

Amendment to SB 636-FN

1 Amend the bill by replacing section 1 with the following:

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3 1 New Paragraph; Department of Safety; Duties of Commissioner; Authority to Appoint Security  
4 Officers. Amend RSA 21-P:4 by inserting after paragraph XVI the following new paragraph:

5 XVII.(a) Have discretion to grant to security officers assigned to protect one or more  
6 department facilities and grounds such powers as the commissioner deems necessary to quell  
7 disturbances, including the power to detain, for up to 2 hours, persons who are creating a  
8 disturbance or whom they have reasonable grounds to believe have committed any offense under the  
9 laws of the state. In this paragraph, a "disturbance" means behavior or actions that disrupt the  
10 orderly conduct of business in a department facility, including bitter exchanges, vulgarities, or  
11 abusive, offensive, or insulting comments that impede the orderly disposition of an administrative  
12 due process hearing, and any acts of violence or intimidation.

13 (b) A security officer who has detained a person shall, as soon as practicable, surrender  
14 the person to a state trooper, deputy sheriff, or local police officer having jurisdiction in the  
15 geographical area where the detention occurred. Any detention shall be accomplished in a  
16 reasonable manner and shall not exceed 2 hours.

17 (c) Each security officer employed on or after the effective date of this paragraph shall be  
18 required to pass a criminal history check, a background investigation, and a psychological evaluation  
19 approved by the commissioner, a physical examination by a licensed physician at the department's  
20 expense, and an initial training program approved by the commissioner and annual refresher  
21 training. The security officer shall serve a one-year term, at the pleasure of the commissioner, and  
22 shall be issued such equipment and weapons as the commissioner designates, subsequent to formal  
23 training in their usage and periodic retraining. The security officer shall serve in business attire  
24 with a suitable badge or other identification or in a distinctive uniform, as determined by the  
25 commissioner.

26 (d) A security officer shall submit a written report regarding any detention, use of  
27 physical force, or taking into custody of any person to the commissioner, or the commissioner's  
28 designee, and to the division of state police. The division of state police shall be responsible for any  
29 court prosecution arising from such incident.

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31 Amend RSA 21-P:7-d, IV as inserted by section 2 of the bill by replacing it with the following:

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1           IV. Security officers shall not be required to meet all of the physical, training and  
2 educational requirements of RSA 106-L:6, but may attend and participate in training programs at  
3 the police standards and training council and, upon successfully completing such programs, shall  
4 receive the same academic credits or certifications as other peace officers attending such programs.