARY ACTION UNDER § 19-408 OF THIS
9 SUBTITLE.

10 (2) IF THE INVESTIGATING OFFICER FINDS A REASONABLE BASIS AS
11 PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE SECRETARY SHALL
12 ACT ON THE COMPLAINT AS PROVIDED UNDER § 19-410 OF THIS SUBTITLE.

13 19-410.

14 (A) EXCEPT AS OTHERWISE PROVIDED IN § 10-226 OF THE STATE
15 GOVERNMENT ARTICLE, BEFORE THE SECRETARY TAKES ANY FINAL ACTION
16 UNDER § 19-408 OF THIS SUBTITLE, THE SECRETARY SHALL GIVE THE INDIVIDUAL
17 AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING
18 BEFORE THE SECRETARY.

19 (B) THE SECRETARY SHALL GIVE NOTICE AND HOLD THE HEARING IN
20 ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

21 (C) THE SECRETARY MAY ADMINISTER OATHS IN CONNECTION WITH ANY
22 PROCEEDING UNDER THIS SECTION.

23 (D) THE HEARING NOTICE TO BE GIVEN TO THE INDIVIDUAL SHALL BE
24 WRITTEN AND SENT AT LEAST 10 DAYS BEFORE THE HEARING.

25 (E) THE INDIVIDUAL MAY BE REPRESENTED AT THE HEARING BY COUNSEL.

26 (F) IF, AFTER DUE NOTICE, THE INDIVIDUAL AGAINST WHOM THE ACTION IS
27 CONTEMPLATED FAILS OR REFUSES TO APPEAR, NEVERTHELESS THE SECRETARY
28 MAY HEAR AND DETERMINE THE MATTER.

29 19-411.

30 WITHIN 5 DAYS AFTER THE SECRETARY SUSPENDS OR REVOKES THE
31 CERTIFICATION OF AN INDIVIDUAL AS SECURITY GUARD, THE INDIVIDUAL SHALL
32 SURRENDER TO THE SECRETARY THE CERTIFICATION CARD OF THE INDIVIDUAL.

33 SUBTITLE 5. MISCELLANEOUS PROVISIONS.

34 19-501.

35 A LICENSED SECURITY GUARD AGENCY IS RESPONSIBLE FOR THE ACTS OF
36 EACH OF ITS EMPLOYEES WHILE THE EMPLOYEE IS CONDUCTING THE BUSINESS OF
37 THE AGENCY.

23

1 19-502.

2 (A) THE OFFICES OF EACH SECURITY GUARD AGENCY SHALL BE SUPERVISED
3 BY AN INDIVIDUAL WHO:

4 (1) IS A RESIDENT OF THE STATE; AND

5 (2) (I) HOLDS, AS AN INDIVIDUAL, THE LICENSE OF THE SECURITY
6 GUARD AGENCY; OR

7 (II) IS THE REPRESENTATIVE MEMBER OF THE SECURITY GUARD
8 AGENCY APPOINTED UNDER § 19-302(B) OF THIS TITLE.

9 (B) IF A SECURITY GUARD AGENCY IS A FIRM, THE AGENCY SHALL NOTIFY
10 THE SECRETARY ABOUT:

11 (1) THE IDENTITY OF THE INDIVIDUAL SERVING AS THE
12 REPRESENTATIVE MEMBER OF THE AGENCY; AND

13 (2) EACH VACANCY IN THAT POSITION.

14 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
15 SECURITY GUARD AGENCY SHALL APPOINT A REPRESENTATIVE MEMBER WITHIN 90
16 DAYS AFTER A VACANCY OCCURS IN THE POSITION.

17 (2) IF THE VACANCY IS CAUSED BY THE DEATH OF OR AN
18 INCAPACITATING INJURY TO THE REPRESENTATIVE MEMBER, THE SECURITY
19 GUARD AGENCY SHALL APPOINT A REPLACEMENT WITHIN 180 DAYS AFTER THE
20 VACANCY OCCURS.

21 (D) IF A LICENSED SECURITY GUARD AGENCY FAILS TO APPOINT A
22 REPRESENTATIVE MEMBER AS REQUIRED UNDER SUBSECTION (C) OF THIS
23 SECTION, THE LICENSE OF THE SECURITY GUARD AGENCY:

24 (1) IS SUSPENDED AUTOMATICALLY; AND

25 (2) SHALL REMAIN SUSPENDED UNTIL THE AGENCY COMPLIES WITH
26 THE REQUIREMENTS.

27 (E) THE SECRETARY MAY ADOPT REGULATIONS TO CARRY OUT THIS
28 SECTION.

29 19-503.

30 (A) (1) SUBJECT TO THIS SECTION, AN APPLICANT FOR A LICENSE SHALL
31 EXECUTE A BOND THAT IS CONDITIONED ON THE FAITHFUL AND HONEST CONDUCT
32 OF THE APPLICANT AND RUNS TO THE STATE FOR THE BENEFIT OF ANY PERSON
33 INJURED BY ANY WRONGFUL ACT OF THE APPLICANT THAT IS WILLFUL OR
34 MALICIOUS.

35 (2) THE APPLICANT SHALL SUBMIT THE BOND TO THE SECRETARY
36 WITH THE LICENSE APPLICATION.

37 (B) (1) THE AMOUNT OF THE BOND REQUIRED UNDER SUBSECTION (A) OF
38 THIS SECTION SHALL BE AT LEAST:

24

1 (I) \$3,000, IF THE APPLICANT IS AN INDIVIDUAL; OR

2 (II) \$5,000, IF THE APPLICANT IS A FIRM.

3 (2) THE TOTAL LIABILITY OF THE SURETY TO ALL INSURED PERSONS
4 UNDER THE BOND MAY NOT EXCEED THE PENAL SUM OF THE BOND.

5 (C) A LICENSEE SHALL KEEP IN EFFECT AT ALL TIMES A BOND THAT MEETS
6 THE REQUIREMENTS OF THIS SECTION.

7 (D) (1) IF A LICENSEE'S BOND IS CANCELED, FORFEITED, OR TERMINATED
8 BY THE SURETY, THE SURETY IMMEDIATELY SHALL NOTIFY THE SECRETARY.

9 (2) IF A SURETY FAILS TO NOTIFY THE SECRETARY AS REQUIRED BY
10 THIS SUBSECTION, THE BOND SHALL CONTINUE IN EFFECT UNTIL THE NOTICE IS
11 GIVEN TO THE SECRETARY.

12 19-504.

13 (A) A SECURITY GUARD AGENCY THAT EMPLOYS FIVE OR MORE
14 INDIVIDUALS AS SECURITY GUARDS SHALL:

15 (1) MAINTAIN GENERAL LIABILITY INSURANCE IN AN AMOUNT NOT
16 LESS THAN \$100,000; AND

17 (2) SUBMIT PROOF OF THE REQUIRED INSURANCE TO THE SECRETARY.

18 (B) (1) IF AN APPLICANT FOR A LICENSE INTENDS TO EMPLOY FIVE OR
19 MORE INDIVIDUALS AS SECURITY GUARDS, THE APPLICANT SHALL SUBMIT PROOF
20 OF THE LIABILITY INSURANCE REQUIRED UNDER SUBSECTION (A) OF THIS SECTION
21 TO THE SECRETARY WITH THE LICENSE APPLICATION.

22 (2) THE SECRETARY MAY NOT ISSUE A LICENSE TO AN APPLICANT TO
23 WHOM THE INSURANCE REQUIREMENTS OF THIS SECTION WOULD APPLY UNLESS
24 THE APPLICANT SUBMITS PROOF OF THE INSURANCE.

25 (C) IF THE INSURANCE REQUIRED FOR A SECURITY GUARD AGENCY UNDER
26 THIS SECTION IS CANCELED, FORFEITED, OR OTHERWISE TERMINATED, BOTH THE
27 SECURITY GUARD AGENCY AND THE INSURER SHALL NOTIFY THE SECRETARY.

28 19-505.

29 (A) A NONRESIDENT APPLICANT FOR A LICENSE SHALL SUBMIT TO THE
30 SECRETARY OF STATE A CONSENT, AS PROVIDED UNDER THIS SECTION.

31 (B) THE CONSENT REQUIRED UNDER THIS SECTION SHALL:

32 (1) SPECIFY THAT SERVICE OF PROCESS ON THE SECRETARY OF STATE
33 SHALL BIND THE APPLICANT IN ANY ACTION, SUIT, OR PROCEEDING BROUGHT
34 AGAINST THE APPLICANT;

35 (2) SPECIFY THAT AN ACTION, SUIT, OR PROCEEDING MAY BE
36 BROUGHT AGAINST THE APPLICANT IN ANY COUNTY WHERE:

37 (I) THE CAUSE OF ACTION AROSE; OR

25

1 (II) THE PLAINTIFF RESIDES; AND

2 (3) BE SIGNED BY THE REPRESENTATIVE MEMBER OF THE APPLICANT.

3 (C) IN ADDITION TO SUBMITTING A CONSENT, A NONRESIDENT APPLICANT
4 SHALL SUBMIT TO THE SECRETARY OF STATE A CERTIFIED COPY OF A RESOLUTION
5 ADOPTED BY THE FIRM THAT CONFIRMS THAT THE FIRM MEMBERS, BOARD OF
6 DIRECTORS, OR OTHER MANAGING BOARD OF THE FIRM AUTHORIZED THE
7 REPRESENTATIVE MEMBER TO EXECUTE AND SUBMIT THE CONSENT ON BEHALF OF
8 THE FIRM.

9 (D) AN APPLICANT WHO IS REQUIRED UNDER THIS SECTION TO SUBMIT A
10 CONSENT OR A CONSENT AND AUTHORIZATION TO THE SECRETARY OF STATE
11 SHALL SUBMIT COPIES OF THE SIGNED DOCUMENTS TO THE SECRETARY.

12 (E) THE SECRETARY MAY NOT ISSUE A LICENSE TO A NONRESIDENT
13 APPLICANT, UNLESS THE NONRESIDENT APPLICANT COMPLIES WITH THE
14 REQUIREMENTS OF SUBSECTIONS (A) THROUGH (D) OF THIS SECTION.

15 (F) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, SERVICE OF
16 PROCESS ON THE SECRETARY OF STATE BINDS A PERSON WHO HAS SUBMITTED A
17 CONSENT TO THE SECRETARY OF STATE, AS REQUIRED UNDER THIS SECTION.

18 (2) IF SERVICE OF PROCESS IS MADE ON THE SECRETARY OF STATE AS
19 AUTHORIZED UNDER THIS SECTION, THE PERSON INITIATING THE ACTION, SUIT, OR
20 PROCEEDING IMMEDIATELY SHALL SEND A COPY, BY CERTIFIED MAIL, RETURN
21 RECEIPT REQUESTED, TO THE PRINCIPAL OFFICE IN THE STATE OF THE PERSON
22 AGAINST WHOM THE ACTION, SUIT, OR PROCEEDING IS DIRECTED.

23 (3) AS TO ANY PERSON WHO SUBMITS A CONSENT AS REQUIRED UNDER
24 THIS SECTION, ANY ACTION, SUIT, OR PROCEEDING MAY BE BROUGHT IN ANY
25 COUNTY WHERE:

26 (I) THE CAUSE OF ACTION AROSE; OR

27 (II) THE PLAINTIFF RESIDES.

28 19-506.

29 (A) A SECURITY GUARD AGENCY MAY NOT DIVULGE INFORMATION
30 OBTAINED WHILE PROVIDING SERVICES UNLESS:

31 (1) DIRECTED BY THE CLIENT FOR WHOM THE SERVICES ARE
32 PROVIDED;

33 (2) AUTHORIZED BY SUBSECTION (B) OF THIS SECTION; OR

34 (3) REQUIRED BY LAW.

35 (B) IF, WHILE PROVIDING SERVICES, A SECURITY GUARD AGENCY OBTAINS
36 ANY INFORMATION ABOUT A CRIMINAL OFFENSE, THE AGENCY MAY DIVULGE THE
37 INFORMATION TO:

38 (1) A LAW ENFORCEMENT OFFICER;

26

1 (2) THE ATTORNEY GENERAL OR A REPRESENTATIVE OF THE
2 ATTORNEY GENERAL; OR

3 (3) A STATE'S ATTORNEY OR A REPRESENTATIVE OF A STATE'S
4 ATTORNEY.

5 (C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, AN
6 INDIVIDUAL WHO IS EMPLOYED BY A SECURITY GUARD AGENCY MAY NOT
7 DIVULGE TO ANYONE OTHER THAN TO AUTHORIZED STAFF OF THE AGENCY ANY
8 INFORMATION THAT:

9 (1) WAS ACQUIRED BY THE EMPLOYEE OR OTHER AGENCY STAFF
10 WHILE PROVIDING SERVICES FOR THE AGENCY; AND

11 (2) RELATES TO THE ASSIGNMENT IN WHICH SERVICES ARE PROVIDED.

12 (D) AN EMPLOYEE OF A SECURITY GUARD AGENCY MAY DIVULGE
13 INFORMATION THAT IS RESTRICTED UNDER SUBSECTION (C) OF THIS SECTION:

14 (1) AS DIRECTED BY THE SECURITY GUARD AGENCY; OR

15 (2) ON A REQUEST MADE BY THE SECRETARY IN THE COURSE OF AN
16 INVESTIGATION BY THE SECRETARY.

17 19-507.

18 (A) IN THIS SECTION, "AGENCY EQUIPMENT" MEANS A BADGE, CLOTHING, OR
19 OTHER EQUIPMENT THAT:

20 (1) BELONGS TO A SECURITY GUARD AGENCY; AND

21 (2) BEARS THE NAME, TRADE NAME, OR TRADEMARK OF THE
22 SECURITY GUARD AGENCY.

23 (B) IF A SECURITY GUARD AGENCY ISSUES AGENCY EQUIPMENT FOR USE BY
24 AN INDIVIDUAL WHO IS ASSOCIATED WITH OR EMPLOYED BY THE AGENCY, THE
25 INDIVIDUAL SHALL RETURN THE AGENCY EQUIPMENT TO THE AGENCY WITHIN 10
26 DAYS AFTER:

27 (1) THE TERMINATION OF THE INDIVIDUAL'S ASSOCIATION OR
28 EMPLOYMENT WITH THE AGENCY; OR

29 (2) THE WRITTEN REQUEST OF AN AUTHORIZED REPRESENTATIVE OF
30 THE AGENCY.

31 19-508.

32 IF A CERTIFIED SECURITY GUARD LOSES A CERTIFICATION CARD, THE
33 SECURITY GUARD IMMEDIATELY SHALL GIVE THE SUPERINTENDENT NOTICE OF
34 THE LOSS AND THE CIRCUMSTANCES REGARDING THE LOSS.

27

1 SUBTITLE 6. PROHIBITED ACTS; PENALTIES.

2 19-601.

3 A PERSON MAY NOT ENGAGE IN, ATTEMPT TO ENGAGE IN, OR OFFER TO
4 ENGAGE IN THE BUSINESS OF PROVIDING SECURITY GUARDS FOR HIRE IN THE
5 STATE UNLESS LICENSED AS A SECURITY GUARD AGENCY BY THE SECRETARY.

6 19-602.

7 (A) UNLESS AUTHORIZED UNDER THIS TITLE TO ENGAGE IN BUSINESS FOR
8 THE PURPOSE OF PROVIDING SECURITY GUARD SERVICES, A PERSON MAY NOT
9 REPRESENT TO THE PUBLIC, BY USE OF A TITLE, INCLUDING "LICENSED SECURITY
10 GUARD AGENCY", "SECURITY GUARD AGENCY", OR "SECURITY GUARDS", BY
11 DESCRIPTION OF SERVICES, METHODS, OR PROCEDURES, OR OTHERWISE, THAT THE
12 PERSON IS AUTHORIZED TO ENGAGE IN THE BUSINESS OF PROVIDING SECURITY
13 GUARD SERVICES IN THE STATE.

14 (B) UNLESS AN INDIVIDUAL IS CERTIFIED AS A SECURITY GUARD UNDER
15 THIS TITLE, THE INDIVIDUAL MAY NOT REPRESENT TO THE PUBLIC, BY USE OF A
16 TITLE, INCLUDING "CERTIFIED SECURITY GUARD", OR BY USE OF A BADGE OR
17 IDENTIFICATION CARD, THAT THE INDIVIDUAL IS CERTIFIED AS A SECURITY
18 GUARD UNDER THIS TITLE.

19 19-603.

20 (A) EXCEPT AS AUTHORIZED UNDER THIS TITLE, A SECURITY GUARD
21 AGENCY MAY NOT PROVIDE ANY PERSON WITH A BADGE OR A CERTIFICATION
22 CARD OR OTHER DOCUMENT INDICATING THAT ANY INDIVIDUAL IS A SECURITY
23 GUARD.

24 (B) A CERTIFIED SECURITY GUARD MAY NOT LEND THE SECURITY GUARD'S
25 CERTIFICATION CARD OR BADGE TO ANOTHER PERSON OR ALLOW ANOTHER
26 PERSON TO USE OR DISPLAY THE CARD OR BADGE.

27 (C) REGARDLESS OF ANY ASSOCIATION THAT AN INDIVIDUAL MAY HAVE
28 WITH A SECURITY GUARD AGENCY, UNLESS AUTHORIZED UNDER THIS TITLE, THE
29 INDIVIDUAL MAY NOT WEAR OR CARRY A BADGE THAT:

30 (1) REPRESENTS THAT THE INDIVIDUAL IS A SECURITY GUARD; OR

31 (2) OTHERWISE REPRESENTS THAT THE INDIVIDUAL IS ASSOCIATED
32 WITH A SECURITY GUARD AGENCY.

33 19-604.

34 (A) (1) A LICENSEE MAY NOT DISPLAY OR ALLOW TO BE DISPLAYED THE
35 AGENCY LICENSE CERTIFICATE AT ANY LOCATION OTHER THAN THE PRINCIPAL
36 OFFICE OF THE LICENSEE, AS SPECIFIED IN THE CERTIFICATE.

37 (2) A LICENSEE MAY NOT DISPLAY OR ALLOW TO BE DISPLAYED A
38 BRANCH OFFICE CERTIFICATE AT ANY LOCATION OTHER THAN THE BRANCH
39 OFFICE SPECIFIED IN THE CERTIFICATE.

28

1 (B) A LICENSEE MAY NOT KNOWINGLY ALTER, DEFACE, OR DESTROY OR
2 KNOWINGLY ALLOW THE ALTERATION, DEFACEMENT, OR DESTRUCTION OF AN
3 AGENCY LICENSE CERTIFICATE OR BRANCH OFFICE CERTIFICATE.

4 19-605.

5 A PERSON MAY NOT WILLFULLY MAKE A FALSE STATEMENT ON ANY
6 APPLICATION FORM, ANNUAL STATEMENT, OR OTHER DOCUMENT SUBMITTED TO
7 THE SECRETARY UNDER THIS TITLE.

8 19-606.

9 AN INDIVIDUAL WHOM A LICENSEE EMPLOYS AS A SECURITY GUARD MAY NOT
10 WILLFULLY MAKE A FALSE STATEMENT OR REPORT TO THE LICENSEE ABOUT
11 SERVICES PROVIDED BY THE LICENSEE.

12 19-607.

13 A PERSON WHO VIOLATES ANY PROVISION OF THIS TITLE IS GUILTY OF A
14 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000
15 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

16 SUBTITLE 7. SHORT TITLE.

17 19-701.

18 THIS TITLE MAY BE CITED AS THE "MARYLAND SECURITY GUARDS ACT".

19 SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding the
20 provisions of Section 2 of this Act, a person that is already licensed or an individual who
21 is already certified before October 1, 1996, is not required to obtain a new license until
22 the date of the next license renewal.

23 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 1996.