

Report on the

# Alabama Security Regulatory Board

Montgomery, Alabama



## Department of Examiners of Public Accounts

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July 20, 2022

Representative Howard Sanderford  
Chairman, Sunset Committee  
Alabama State House  
Montgomery, AL 36130

Dear Representative Sanderford,

This report was prepared to provide information for use by the Sunset Committee in conducting its review and evaluation of the operations of the Alabama Security Regulatory Board in accordance with the *Code of Alabama 1975*, Section 41-20-9.

The report contains unaudited information obtained from the management, staff, and records of the Alabama Security Regulatory Board, in addition to information obtained from other sources.

Please contact me if you have any questions concerning this report.

Sincerely,

A handwritten signature in black ink that reads "Rachel Laurie Riddle".

Rachel Laurie Riddle  
Chief Examiner

**Examiner**  
Charnelle Martin



# CONTENTS

<b>PROFILE .....</b>	<b>1</b>
Purpose/Authority .....	1
Characteristics .....	1
Operations .....	3
Financial .....	3
Licensure .....	4
<b>SIGNIFICANT ISSUES .....</b>	<b>7</b>
<b>STATUS OF PRIOR FINDINGS/SIGNIFICANT ISSUES.....</b>	<b>8</b>
<b>ORGANIZATION.....</b>	<b>9</b>
<b>PERSONNEL .....</b>	<b>9</b>
<b>PERFORMANCE CHARACTERISTICS .....</b>	<b>9</b>
<b>COMPLAINT HANDLING .....</b>	<b>11</b>
<b>REGULATION IN CONJUNCTION WITH OTHER ENTITIES.....</b>	<b>12</b>
<b>FINANCIAL INFORMATION .....</b>	<b>12</b>
Schedule of Fees .....	13
Schedule of Receipts, Disbursements and Balances.....	14
Operating Receipts vs. Operating Disbursements (Chart).....	15
<b>QUESTIONNAIRES.....</b>	<b>17</b>
Board Member Questionnaire.....	17
Armed/Unarmed Security Officer Questionnaire .....	19
Certified Trainer Questionnaire .....	22
Contract Security Company Questionnaire .....	26
Complainant Questionnaire.....	29
<b>APPENDICES .....</b>	<b>30</b>
Applicable Statutes .....	30
Professional Services by Vendor .....	41
Board Members.....	42
Response to Significant Issues.....	43



## **PROFILE**

### **Purpose/Authority**

The Alabama Security Regulatory Board was established in 2009 to provide for the certification and regulation of security officers. The Board's mandated function is to enforce all provisions of the law regulating, certifying, and licensing security officers, security companies, and certified trainers. The Board operates under the authority of the *Code of Alabama* 1975, Section 34-27C-1 through 34-27C-18.

<b><u>Characteristics</u></b>	
<b>Members and Selection</b>	<p>Five Members:</p> <ul style="list-style-type: none"><li>• Two members appointed by the Governor from a list of names submitted by a recognized security association such as the American Society of Industrial Security (ASIS), the National Association of Security Companies (NASCO), or any state or private security service association which may be organized.</li><li>• One consumer member appointed by the Lieutenant Governor.</li><li>• One member appointed by the Speaker of the House of Representatives. The appointee shall be from an entity that employs or has an employee-employer relationship with a contract security company.</li><li>• One member appointed by the Attorney General from a list of names submitted by the Alabama Sheriff's Association.</li></ul> <p><i>Code of Alabama 1975</i>, Section 34-27C-2(a)</p>
<b>Term</b>	<p>Three-year staggered terms. No term limits.</p> <p><i>Code of Alabama 1975</i>, Section 34-27C-2(b)</p>
<b>Qualifications</b>	<p>Members must be citizens of the United States and residents of Alabama.</p> <p><b>Governor Appointees:</b></p> <ul style="list-style-type: none"><li>• Cannot be a licensee.</li><li>• Has not been engaged in the rendering of contract security service for a minimum of three years prior to appointment.</li><li>• Not employed by or affiliated with any other member of the Board.</li></ul>

	<ul style="list-style-type: none"> <li>• Has served for five or more years in a supervisory position in law enforcement in any municipality, county, state, or district attorney’s office.</li> </ul> <p><b>Lieutenant Governor Appointees:</b></p> <ul style="list-style-type: none"> <li>• Consumer member who has not been engaged in the rendering of contract security service.</li> <li>• Not employed by, related to, or affiliated with any other member of the Board or licensee of the Board.</li> </ul> <p><b>Speaker of the House Appointee:</b></p> <ul style="list-style-type: none"> <li>• Must be from an entity that employs or has an employer-employee relationship with a contract security company.</li> </ul> <p><b>Attorney General Appointee:</b></p> <ul style="list-style-type: none"> <li>• Selected from a list of names submitted by the Alabama Sheriffs Association.</li> </ul> <p><i>Code of Alabama 1975, Section 34-27C-2(a)</i></p>
<b>Consumer Representation</b>	<p>One member required by statute. One consumer member serving.</p> <p><i>Code of Alabama 1975, Section 34-27C-2(a)(2)</i></p>
<b>Racial Representation</b>	<p>No specific statutory requirement. One minority serving</p>
<b>Geographical Representation</b>	<p>No specific statutory requirement.</p>
<b>Other Representation</b>	<p>The membership of the Board shall reflect the racial, gender, geographic, urban and rural, and economic diversity of the state.</p> <p><i>Code of Alabama 1975, Section 34-27C-2(a)</i></p>
<b>Compensation</b>	<p>Members of the Board shall receive up to three hundred dollars (\$300) per day, for a maximum of 12 days per year, while performing their official duties, in addition to the same per diem and mileage as provided to state employees. (<i>See Significant Issue 2022-01</i>)</p> <p><i>Code of Alabama 1975, Section 34-27C-2(c)</i></p>



<b>Attended Board Member Training</b>	Four Board Members Executive Director Three Warren and Co. Staff members
<b><u>Operations</u></b>	
<b>Administrator</b>	The Board contracts with Warren & Company, Inc. for management services and office space. The current annual contract amount is \$346,500. Keith Warren, president of Warren & Company, serves as the Executive Director.
<b>Location</b>	2777 Zelda Road Montgomery, AL 36106 Office Hours: M-F 8:30 – 4:30
<b>Employees</b>	None
<b>Legal Counsel</b>	Neva C. Conway, Assistant Attorney General, employee of the Alabama Real Estate Appraisers Board.
<b>Subpoena Power</b>	Yes - Both persons and records.  <i>Code of Alabama 1975</i> , Section 34-27C-3(a)(15)
<b>Internet Presence</b>	<a href="http://www.asrb.alabama.gov/">http://www.asrb.alabama.gov/</a> <ul style="list-style-type: none"> <li>• Home</li> <li>• Board</li> <li>• Minutes</li> <li>• Meeting Schedule</li> <li>• Rules/Regulations</li> <li>• Forms</li> <li>• Disciplinary Actions</li> <li>• Licensee Search</li> <li>• Training</li> <li>• News</li> <li>• Contact</li> </ul>
<b><u>Financial</u></b>	
<b>Source of Funds</b>	Licensing fees, fines, and penalties.
<b>State Treasury</b>	Special Revenue Fund 1238  <i>Code of Alabama 1975</i> , Section 34-27C-15

<b>Required Distributions</b>	None										
<b>Unused Funds</b>	The Board retains unused funds at fiscal year-end.										
<b><u>Licensure</u></b>											
<b>Licensees</b>	<p>As of March 11, 2022</p> <table border="1"> <tr> <td>Armed Security Guards</td> <td>2,184</td> </tr> <tr> <td>Unarmed Security Officers</td> <td>9,219</td> </tr> <tr> <td>Contract Security Companies*</td> <td>148</td> </tr> <tr> <td>Certified Trainers</td> <td>192</td> </tr> <tr> <td><b>Total Licenses</b></td> <td><b>11,743</b></td> </tr> </table> <p>*Shall provide proof that the business entity has at least one employee serving as a Qualifying Agent who is licensed by the Board as a Security Guard.</p> <p><i>Code of Alabama 1975</i>, Section 34-27C-4(c)(1)</p> <p><i>Source</i>: Administrator</p>	Armed Security Guards	2,184	Unarmed Security Officers	9,219	Contract Security Companies*	148	Certified Trainers	192	<b>Total Licenses</b>	<b>11,743</b>
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Contract Security Companies*	148										
Certified Trainers	192										
<b>Total Licenses</b>	<b>11,743</b>										
<b>Licensure Qualifications</b>	<p><b>Armed and Unarmed Security Officers</b></p> <ul style="list-style-type: none"> <li>• Must be 21 years of age or 18 years of age if the person is not allowed to carry any type of firearm in the course of his or her employment with the contract security company.</li> <li>• Citizen of the United States or legally present in the United States.</li> <li>• A statement of the applicant, made under oath, declaring all of the following: <ul style="list-style-type: none"> <li>▪ He or she has never been convicted in any jurisdiction of the United States of any felony or crime involving moral turpitude for which a full pardon has not been granted.</li> <li>▪ He or she has never been declared, by any course of competent jurisdiction, incompetent by reason of mental defect or disease, and competency has not been restored.</li> <li>▪ He or she is not suffering from habitual drunkenness or from narcotics addiction or dependence.</li> </ul> </li> <li>• Completion of a criminal history background check.</li> <li>• Eight hours of training from a certified trainer. Armed security guards must complete an additional four hours of armed security training from a certified trainer.</li> </ul>										

	<p><b>Contract Security Company</b></p> <ul style="list-style-type: none"> <li>• Proof that the business entity has at least one person in its employ serving as a qualifying agent who is licensed by the board and has three years' experience as a manager, supervisor, or administrator.</li> </ul> <p><i>Code of Alabama 1975</i>, Section 34-27C-4 and Section 34-27C-8.</p> <p><b>Certified Trainers</b></p> <ul style="list-style-type: none"> <li>• Must be 21 years of age or older.</li> <li>• Have a minimum of two years of supervisory experience with a contract security company, a proprietary company, or in federal, state, county, or municipal law enforcement.</li> <li>• Have a minimum of one year of experience in teaching security-related courses or have attended a Board approved two-week instructor's course.</li> <li>• Submit proof of compliance with all instruction and training requirements established by the Board.</li> </ul> <p><i>Code of Alabama 1975</i>, Section 34-27C-9</p>
<b>Examinations</b>	<p>No examinations are required for licensure.</p> <p><i>Source:</i> Executive Director</p>
<b>Reciprocity</b>	<p>To the extent that other states which provide for licensing and certification of any security officer, armed security officer, or contract security company provide for similar actions for residents of this state, the Board may grant a license or certification to a nonresident or out-of-state contract security company who holds a valid license or certification of the same type from another state upon satisfactory proof furnished to the Board that the standards of licensure or certification in the other state are equivalent or substantially similar to those prevailing in this state.</p> <p><i>Code of Alabama 1975</i>, Section 34-27C-16</p>
<b>Renewals</b>	<p><b>Contract Security Companies</b></p> <ul style="list-style-type: none"> <li>• Licenses expire on September 30 each year.</li> <li>• Renewals must be submitted before October 1.</li> <li>• Renewals with late fee allowed through October 31.</li> <li>• Renewals not accepted after October 31.</li> </ul> <p><i>Code of Alabama 1975</i>, Section 34-27C-4(g)(1)</p>

	<p><b>Armed/Unarmed Security Officers</b></p> <ul style="list-style-type: none"> <li>• License expires two years from date of issuance.</li> <li>• Renewals not renewed on or before the expiration date will be subject to a late fee.</li> <li>• A license that is expired two years past its expiration date will not be eligible for renewal.</li> </ul> <p><i>Code of Alabama 1975, Section 34-27C-4(g)(2)</i>  <i>Administrative Rule 832-X-1-.12(1)</i></p> <p><b>Certified Trainers</b></p> <ul style="list-style-type: none"> <li>• License expires two years from date of issuance.</li> <li>• Renewals not filed on or before date of expiration of license are accepted with a late fee.</li> <li>• License expired two years past its expiration date are not eligible for renewal.</li> </ul> <p><i>Code of Alabama 1975, Section 34-27C-9</i>  <i>Administrative Rule 832-X-1-.07 and 832-X-1-.12(2)</i></p> <p><b>Special Licensure</b></p> <ul style="list-style-type: none"> <li>• One-time fee paid by armed/unarmed security guards who work for six months or less per year.</li> <li>• No renewal fee assessed to any special license.</li> <li>• Submit renewal form along with all required documents, to include but not limited to any employment and training documents that are requested by the Board, every two years from issuance of the original license.</li> </ul> <p><i>Code of Alabama 1975, Section 34-27C-7(f)</i>  <i>Administrative Rule 832-X-1-.04(5)</i></p> <p>Online renewal is not available.</p> <p><i>Code of Alabama 1975, Section 34-27C-4(e)</i></p>
<p><b>Licensee Demographics</b></p>	<p>Data not collected by the Board</p> <p><i>Source:</i> Executive Director</p>

<b>Continuing Education</b>	<p><b>Unarmed and Armed Security Officer</b> - Eight hours of Board approved refresher training and use of force training. Armed security officers must also complete an approved firearms refresher training.</p> <p><i>Code of Alabama 1975</i>, Section 34-27C-8  <i>Administrative Rule</i> 832-X-1-.08(c)</p>
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## **SIGNIFICANT ISSUES**

**Significant Issue 2022-01 - There is a conflict in the Board’s statute regarding compensation for board members.** The *Code of Alabama 1975*, Section 34-27C-2(b) states, “No compensation shall be paid to the members of the board.” Section 34-27C-2(c) states “The members of the board shall receive up to three hundred dollars (\$300) per day, for a maximum of 12 days per year, while performing their official duties, in addition to the same per diem and mileage as provided to state employees.”

**Board’s Response** – The Board will include the removal of 34-27C-2(b) in its legislative changes for the 2023 Regular Legislation Session.

**Significant Issue 2022-02 - The Board voted to waive all late renewal fees until further notice due to COVID-19 without amending Administrative Rule 832-X-1-.12.** According to Administrative Rule 832-X-1-.12, any personal license, certified trainer, or company license, not renewed on or before the expiration date will be subject to a late fee. The Board continues to waive the late fees.

**Board’s Response** – The Board approved to waive all late fees due to COVID-19 and an Emergency Rule is only good for 120 days. The Board does see the error of not promulgating a rule to waive this fee only during COVID-19 but has reinstated the late fee under normal operations. The Board will appropriately promulgate rules in the future. This significant issue is resolved.

**Significant Issue 2022-03 - Eight of the twenty-eight certified trainers responding to our survey stated that the lack of sufficient training for security guards is the most significant issue currently facing the profession.** Security guards are required to have a minimum of eight hours of training from a certified trainer. In addition to the eight hours of training, armed security guards must have a minimum of four hours of initial armed security officer training.

**Board’s Response** – COVID-19 caused many training facilities and companies to eliminate their training programs due to social distancing, etc., and have not resumed the programs. The Board is finalizing an online training program to provide to all new and renewal licenses and this training will be provided at no cost to the individuals. The Board has chosen a provider through the RFP process and finalizing the program to hopefully launch this fall. This finding will be resolved in the coming months.

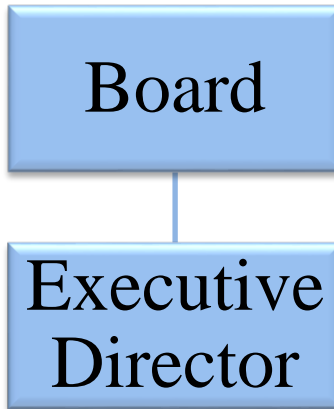
**Significant Issue 2022-04 - Ten of the nineteen contract security companies responding to our survey indicated that the Board did not perform their licensing and/or renewal in a timely manner.**

**Board's Response** – The Board's Office experienced major staffing issues and changes during the pandemic; however, new staff was hired and trained, and the licensure process operates smoothly and efficiently. There is one process the Board wants to change in their statute to expedite the licensure process is the background check required for renewals. Under the current statute, a complete background check, including fingerprint cards, are required for initial and each renewal which is a full background check each time. The Board is drafting legislation to change the background check requirements for renewal of licensure to a lesser process to review only the last two years and not a full background check each time. The background check process during the pandemic was extremely slow but are now processing in a normal 6-8 weeks. A background check that does not require fingerprint cards will have a 24–48 hour processing time to expedite the renewal of licenses.

## **STATUS OF PRIOR FINDINGS/SIGNIFICANT ISSUES**

All prior findings/significant issues have been resolved.

## **ORGANIZATION**



## **PERSONNEL**

The Board does not have any employees. The Board contracts with Warren and Company, Inc. for management services and office space. Keith Warren, president of Warren & Company, serves as the Board's executive director. The current annual contract amount is \$346,500.00.

### **Legal Counsel**

Neva C. Conway, Assistant Attorney General, an employee of the Alabama Real Estate Appraisers Board, provides legal counsel to the Board via an interagency agreement. The Board pays for one third of Ms. Conway's salary and benefits.

## **PERFORMANCE CHARACTERISTICS**

### **Number of Licensees for the Past Four Fiscal Years**

Type of Licenses	FISCAL YEARS			
	2018	2019	2020	2021
Armed/ Unarmed Security Officers	10,239	10,391	12,412	10,441
Certified Trainers	200	212	214	208
Contract Security Company	119	135	96	178
<b>Total</b>	<b>10,558</b>	<b>10,738</b>	<b>12,722</b>	<b>10, 827</b>

**Operating Disbursements per Licensee (FY2021) - \$47.60**

**Fines/Penalties as a Percentage of Operating Receipts**

	<b>FY 2021</b>	<b>FY 2020</b>	<b>FY 2019</b>	<b>FY 2018</b>
Total Receipts	\$532,459.26	\$632,157.86	\$832,296.25	\$489,504.00
Fines	2,000.00	4,100.00	15,900.00	10,000.00
<b>Percentage</b>	<b>0.38%</b>	<b>0.65%</b>	<b>1.91%</b>	<b>2.04%</b>

**Notification of Board decisions to Amend Administrative Rules**

The Board complied with notification procedures prescribed in the Administrative Procedure Act, which includes publication of proposed rules in the Administrative Monthly and public hearings on proposed rules. According to the Executive Director, the Board notifies licensees of proposed changes to the administrative rules by posting notifications and copies of proposed rule changes on the Board's website.

**Inspections**

The *Code of Alabama 1975*, Section 34-27C-3(a) (14) authorizes the Board to inspect the business premises of any licensee, the training of records of a licensed contract security company, and to inspect an unlicensed contract security company for licensure compliance.

<b>Schedule of Inspections FY 2018 through FY 2021</b>				
	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Passed Initial Inspection	14	15	16	20
Complied within 30 days	18	17	12	1
Business Closed	14	9	5	8
Exempt	0	0	0	1
Complaint Filed	8	9	5	0
Out of town – Letter sent	1	0	0	0
No Guards or Contracts in AL	1	3	5	13
Unlicensed Guards	0	0	6	3
Unlicensed Company	0	0	0	1
Letter of Consent	0	1	0	0
<b>Total Number of Inspections</b>	<b>56</b>	<b>54</b>	<b>49</b>	<b>47</b>



## **COMPLAINT HANDLING**

Initial Contact/Documentation	Complaints are submitted on forms provided on the Board's website via mail, email, or fax. Complaints are required to be signed and dated. Complainant is notified by letter acknowledging receipt of complaint.
Anonymous Complaints Accepted	Anonymous complaints are not accepted.
Investigative Process / Probable Cause Determination	Once complaint is received, it is assigned a case number, logged into a complaint database, and submitted to the Investigative Committee. The Investigative Committee is composed of the Executive Director, Board's Legal Counsel, Board's Investigator, and a Board member. The Investigator investigates the complaint and submits findings to the Executive Director and Legal Counsel. Upon review, if it is determined that a violation of Board's rules regulating security officers/contract security companies has occurred, the Board member recuses him or herself from further proceedings related to the complaint.
Negotiated Settlements	Negotiated settlements are accepted.
Notification of Resolution to the Complainant	Complainants are notified of the Board's resolution of the complaint by mail.

*Source:* Legal Assistant

Year/Number Received	Schedule of Complaints Resolved FY 2018 through FY 2022					Pending
	Year/Number Resolved					
	2018	2019	2020	2021	2022	
2018/ #19	14	5	0	0	0	0
2019/ #25		23	2	0	0	0
2020/ #15			14	1	0	0
2021/ #17				4	10	3
2022/ #6					3	3

*Source:* Executive Director

**Average Time to Resolve Complaints** – 63 Days

### **Disposition of Resolved Complaints**

<b># Of Complaints</b>	<b>Resolution</b>
15	Consent Agreement and Administrative Fine
11	No Jurisdiction
7	Came into Compliance
9	Cease and Desist
1	Letter of Concern
9	Complaint Withdrawn
7	Complaint Unfounded
7	Surrendered License
2	Administrative Close
3	No Probable Cause
1	Final Order
4	No Longer in Business

### **REGULATION IN CONJUNCTION WITH OTHER ENTITIES**

No other state or federal agencies license and regulate security officers.

### **FINANCIAL INFORMATION**

#### **Source of Funds**

License fees, fines, and penalties.

#### **Fund**

The Board operates from Special Revenue Fund 1238 in the State Treasury, authorized by the *Code of Alabama 1975*, Section 34-27C-15. Year-end balances are retained for the Board's continuous use, subject to appropriations.

**Schedule of Fees**

The Board's fees are set in *Administrative Rules* 832-X-1-.10 and 832-X-1-.02.

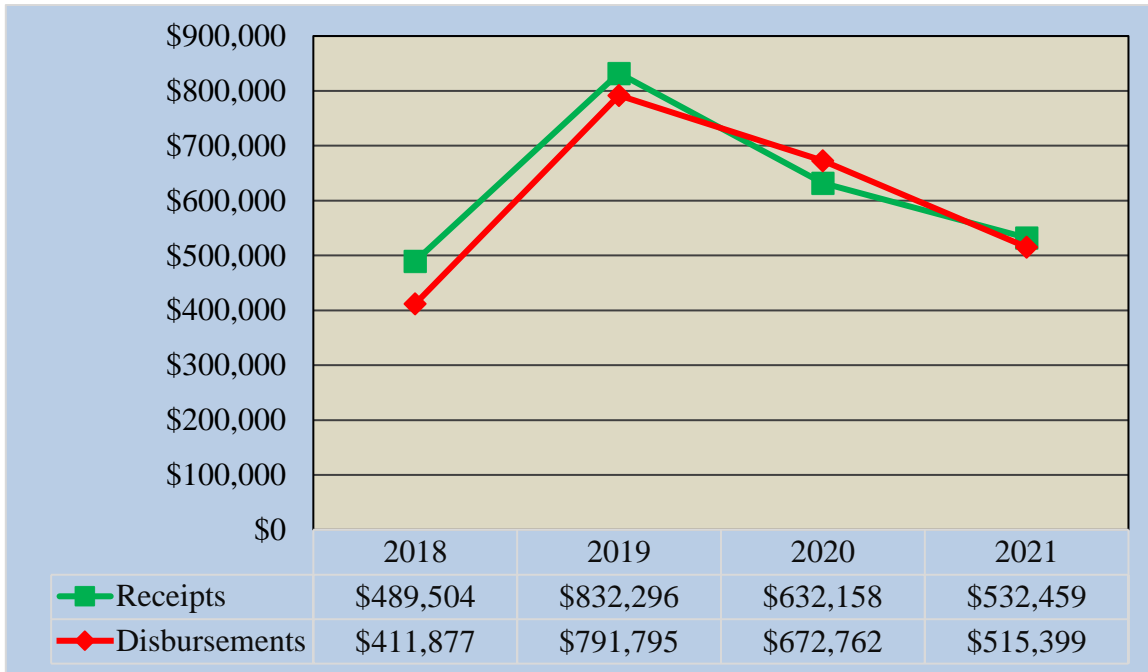
<b>FEE TYPE/ PURPOSE</b>	<b>STATUTORY AUTHORITY</b>	<b>AMOUNT AUTHORIZED</b>	<b>AMOUNT COLLECTED</b>
<b><i>Licensure Fees</i></b>			
Personal Application and License and Renewal	34-27C-4(g)(2)	≤ \$100	\$50.00
Application Fee for Initial or Renewal	34-27C-7(b)	\$25.00	\$25.00
Contract Security Company License and Renewal	34-27C-4(g)(1)	≤ 350.00	\$250.00
Certified Trainer 1 Initial License and Renewal	34-27C-9	Set By Board	\$100.00
Certified Trainer 2 Initial License and Renewal	34-27C-9	Set By Board	\$200.00
Special Licensure (One-time Fee)	34-27C-7(f)	≤ \$100	\$100.00
<b><i>Late Fees</i></b>			
Personal License	34-27C-4(g)(2)	Set By Board	\$25.00
Contract Security Company	34-27C-4(g)(1)	Set By Board	\$125.00
Certified Trainer 1	34-27C-9	Set By Board	\$50.00
Certified Trainer 2	34-27C-9	Set By Board	\$100.00
<b><i>Other Fees</i></b>			
Personal License Replacement Fee	34-27C-3(a)(5)	Cost Recovery	\$10.00
Contract Security Company License Replacement Fee	34-27C-3(a)(5)	Cost Recovery	\$50.00
Special Licensure Replacement Fee	34-27C-3(a)(5)	Cost Recovery	\$25.00
Bad Check Charge	8-8-15(b)	Maximum charge permissible	\$30.00
Criminal History Check Fee	34-27C-4(e)	Current Fee Assessed by Alabama Law Enforcement Agency (ALEA)	
<b><i>Fine/Penalties</i></b>			
Fines	34-27C-13	\$75 - \$5,000	\$75 - \$5,000

**Schedule of Receipts, Disbursements and Balances**

October 1, 2017 through September 30, 2021

	<b><u>2020-2021</u></b>	<b><u>2019-2020</u></b>	<b><u>2018-2019</u></b>	<b><u>2017-2018</u></b>
<b><u>Receipts</u></b>				
Security License Fee	\$ 530,459.26	\$ 628,057.86	\$ 816,396.25	\$ 479,504.00
Penalties	2,000.00	4,100.00	15,900.00	10,000.00
<b>Total</b>	<b>532,459.26</b>	<b>632,157.86</b>	<b>832,296.25</b>	<b>489,504.00</b>
<b><u>Disbursements</u></b>				
Personnel Costs	8,195.53	20,700.00	25,784.00	-
Employee Benefits	1,986.99	9,706.55	14,216.00	-
Travel, In-State	7,571.51	7,560.92	7,998.62	6,829.99
Travel, Out-of-State	-	6,318.67	3,389.91	1,808.83
Rentals and Leases	1,169.04	808.00	103.68	145.44
Utilities and Communications	6,863.37	8,313.57	11,488.68	9,523.21
Professional Services	479,314.01	600,919.98	712,845.15	383,021.28
Supplies, Materials, and Operating Expenses	10,298.50	17,637.20	12,021.24	10,547.90
Other Equipment Purchases	-	796.86	3,947.29	-
<b>Total</b>	<b>515,398.95</b>	<b>672,761.75</b>	<b>791,794.57</b>	<b>411,876.65</b>
Excess (Deficiency) of Receipts over Disbursements	17,060.31	(40,603.89)	40,501.68	77,627.35
Cash Balances at Beginning of Year	861,522.55	902,126.44	861,624.76	783,997.41
Cash Balances at End of Year	878,582.86	861,522.55	902,126.44	861,624.76
Reserved for Unpaid Obligations	(45,081.23)	(101,463.51)	(65,000.00)	(23,566.09)
Unobligated Cash Balances at End of Year	<b>\$ 833,501.63</b>	<b>\$ 760,059.04</b>	<b>\$ 837,126.44</b>	<b>\$ 838,058.67</b>

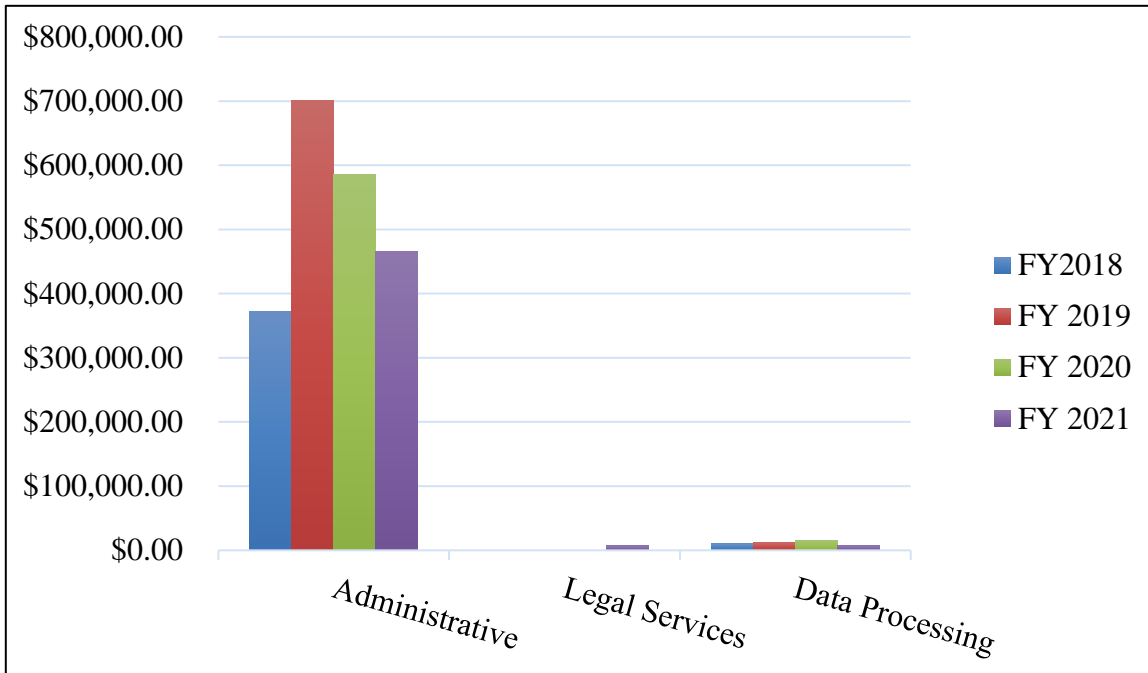
**Operating Receipts vs. Operating Disbursements (Chart)**



<b>SUMMARY SCHEDULE OF PROFESSIONAL SERVICE DISBURSEMENTS*</b>				
As of September 30th				
<b>Type of Service</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
Administrative	\$ 372,586.14	\$ 700,915.25	\$ 585,253.50	\$ 465,407.01
Legal Services	-	-	-	6,875.01
Data Processing	10,435.14	11,929.90	15,666.48	7,031.99
<b>Total</b>	<b>\$ 383,021.28</b>	<b>\$ 712,845.15</b>	<b>\$ 600,919.98</b>	<b>\$ 479,314.01</b>

\*Detailed information presented in the appendix

**Professional Service Disbursement Chart**



## **QUESTIONNAIRES**

### **Board Member Questionnaire**

A letter was sent to all five board members of the Security Regulatory Board requesting participation in our survey. Three board members participated in the survey. The percentages, where shown, are based on the number who responded to the question.

**1. What are the most significant issues currently facing the Security Regulatory Board and how is the Board addressing these issues?**

**Board Member #1** – “Security guard companies that fail to comply with state regulations and guard applicants that misrepresent and falsify applications to obtain a security guard license. The ASRB executive staff is diligent in screening companies and applicants in order to prevent violations of state law.”

**Board Member #2** – “The impact of Covid on training, certification and processing of applicants. The Minimum standards committee has proposed a standardized training course for unarmed security and the Board is vetting vendors that can develop on-line delivery.”

**Board Member #3** – “The time it takes to process an application, then issue or deny the application. Unfortunately, the Board does not have total control over the process, and we must rely upon ALEA to conduct the background investigations. ALEA has been cooperative by dedicating a staff member to our applications.”

**2. What, if any, changes to the Board’s laws are needed?**

**Board Member #1** – “The laws applicable to the ASRB are always continuing to grow and change in order to address the issues and problems facing the industry. One particular issue is online training, which became a necessity when the pandemic occurred in 2020. The ASRB is in the process of approving online training that will be monitored and proctored properly.”

**Board Member #2** – “Unaware of any.”

**Board Member #3** – “Currently, every two years there must be a complete re-investigation of the license holder's background. The law should be amended to only require a two-year investigation. This will save both time and money.”

**3. Is the Board adequately funded?**

Yes	3	100%
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**4. Is the Board adequately staffed?**

Yes	3	100%
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*Board Member Questionnaire*

**5. Does the Board receive regular reports on its operations from the Executive Director?**

<b>Yes</b>	<b>3</b>	<b>100%</b>
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**6. Has the Board experienced any significant changes to its operations?**

<b>No</b>	<b>3</b>	<b>100%</b>
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**7. Does the Board plan any significant changes in its operations?**

<b>No</b>	<b>2</b>	<b>67%</b>
Unknown	1	33%

**8. Do you have any other comments you would like to make?**

**Board Member #1** – “Warren and Company has done an outstanding job of managing the day-to-day operations and facilitating the ASRB vision and strategic plan in ensuring the citizens of Alabama are well served in regulating the security industry in our state.”

**Board Member #2** – “No comments.”

**Board Member #3** – “The ability to accept fingerprints electronically would greatly improve the application process. It would speed the process greatly.”



**Armed/Unarmed Security Officer Questionnaire**

A letter was sent to one hundred armed/unarmed security officers requesting participation in our survey. Ten armed/unarmed security officers participated in the survey. The percentages, where shown, are based on the number who responded to the question.

**1. What do you think is the most significant issue(s) currently facing your profession in Alabama?**

**Respondent #1** – “Liability.”

**Respondent #2** – “Visitor and employees refusing to present their ID.”

**Respondent #3** – “Hiring quality staff.”

**Respondent #4** – “Poorly pay causes lack of qualified people”

**Respondent #5** – “Lack of training and professionalism in individuals hired by private companies and lack of proper staffing due to policies in place by companies as well as having no base line for necessary equipment to perform the job resulting in armed guards being under equipped on the job.”

**Respondent #6** – Did not respond.

**Respondent #7** – “No protection under the color of law”

**Respondent #8** – “I think the issue is retention. I believe this is due to lack of pay due to companies paying more than others. I know this has to do with the competition among companies and certain contracts paying more than others. Something does need to be done in getting the pay up some way. Companies need to come up with a system for dealing with higher pay and benefits. I am talking about having a leave system for obtaining leave hours government agencies and some private companies do other than security. Employees of security companies don’t have any time paid for being sick or just taking a leave for vacation, personal stuff, etc. Employees leave the profession because of the pay and benefits. I am a retiree from the state, and I have my own insurance but I don’t have paid leave time from this company I now work for just like I had as a state employee before I retired. I have bills to pay still with a small pension and Social Security but that won’t pay all of them. I have to work still to make ends meet and have things I need. I was out of work from another company I had previously worked for in security before this one. I had a gall bladder surgery and was out 3 weeks without pay. I had to negotiate a loan to get my bills paid. Later the company lost the contract, and I was out of work looking till I found my present job. This needs to be looked into. Also, the license fees are too high this needs to be looked into.”

**Respondent #9** – “Too many people coming & going. No one wants to stay. Always having to hire.”

**Respondent #10** – “The most significant issue is to properly vet applicants applying for employment as security guards to ensure they are qualified for the position for which they are seeking employment and they are properly trained for that job. according to the rules and laws of the state of Alabama.”

*Armed/Unarmed Security Officer Questionnaire*

**2. Do you think regulation of your profession by the Security Regulatory Board is necessary to protect the public welfare?**

<b>Yes</b>	<b>7</b>	<b>70%</b>
No	1	10%
Unknown	1	10%
No Opinion	1	10%

**3. Do you think any of the Board's laws, rules, or policies are an unnecessary restriction on the practice of your profession?**

<b>Yes</b>	<b>4</b>	<b>40%</b>
No	3	30%
Unknown	2	20%
No Opinion	1	10%

**4. Are you adequately informed by the Board of changes to and interpretations of the Board's positions, policies, rules, and laws?**

Yes	4	40%
<b>No</b>	<b>5</b>	<b>50%</b>
No Opinion	1	10%

**5. Does the Board respond to your inquiries in a timely manner?**

Yes	3	30%
No	2	20%
<b>Unknown</b>	<b>5</b>	<b>50%</b>

**6. Has the Board performed your licensing and renewal in a timely manner?**

<b>Yes</b>	<b>3</b>	<b>30%</b>
<b>No</b>	<b>3</b>	<b>30%</b>
<b>Unknown</b>	<b>3</b>	<b>30%</b>
No Opinion	1	10%

**7. Do you consider mandatory continuing education necessary for the competent practice of your profession?**

<b>Yes</b>	<b>6</b>	<b>60%</b>
No	3	30%
No Opinion	1	10%

*Armed/Unarmed Security Officer Questionnaire*

**8. Do you have any other comments you would like to make?**

**Respondent #1** – “No.”

**Respondent #2** – “No.”

**Respondent #3** – “I am a supervisor and my staff and myself are required to provide copies of current license status, which should be listed as armed officer, but site is often wrong and never receive licensed card. The card has to be on the person and provided to quality control when conducting onsite visits for federal contracts.”

**Respondent #4** – “As a manager the ASRB is not very responsive and the " covid excuse " is getting old.”

**Respondent #5** - “No further comments.”

**Respondent #6** – Did not respond.

**Respondent #7** – “None.”

**Respondent #8** – “No”

**Respondent #9** – “Seniors 55+ should never have to take a P.T. test. It wrecks havoc on the old body.”

**Respondent #10** – “The Board Chairman always opens up for questions from the public in order to be fair and balanced about the decisions made by the board.”

**Certified Trainer Questionnaire**

A letter was sent to one hundred certified trainers requesting participation in our survey. Twenty-eight certified trainers participated in the survey. The percentages, where shown, are based on the number who responded to the question.

**1. What do you think is the most significant issue(s) currently facing your profession in Alabama?**

**Respondent #1** – “The most significant issue facing my profession is companies that try to make it where security officers must use them to renew or obtain their initial license and control the price of the training.”

**Respondent #2** – “Finding qualified applicants who want to work.”

**Respondent #3** – “Lack of more focused training.”

**Respondent #4** – “Finding the right one, for that officer to stay (low pay).”

**Respondent #5** – “Ensuring that violent people are not able to obtain a license.”

**Respondent #6** – “Finding people to work.”

**Respondent #7** – “Professionalism. This is something that cannot be regulated but can be trained.”

**Respondent #8** – “Processing of the armed security guard license.”

**Respondent #9** – “Lack of training. People are being "certified" by others that themselves are not qualified. Insufficient firearm training.”

**Respondent #10**- “Employing the right personnel.”

**Respondent #11** – “Skyrocketing pay rates and lack of applicants.”

**Respondent #12** – “None.”

**Respondent #13** – “Staffing issues and employment eligibility to pass the state board regulations.”

**Respondent #14** – “Staffing.”

**Respondent #15** – “Lack of sufficient training.”

**Respondent #16** – “Not enough training for security Officers.”

**Respondent #17** – “Lack of armed officers and lack of armed training for officers. Needs to be at least a week long course.”

**Respondent #18** – “Training.”

**Respondent #19** – “Problem with hiring trustworthy and dependable employees. The cost of all ASRB state license is too high for small and local companies. Rules and requirements of ASRB are too strict and even sometimes in conflict with other agency requirements. The ASRB mandatory license has also controlled our city license requirements. During this time of COVID our local police departments have been shut down with no access to fingerprint card capabilities which cost us not to be able to get a state ASRB license without our fingerprint cards because ASRB refused our license renewal request without the fingerprint cards. Our company and employees have been licensed with ASRB since the beginning of the board.”

**Respondent #20**- “Security companies that hire untrained, unlicensed guards.”

**Respondent #21** – “Inflation and ever rising cost of ammo.”

**Respondent #22** – “Staffing.”

*Certified Trainer Questionnaire*

**Respondent #23** – “Training by qualified licensed trainers.”

**Respondent #24** – “Length of time it takes the original license to the employees.”

**Respondent #25** – “None.”

**Respondent #26** – “Crime and pay rate.”

**Respondent #27** – “Hiring qualified applicants. Applicants who want to learn and be a professional.”

**Respondent #28** – “Hiring the right applicant and training process.”

**2. Do you think regulation of your profession by the Security Regulatory Board is necessary to protect the public welfare?**

<b>Yes</b>	<b>24</b>	<b>86%</b>
No	2	7%
No Opinion	2	7%

**3. Do you think any of the Board’s laws, rules, or policies are an unnecessary restriction on the practice of your profession?**

Yes	3	11%
<b>No</b>	<b>21</b>	<b>75%</b>
Unknown	1	3%
No Opinion	3	11%

**4. Are you adequately informed by the Board of changes to and interpretations of the Board’s positions, policies, rules, and laws?**

<b>Yes</b>	<b>15</b>	<b>54%</b>
No	11	40%
Unknown	1	3%
No Opinion	1	3%

**5. Does the Board respond to your inquiries in a timely manner?**

<b>Yes</b>	<b>12</b>	<b>42%</b>
No	8	29%
Unknown	8	29%

**6. Has the Board performed your licensing and renewal in a timely manner?**

<b>Yes</b>	<b>16</b>	<b>57%</b>
No	9	32%
No Opinion	3	11%

**7. Do you have any other comments you would like to make?**

**Respondent #1** – “The board should have monthly timely meetings open to all that want to attend.”

**Respondent #2** – “I know the board has been closed due to Covid, but it would've been nice to actually talk to someone on the phone. I like to have my questions answered right away especially when they are important/urgent.”

**Respondent #3** – “I feel that Covid has caused the delay in some responses from the Board, but this is really not their fault.”

**Respondent #4** – “Do to COVID-19, it has been hard on the Board.”

**Respondent #5** – “No.”

**Respondent #6** – “No.”

**Respondent #7** – “Renewals are the guards and or trainers' responsibility. That being said getting a renewal notice only 2 days prior to the expiration is not enough time. If renewal notifications are being sent out, they should be sent out at least 30 days prior to expiration. I cannot recall asking the board for changes or interpretations on question 4.”

**Respondent #8** – “No.”

**Respondent #9** – “I understand that the board only meets every so often, but I know Security Officers, 6 months out, that are still waiting on their license. Firearms training needs to be updated. The company I work for has transitioned to the APOST quals.”

**Respondent #10** – “None.”

**Respondent #11** – “A stronger enforcement arm would benefit the industry; however, the current program is light years ahead of where we were just 10 years ago. No complaints.”

**Respondent #12** – “None.”

**Respondent #13** – “It would be nice to have a state-wide training curriculum for unarmed guards.”

**Respondent #14** – “N/A.”

**Respondent #15** – “Some of the rules on qualification may be interpreted different ways. For example, it says security officers can qualify using the APOSTC police qualification. The APOSTC course requires 70% to pass, but a board agent said that because the ASRB course required 80%, then the APOSTC course also required 80%. He could not show in the regulations where that was stated, but insisted it was so. If a rule requires something, it should be clearly stated in the regulations.”

**Respondent #17** – “No phone calls returned. No emails responded to. Renewal comes in a day or two before renewal. Needs to be a month at least.”

**Respondent #18-** “No.”

**Respondent #19-** “No.”

**Respondent #20-** “I now have direct contact number of one of the inspectors, he always answers the phone or call me back, but in the past calling ASRB or emailing them is a usually a waste of time. No one answers the phone, or it goes to voice mail with no call back.”

**Respondent #21** – “The way we've handled the covid flu has had a devastating effect on all the job market. Like every other employer we are having to reduce standards to fulfill commitments.”

**Respondent #22** – “Understand that COVID-19 impacted the Board's ability to operate. Online submission of applications with payment would improve the process.”

*Certified Trainer Questionnaire*

**Respondent #23** – “The Regulatory Board is necessary in making sure the public is not taken advantage of by unqualified individuals posing as security professionals.”

**Respondent #24** – “My only issue is getting the employee's original license back - it has taken 6 months - a year for the employee to receive their permanent license.”

**Respondent #25** – “No.”

**Respondent #26** – “No.”

**Respondent #27** – “I do not receive emails, text, phone calls, letters or any correspondence from ASRB about any policy updates or policy changes.”

**Respondent #28** – “No.”

**Contract Security Company Questionnaire**

A letter was sent to one hundred contract security companies requesting participation in our survey. Nineteen contract security companies participated in the survey. The percentages, where shown, are based on the number who responded to the question.

**1. What do you think is the most significant issue(s) currently facing your profession in Alabama?**

**Respondent #1** – “Finding qualified applicants who want to work.”

**Respondent #2** – “Lack of qualified guards.”

**Respondent #3** – “Employee Wages and Pool of Available Employees.”

**Respondent #4** – “The non-existent labor pool. Attracting and hiring of quality hourly employees with the ever-increasing wage pressure.”

**Respondent #5** – “N/A.”

**Respondent #6** – “Hiring and maintaining employees.”

**Respondent #7** – “Unlicensed and noninsured security companies who undercut those of us who operate at or above the requirements of the law.”

**Respondent #8** – “Low wages.”

**Respondent #9** – “N/A.”

**Respondent #10**- “1. Finding employees and this is a national issue as we have discussed this with other security and non-security companies 2. Inflated wages 3. Getting answers to questions from the Board needs to be more efficient. 4. Licensing needs to be quicker or at least separate. 5. Communication from the Board to its licensees can improve.”

**Respondent #11** – “Staffing. Timeliness of application and renewal processing.”

**Respondent #12** – “We have none.”

**Respondent #13** – “The dramatic changes in the labor market resulting in less available qualified labor and a dramatically increased cost of labor.”

**Respondent #14** – “There is a number of issues ranging from finding personnel to pay scales.”

**Respondent #15** – “Very unclear (and sometimes contradictory) instructions for applying for license renewal, very difficult to get a response when trying to contact with questions, very long processing times for applications submitted.”

**Respondent #16** – “Cost of living.”

**Respondent #17** – “N/A.”

**Respondent #18** – “Staffing and getting reply from the agency regarding licensing.”

**Respondent #19** – “Staffing.”

**2. Do you think regulation of your profession by Security Regulatory Board is necessary to protect the public welfare?**

Yes	15	79%
No	1	5%
No Opinion	3	16%



**3. Do you think any of the Board’s laws, rules, or policies are an unnecessary restriction on the practice of your profession?**

Yes	1	5%
<b>No</b>	<b>16</b>	<b>84%</b>
No Opinion	2	11%

**4. Are you adequately informed by the Board of changes to and interpretations of the Board’s positions, policies, rules, and laws?**

<b>Yes</b>	<b>10</b>	<b>53%</b>
No	5	26%
Unknown	3	16%
No Opinion	1	5%

**5. Does the Board respond to your inquiries in a timely manner?**

<b>Yes</b>	<b>10</b>	<b>53%</b>
No	8	42%
Unknown	1	5%

**6. Has the Board performed your licensing and renewal in a timely manner?**

Yes	9	47%
<b>No</b>	<b>10</b>	<b>53%</b>

**7. Do you have any other comments you would like to make?**

**Respondent #1** – “I know the office has been closed due to Covid, however, having someone available to answer the phone would've been nice and very appreciated. Sometimes a question needs an immediate answer and email may take too long.”

**Respondent #2** – “I wish we had a better regulatory environment.”

**Respondent #3** – “None.”

**Respondent #4** – “The board has processed company license renewals in a timely manner; however, the processing of Security Officer licenses is slow. We believe there is enough working capital at the ASRB's disposal to hire more FTEs to help in quicker Security Officer License turnaround time. We would also appreciate better/quicker communications during Hurricanes/Natural Disasters as the Security Companies ramp up coverage during these times and require clarifications/advise/input from the Board.”

**Respondent #5** – “No.”

**Respondent #6** – “N/A.”

## *Contract Security Company Questionnaire*

**Respondent #7** – “The delay in license renewal was directly related to loss of personnel and shuttering of most State offices due to COVID. The cause was not related to or caused by office personnel.”

**Respondent #8** – “No.”

**Respondent #9** – “None.”

**Respondent #10** – “We are a full supporter of the Board. We know that it is necessary. There are some things we suggest to make it efficient if it is affordable to the taxpayers. There should be at least 1 person to handle company applications and 1 to handle security officer's applications. The timing of approval pre-Covid was not fast but during Covid it is quite slow. We understand the circumstances, however. If we did not survey the website regularly, we would not know that forms changed and in 2020 during the pandemic the new form was not updated on the website and applications were rejected. Regulations have changed and laws too but we feel it is necessary that we do our part to make sure we are compliant regardless if it is communicated in other forms or not.”

**Respondent #11** – “The board is communicative and has good customer service. Processing of initial and renewal applications take a very long time. We do understand that some of this is out of the board's hands and has to do with background processing times. It would be a great improvement if these processing times were quicker.”

**Respondent #12** – “None at this time.”

**Respondent #13** – “No.”

**Respondent #14** – “The board does good work, however they could be more timely about the processing of renewal applications. Also, it appears redundant to ask applicants to have to provide fingerprints with each renewal. They don't change.”

**Respondent #15** – “While I understand that covid has created significant issues for licensing agencies, I have felt like other states have made much better attempts to adapt to those challenges (such as temporarily waiving certain requirements or temporarily extending expiration dates due to longer processing times or issues with access to things like law enforcement obtained fingerprints) and to communicate to licensees what changes and accommodations were being made to address those issues. In AL, I spent months just trying to get someone to respond to me about what we should do if no law enforcement agencies in the state where our Qualifying Agent resides were providing fingerprinting services due to covid. It ultimately took us about 10 months to renew the QA license and about 8 months to renew the associated agency license and during most of that time I was unable to get anyone from the licensing board to respond to questions or provide assistance.”

**Respondent #16** – “No.”

**Respondent #17** – “An online application process would be great, with an option to pay online with a CC. Quicker turnaround on processing personal guard applications would also be great.”

**Respondent #18** – “We need the office employees to go back to office.”

**Respondent #19** – “N/A.”

**Complainant Questionnaire**

A letter was sent to eighteen complainants requesting participation in our survey. Two complainants participated in the survey. The percentages, where shown, are based on the number who responded to the question.

**1. Was receipt of your complaint acknowledged?**

<b>Yes</b>	<b>2</b>	<b>100%</b>
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**2. Approximately how long after filing your complaint did the Board contact you?**

<b>Within 15 days</b>	<b>1</b>	<b>50%</b>
<b>More than 30 days</b>	<b>1</b>	<b>50%</b>

**3. Did the Board communicate the results of the investigation into your complaint to you?**

<b>Yes</b>	<b>1</b>	<b>50%</b>
<b>No</b>	<b>1</b>	<b>50%</b>

**4. Do you think the Board did everything it could to resolve your complaint?**

<b>Yes</b>	<b>1</b>	<b>50%</b>
<b>No</b>	<b>1</b>	<b>50%</b>

**5. Do you have any additional comments you would like to make?**

**Respondent 1** – “No.”

**Respondent2** – “No thank you.”

## **APPENDICES**

### **Applicable Statutes**

#### **Section 34-27C-1 Definitions.**

For the purposes of this chapter, the following terms shall have the following meanings:

- (1) **ARMED SECURITY OFFICER.** An individual whose principal duty is that of a security officer and who at any time wears, carries, possesses, or has access to a firearm in the performance of his or her duties.
- (2) **BOARD.** The Alabama Security Regulatory Board.
- (3) **CERTIFICATION CARD or LICENSURE CARD.** The identification card issued by the board to an individual as evidence that he or she has met the basic qualifications required by this chapter and is currently certified or licensed with the board to perform the duties of a security officer.
- (4) **CERTIFIED TRAINER.** Any person approved and certified by the board as qualified to administer, and certify as to the successful completion of, the basic training requirements for security officers required by this chapter.
- (5) **CONTRACT SECURITY COMPANY.** Any individual, firm, association, company, partnership, limited liability company, corporation, institution, or similar business entity engaged in the business of providing, or which undertakes to provide, a security officer on a contractual basis to another person or entity. The security officer provided by a contract security company is a contract security officer. In addition, any person who provides security services for more than one employer in any one-week period, except for a permanent change of employment, shall be deemed to be engaged in the contract security company business and shall be licensed pursuant to this chapter.
- (6) **EMPLOYER-EMPLOYEE RELATIONSHIP.** The performance of any service for wages or under any contract of hire, written, oral, expressed, or implied by an individual, provided the employer has control or direction over the performance of the employee and provided the service is performed personally by the employee.
- (7) **LICENSEE.** Any person or contract security company to which a license is granted in accordance with this chapter.
- (8) **PUBLIC ENTITY.** The federal government, the state, or any political subdivision, agency, department, branch, or service of either the state or federal government, or any county or municipality, or any other unit of local government.
- (9) **SECURITY OFFICER.**
  - a. A person employed under contract, whose principal purpose is to protect a person or persons or property from criminal activity, and whose duties include, but are not limited to, the following:
    1. The detection and prevention of unauthorized intrusion or entry, larceny, vandalism, abuse, arson, or trespass on private property.
    2. The prevention, observation, or detection of any unauthorized activity on private property.
    3. The control, regulation, or direction of the flow or movements of individuals, whether by vehicle, on foot, or otherwise.

b. The term does not include persons whose duties are limited to custodial duties or the reporting of violations of inhouse administrative regulations only, and who do not wear a security uniform. (10) SWORN PEACE OFFICER. Any individual who derives plenary or special law enforcement powers from, and is an employee of, or certified by, the federal government, the state, or any political subdivision, agency, department, branch, or service of either, or of any county or municipality, or of any other unit of local government. (Act 2009-640, p. 1960, §1; Act 2019-230, §1.)

**Section 34-27C-2 Creation; composition; sunset provision.**

(a) The Alabama Security Regulatory Board is created. Each member of the board shall be a citizen of the United States and a resident of this state, and the appointing authorities shall coordinate their appointments so that diversity of gender, race, and geographical areas is reflective of the makeup of this state. The board shall consist of the following members:

(1) Two members appointed by the Governor. The appointees shall not be qualified to be licensed under this chapter, not be engaged in the rendering of contract security service for a minimum of three years prior to appointment, not be employed by or affiliated with any other member of the board and shall have served for five or more years in a supervisory position in law enforcement in any municipality, county, state, or district attorney's office. The members appointed by the Governor shall be selected from a list of names submitted by a recognized security association such as the American Society of Industrial Security (ASIS), the National Association of Security Companies (NASCO), or any state or private security service association which may be organized.

(2) One member appointed by the Lieutenant Governor. The appointee shall represent consumers and shall not be engaged in the rendering of contract security service, and not employed by, related to, or affiliated with any other member of the board or licensee of the board.

(3) One member appointed by the Speaker of the House of Representatives. The appointee shall be from an entity that employs, or has an employer-employee relationship with, a contract security company.

(4) One member appointed by the Attorney General. The appointee shall be selected from a list of names submitted by the Alabama Sheriffs Association.

(b) Unless otherwise provided in subsection (a), board members shall serve three-year terms of office. A vacancy in any board position shall be filled for the duration of the unexpired term in the same manner as the original appointment. Should an appointing authority fail to make an appointment to fill an unexpired or new term within 60 days after receiving notice from the board of the vacancy, the board shall make the appointment of a qualified person within the appropriate category by majority vote of the board members present. The board shall annually elect a chair from among the membership of the board at its first meeting. The board shall meet on a quarterly basis at a date, time, and place designated by the chair. No compensation shall be paid to members of the board. Actual expenses incurred by board members in the performance of duties on behalf of the board shall be reimbursed from the funds of the board. Decisions of the board shall be determined by a majority vote of the board members present and voting.

(c) The members of the board shall receive up to three hundred dollars (\$300) per day, for a maximum of 12 days per year, while performing their official duties, in addition to the same per diem and mileage as provided to state employees.

(d) The board shall be subject to the Alabama Sunset Law, Title 41, Chapter 20, as an enumerated agency as provided in Section 41-20-3, and shall have a termination date of October 1, 2011, and every four years thereafter, unless continued pursuant to the Alabama Sunset Law. (*Act 2009-640, p. 1960, §2; Act 2011-174, p. 339, §3; Act 2019-230, §1.*)

**Section 34-27C-3 Powers of the board.**

(a) The board shall have the following powers:

(1) In accordance with the Administrative Procedure Act, to adopt rules not in conflict with the laws of this state which are reasonable, proper, and necessary to carry out the functions of the board in the regulation of persons engaged in providing security officers within this state. Any interested person may petition the board to adopt, amend, or repeal any rule and the board shall prescribe by rule any necessary forms for petitions and procedures for submission, consideration, and disposition of petitions.

(2) To enforce compliance with this chapter.

(3) To establish rules and procedures for the preparation and processing of examinations, applications, license certificates, certification cards, licensure cards, renewals, appeals, hearings, and rulemaking proceedings.

(4) To determine the qualifications of licensees, certified trainers, and security officers consistent with this chapter.

(5) To levy and collect fees in amounts determined necessary by the board for licensing, application processing, background checks, including fingerprints, inspections, investigations, and hearings.

(6) To employ or contract for necessary personnel, including a director, pursuant to the state Merit System, provided such persons are employed by the board on a full-time basis exceeding 32 hours per calendar week, and provide for necessary offices, supplies, and equipment to fulfill the requirements of this chapter.

(7) To delegate its power and duties by resolution to a named designee.

(8) To enter into contracts and expend funds of the board to fulfill the requirements of this chapter.

(9) To borrow money.

(10) To work with the Attorney General and other law enforcement agencies to prohibit and punish any violation of this chapter.

(11) To establish volunteer procedures for those persons or businesses that are exempt from this chapter.

(12) To engage in dialogue and to enter into reciprocal licensing agreements with governmental entities in other states that supervise and regulate the provision of private contract security services in order to ensure that security officers and armed security officers licensed by the State of Alabama have full reciprocity to operate in other states.

(13) Upon the declaration of the Governor of a state of emergency, to authorize the operation of out-of-state contract security companies and staff within the state for the duration of the state of emergency, and up to a maximum of 30 days after the expiration of the state of emergency. To be eligible to operate within the state pursuant to this subdivision, the out-of-state contract security company shall satisfy all of the following requirements:

a. Be licensed in another state in which the qualifications, insurance, training, and other requirements for licensure are substantially similar to those required by this chapter, as determined by the board.

b. Provide notice to the board of an intention to operate in the state and submit to the board any information requested by the board.

(14) To inspect the business premises of any licensee, licensed contract security company, or unlicensed contract security company during normal business hours.

(15) To hold hearings, conduct investigations, subpoena witnesses, subpoena documents, administer oaths, and take testimony as necessary to provide for the implementation of this chapter.

(b) All powers granted in this chapter and any other powers granted to the board are public and governmental functions, exercised for a public purpose, and matters of public necessity.

*(Act 2009-640, p. 1960, §3; Act 2013-349, p. 1248, §1; Act 2019-230, §1.)*

**Section 34-27C-4 License application; renewal; fee.**

(a) Commencing on May 21, 2009, any security officer, armed security officer, or contract security company providing private security services in this state shall apply to the board for a license or certification. Any security officer, armed security officer, or contract security company providing security services in this state before May 21, 2009, may continue to engage in business operations pending a final determination by the board, provided such security officer, armed security officer, or contract security company files an application for license. This chapter shall not abrogate the terms of a contract existing on May 21, 2009.

(b) An application for licensure or certification shall include all of the following information:

(1) The full name, home address, post office box, and actual street address of the business of the applicant.

(2) The name under which the applicant intends to do business.

(3) The full name and address of any partners in the business, principal officers, directors, and business manager, if applicable.

(4) The names of at least three unrelated and disinterested persons to be used as references for board inquiries regarding the character, standing, and reputation of the applicant.

(5) Such other information, evidence, statements, or documents as may be required by the board.

(c)(1) A contract security company applying for a license or certification shall include proof that the business entity has at least one person in its employ serving as a qualifying agent who is licensed by the board as a security officer and, in addition to meeting the requirements of subsection (d), possesses three years of experience as a manager, supervisor, or administrator with a contract security company or possesses three years of supervisory experience with any federal, military, state, county, or municipal law enforcement agency.

(2) No person may serve as the qualifying agent for more than one contract security company without prior written approval of the board.

(3) A contract security company shall notify the board within 10 working days if the qualifying agent for the company ceases to perform his or her duties as qualifying agent and shall obtain a substitute qualifying agent within 30 days after the original qualifying agent ceases to serve. The board may grant an extension to the company for good cause, for not more than three months.

(d) Every applicant for licensure or certification shall provide the following to the board:

(1) Proof that the applicant is 21 years of age or older, or 18 years of age if the person is not allowed to carry any type of firearm in the course of his or her employment with the contract security company.

(2) Proof that the applicant is a citizen of the United States or, if not a citizen of the United States, a person who is legally present in the United States with appropriate documentation from the federal government.

(3) A statement of the applicant, made under oath, declaring all of the following:

a. That he or she has never been convicted in any jurisdiction of the United States of any felony or crime involving moral turpitude for which a full pardon has not been granted.

b. That he or she has never been declared, by any court of competent jurisdiction, incompetent by reason of mental defect or disease, and competency has not been restored.

c. That he or she is not suffering from habitual drunkenness or from narcotics addiction or dependence. The board may require certified results of medical tests for drug or alcohol use.

(e) In addition to the requirements of subsection (d), an applicant for licensure or certification or renewal shall submit to the board a form, sworn to by the applicant, containing the name, date of birth, and Social Security number for completion of a criminal history background check. The applicant shall submit two complete sets of fingerprints to the board. The board shall submit the fingerprints to the Alabama State Law Enforcement Agency (ALEA) for a state criminal history record check. The fingerprints shall be forwarded by ALEA to the Federal Bureau of Investigation (FBI) for a national criminal history record check. Costs associated with conducting a criminal history background check shall be borne by the applicant. The board shall keep information received pursuant to this section confidential, except that such information received and relied upon in denying the issuance of a certificate of qualification for a license or certification to a security officer in this state may be disclosed if necessary to support the denial of the license or certification, if required by court order, or for any other reason allowed by law.

(f) Applications for licensure and certification shall be filed with the board on a form developed by the board. The board shall prescribe the procedures and methods of submission, consideration, and disposition of applications. An applicant corporation incorporated under the laws of this state, or any other state shall be required to qualify with a certificate of authority issued by the Secretary of State and shall designate an agent for service of process. The applicant shall be issued a license or denied a license in writing within a reasonable period after receipt by the board of all required information.

(g)(1) Each contract security company requesting or renewing a license shall pay a security license fee upon application to be determined by the board that does not exceed three hundred fifty dollars (\$350) and may not be increased more than fifty dollars (\$50) per licensing period. A license shall expire on September 30 and an application for renewal shall be submitted to the board before October 1. A renewal application may not be accepted by the board after October 31. The board may impose a reasonable late fee on renewals not filed by October 1. The board shall promptly notify an applicant if the board refuses to issue or renew a license or certification. If the board refuses to issue or renew a license or certification, the applicant or licensee may appeal the decision of the board and may request a hearing, in accordance with the rules of the board and the Administrative Procedure Act. A licensee may continue to engage in the security business while his or her appeal or renewal application is pending. The board may impose a reasonable late fee on any renewal that is not filed before the expiration date of the license.

(2) Each security officer or armed security officer requesting or renewing a license or certification shall pay a nonrefundable security license fee to the board upon application to be determined by the board that does not exceed one hundred dollars (\$100) and may not be increased more than twenty-five dollars (\$25) per licensing period. The license or certification issued to a security officer or armed security officer shall expire two years from the date of



issuance. If the board refuses to issue or renew a license or certification, the applicant or licensee shall be promptly notified. If the board refuses to issue or renew a license or certification, the applicant or licensee may appeal the decision of the board and may request a hearing, in accordance with the rules of the board and the Administrative Procedure Act. A licensee may continue to serve as a security officer or armed security officer while his or her appeal or renewal application is pending. The board may impose a reasonable late fee on renewals not filed before the date of expiration of the license.

(h) No license or certification issued pursuant to this chapter shall be assigned or transferred by operation of law or in any other manner. A new license for an assignee or transferee of a business shall be applied for using the same procedures and requirements as set forth in this chapter for an initial license or certification applicant. The security operation of a security company may continue until the final disposition of the pending license or certification application.

(i) The current license or certificate or duplicate copy of the license or certificate shall be posted and displayed at all times at all business offices of the licensee within the state.

(j) The board shall be notified within 30 days of any changes in officers, directors, or management of a licensee or any changes that may reasonably affect the right of a licensee to hold a license or certificate under this chapter.

*(Act 2009-640, p. 1960, §4; Act 2011-174, p. 339, §3; Act 2013-349, p. 1248, §1; Act 2019-230, §1.)*

**Section 34-27C-5 Denial, probation, revocation, or suspension of license or certification.**

(a) The board may refuse to issue or renew a license or certification, place a licensee on probation, or suspend or revoke a license or certification for any violation of this chapter or rule of the board.

(b) In the event of a denial, probation, revocation, or suspension of a license, an applicant or a licensee shall be notified of the action of the board. The applicant or licensee may request a hearing and appeal the decision of the board in accordance with rules of the board and the Administrative Procedure Act. The licensee shall cease to provide security services to clients immediately upon receipt of a final notice from the board of revocation or suspension of its license or certification.

(c) The board may grant a stay or postponement of probation or a revocation or suspension under certain circumstances and with certain conditions attached, upon a majority vote of the board.

*(Act 2009-640, p. 1960, §5; Act 2019-230, §1.)*

**Section 34-27C-6 Insurance requirements.**

(a) Contract security company licensees shall file certificates of insurance with the board certifying coverage. The minimum amount of coverage shall be two million dollars (\$2,000,000) for bodily or personal injury and two hundred thousand dollars (\$200,000) for property damage. There shall be included endorsements for general liability, personal injury, and workers' compensation.

(b) An insurance policy may not be modified or cancelled without 30 days' prior notice to the board. The insurance company shall be licensed in this state, or in the state in which the insurance is purchased, with the name of a designated agent for service filed in the office of the Secretary of State.

*(Act 2009-640, p. 1960, §6.)*

**Section 34-27C-7 Application for license or certification; renewal; fees.**

(a) Within 30 days after initial employment, a security officer or armed security officer shall apply to the board for a license or certification. On or after May 21, 2009, all security officers or armed security officers not exempted under Section 34-27C-17, shall apply to the board for a license or certification in accordance with this chapter. A license or certification card issued by the board shall be carried by each security officer and armed security officer while performing his or her duties. A temporary card shall be issued by the board and be in the possession of the applicant or licensee while working as a security officer or armed security officer pending the application process, the completion of training, and the issuance of his or her license or certification. Licensure and certification shall be renewed every two years on the date on which original licensure or certification was granted. A contract security company that employs a security officer or armed security officer who is in violation of this subsection shall be in violation of this chapter.

(b) Each applicant for licensure or certification or renewal of licensure or certification shall submit to the board, within 30 days after initial employment or 30 days before licensure or certification expiration, the appropriate form as developed by the board, a fee of twenty-five dollars (\$25), and proof of completion of a certified training program or refresher course.

(c) Licensure or certification shall be denied or not renewed if a security officer or armed security officer does not meet the standards of a security officer or armed security officer established by the board pursuant to this chapter. In the event of denial or nonrenewal of a license or certification by the board, the applicant may appeal the action of the board. Upon receipt of a notice of appeal from the applicant, the board shall set a hearing date and promptly notify the applicant of the hearing date. The hearing shall be held in accordance with the rules of the board and the Administrative Procedure Act.

(d) A contract security company shall notify the board within 10 days after discovering any adverse information pertaining to the eligibility of an individual to be licensed or certified or any adverse information that may affect the licensure or certification status of a security officer or armed security officer.

(e) The board may issue a license or certification to a security officer who has been licensed or certified as a security officer in another state if the board determines that the applicant is currently a resident of this state and the qualifying and training requirements of the issuing state are equivalent, or substantially similar, to those required by this chapter.

(f) A security officer or armed security officer who works as such for six months or less per year may pay a one-time fee for special licensure by the board. Any security officer or armed security officer who works as such for more than six months in a year shall be subject to all fees and requirements of this chapter. The board, by rule, may establish the one-time fee that may not exceed one hundred dollars (\$100).

*(Act 2009-640, p. 1960, §7; Act 2013-349, p. 1248, §1; Act 2019-230, §1.)*

**Section 34-27C-8 Training requirements.**

(a) A person seeking initial licensure or certification as a security officer or armed security officer shall have completed board approved training with a certified trainer. Initial board approved training shall consist of a minimum of eight hours. Specific initial training requirements may be outlined, defined, and modified by board rule.

(b) After initial licensure or certification in accordance with this chapter, security officers and armed security officers shall complete board approved refresher training before submitting an

application for licensure or certification renewal. Specific refresher training requirements may be outlined, defined, and modified by board rule.

(c) In addition to the requirements of subsections (a) and (b), a person seeking initial licensure or certification as an armed security officer shall have completed board approved firearms safety training. Specific requirements for firearms safety training may be outlined, defined, and modified by board rule.

(d) After initial licensure or certification, an armed security officer shall complete board approved refresher firearms safety training before submitting an application for licensure or certification renewal. Specific refresher training requirements may be outlined, defined, and modified by board rule.

(e) In addition to the requirements of subsections (a) to (d), inclusive, a person seeking initial licensure or certification as a security officer or armed security officer shall have completed board approved use of force training. Specific requirements for use of force training may be outlined, defined, and modified by board rule.

(f) After initial licensure or certification, security officers and armed security officers shall complete board approved refresher use of force training before submitting an application for licensure or certification renewal. Specific refresher training requirements may be outlined, defined, and modified by board rule.

(g) The following persons are exempt from the basic training requirements of subsections (a) to (f), inclusive, except to the extent set forth below:

(1) Any security officer or armed security officer who, within three years before applying for licensure or certification, completed basic security training through a military, government, or security training institute that meets or exceeds the training required by this chapter. The board shall examine proof of training before declaring an applicant exempt. An initial exemption granted pursuant to this subdivision does not exempt an applicant from annual training requirements or refresher training requirements.

(2) Any security officer or armed security officer employed by a contract security company that has a training curriculum and standards that the board determines, upon presentation of proof of training, meet or exceed those required by this chapter. The board shall examine proof of training before declaring an applicant exempt. An initial exemption granted pursuant to this subdivision does not exempt an applicant from annual training requirements or refresher training requirements.

(3) Any person who is employed as a sworn peace officer.

(h) The minimum training standards provided in this section are in addition to any qualifications required by an employing contract security company.

*(Act 2009-640, p. 1960, §8; Act 2019-230, §1.)*

### **Section 34-27C-9 Certified trainers.**

Any person conducting training of security officers shall be licensed or certified as a certified trainer by the board. Any person seeking licensure or certification as a certified trainer shall pay all fees required by the board and meet all of the following qualifications:

(1) Be 21 years of age or older.

(2) Have a minimum of two years of supervisory experience with a contract security company, a proprietary company, or in federal, state, county, or municipal law enforcement.

(3) Have a minimum of one year of experience in teaching security-related courses or have attended a board approved two-week instructor's course.

(4) Submit proof of compliance with all instruction and training requirements established by the board.

*(Act 2009-640, p. 1960, §9; Act 2015-100, p. 315, §3; Act 2019-230, §1.)*

**Section 34-27C-10 Payment of fees, etc.; deposit.**

(a) A contract security company, at the request of a security officer in its employ, may withhold from the wages of the security officer those amounts necessary to pay for the licensure or certification fees, uniforms, or other required equipment of the security officer.

(b) A reasonable deposit may be required of a security officer by an employer to ensure the return of uniforms and equipment. The total amount of deposit required under this section may not exceed the actual cost of uniforms and equipment provided to the security officer.

*(Act 2009-640, p. 1960, §10; Act 2019-230, §1.)*

**Section 34-27C-11 Pistol permit.**

An armed security officer shall apply for and have his or her pistol permit issued by the sheriff of the county of his or her residence. It is a violation of this chapter for any security officer to carry a firearm in the performance of his or her duties without holding a valid license or certification card for an armed security officer issued by the board.

*(Act 2009-640, p. 1960, §11; Act 2019-230, §1.)*

**Section 34-27C-12 Prohibited activities.**

(a) It is unlawful for any person or entity to do any of the following:

(1) Issue a shield or badge not in conformance with this chapter. Except for sworn peace officers, no person or entity shall wear or display any badge, insignia, device, shield, patch, or pattern containing words which would indicate that he or she is a sworn peace officer or that includes the Great Seal of the State of Alabama. The words "security officer," or a similar term, shall be displayed on any badge, insignia, device, shield, patch, or pattern worn by a security officer or armed security officer. Except for the vehicle of a sworn peace officer, no vehicle used by a security officer, or an armed security officer shall have any equipment or markings denoting a law enforcement vehicle.

(2) Publish, advertise, use printed letterhead or circulars, or give statements, or use words or phrases which in any way suggest or imply that the security officer, armed security officer, or contract security company is a law enforcement organization or sworn peace officer, or an official of the state or federal government.

(3) Designate an individual meeting the definition of a security officer or armed security officer as anything other than a security officer or armed security officer.

(4) Knowingly make or provide false statements to the board or omit any document or information required to be filed with the board.

(5) Falsely represent a person to be a holder of a license or certification card.

(6) Engage in criminal conduct that would prohibit licensing or certification.

(b) In addition to subsection (a), it shall be unlawful for a security officer, armed security officer, or contract security company to do any of the following:

(1) Fail to comply with or violate this chapter and the rules of the board.

(2) Divulge to anyone other than his or her employer, unless required by law, any information that would jeopardize the property for which he or she is providing security.

(3) Fail to return his or her license or certification card, or license or certification of the contract security company, to the board, if required.

(4) Possess a certification card or licensure card issued to any other person.

(5) Use a badge or shield not in conformance with this chapter.

*(Act 2009-640, p. 1960, §12; Act 2019-230, §1.)*

**Section 34-27C-13 Violations.**

(a) A violation of this chapter by a security officer or an armed security officer shall be punishable by a fine of not less than seventy-five dollars (\$75) nor more than five thousand dollars (\$5,000) per violation and may result in the probation, revocation, or suspension of the license or certification, or both, of the violator.

(b) Any person who practices or offers to practice as a security officer or an armed security officer in this state without a license or certification issued and approved by the board shall be guilty of a Class A misdemeanor.

*(Act 2009-640, p. 1960, §13; Act 2019-230, §1.)*

**Section 34-27C-14 Appeals.**

Any person or entity aggrieved by any final action of the board may appeal to the Circuit Court of Montgomery County.

*(Act 2009-640, p. 1960, §14; Act 2013-349, p. 1248, §1.)*

**Section 34-27C-15 Security Certification Fund.**

There is created in the State Treasury, with funds expended by the board to defray the expenses of administering this chapter, a special revenue trust fund designated as the Security Certification Fund. All receipts collected by the board under this chapter shall be deposited in the fund and shall only be used to implement this chapter. Receipts deposited into the fund shall be disbursed only by warrants of the state Comptroller drawn upon the State Treasury on itemized vouchers approved by the board. No funds shall be withdrawn or expended except as budgeted and allotted according to Sections 41-4-80 to 41-4-96, inclusive, and 41-19-1 to 41-19-12, inclusive, and only in amounts as stipulated in the general appropriations act, other appropriations acts, or this chapter. At the end of any fiscal year following May 21, 2009, any unencumbered and unexpended balance in the fund shall not revert to the General Fund of the State Treasury under Section 41-4-93 but shall carry over to the next fiscal year.

*(Act 2009-640, p. 1960, §15.)*

**Section 34-27C-16 Contract security license for nonresident.**

To the extent that other states which provide for licensing and certification of any security officer, armed security officer, or contract security company provide for similar action for citizens of this state, the board may grant a license or certification to a nonresident or out-of-state contract security company who holds a valid license or certification of the same type from another state upon satisfactory proof furnished to the board that the standards of licensure or certification in the other state are equivalent or substantially similar to those prevailing in this state.

*(Act 2009-640, p. 1960, §16; Act 2019-230, §1.)*

**Section 34-27C-17 Exemptions.**

The following persons and entities, including affiliated entities under common control, are exempt from this chapter:

- (1) Any person or entity that uses the employees of the person or entity for security services.
- (2) Any employee who provides security services only for his or her employer and not for any third party.
- (3) A sworn peace officers.

*(Act 2009-640, p. 1960, §17; Act 2013-349, p. 1248, §1; Act 2019-230, §1.)*

**Section 34-27C-18 Relation to other provisions.**

(a) No governmental subdivision of this state shall enact any legislation, code, or ordinance, or adopt any rule relating to the licensing, training, or regulation of contract security companies or individuals functioning as security officers, other than for the imposition of a bona fide business tax or occupational tax, or both.

(b) Any provision of any legislative code, ordinance, or rule promulgated by any local governmental subdivision of this state, relating to licensing, training, or regulation of contract security companies or security officers, shall be superseded by this chapter.

*(Act 2009-640, p. 1960, §18; Act 2019-230, §1.)*

**Professional Services by Vendor**

	2018	2019	2020	2021
<b><u>Administrative Services</u></b>				
<b>Advertising</b>				
Legislative Services Agency	\$ 810.00	\$ -	\$ 130.00	\$ -
<b>Accounting/Auditing</b>				
Warren and Company, Inc	206,938.20	330,000.00	332,750.00	346,500.00
<b>Security and Monitoring</b>				
Warren and Company, Inc	850.00	850.00	-	450.00
<b>Information and Research</b>				
AL State Law Enforcement Agency	157,090.00	369,915.25	252,373.50	112,250.50
<b>Managerial</b>				
Business Systems and Consultants	6,647.94	-	-	6,206.51
<b>Education and Training</b>				
AL Association of Regulatory Board	250.00	150.00	-	-
<b>Total Administrative Services</b>	<b>372,586.14</b>	<b>700,915.25</b>	<b>585,253.50</b>	<b>465,407.01</b>
<b><u>Legal Services</u></b>				
<b>Board of Funeral Services</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>6,875.01</b>
<b><u>Data Processing Services</u></b>				
<b>Imaging</b>				
Business Systems and Consultants	-	-	5,123.68	-
<b>Court Reporter</b>				
Henderson & Associates Court	360.00	-	-	-
Veritext	-	1,135.45	225.00	225.00
Boggs Reporting and Video LLC	-	-	-	450.00
<b>Department of Finance</b>				
Data Processing	3,071.50	-	-	-
Mailing Services	330.25	390.75	346.35	153.50
SBS Billing	-	-	30.00	60.00
Interfund Contract Services	4,125.00	3,300.00	3,300.00	-
Comptroller	598.14	424.45	1,162.95	1,276.74
<b>Office of Information Technology</b>				
Data Processing	1,950.25	6,679.25	5,478.50	4,866.75
<b>Total Data Processing Services</b>	<b>10,435.14</b>	<b>11,929.90</b>	<b>15,666.48</b>	<b>7,031.99</b>
<b>Total Professional Services</b>	<b>\$ 383,021.28</b>	<b>\$ 712,845.15</b>	<b>\$ 600,919.98</b>	<b>\$ 479,314.01</b>

**Board Members**



**Alabama Security Regulatory Board**  
**2777 Zelda Road**  
**Montgomery, AL 36106**  
**(334) 420-7234**  
**Fax (334) 263-6115**  
**www.asrb.alabama.gov**

March 16, 2022

Charnelle Martin  
Examiners of Public Accounts  
660 Adams Avenue, Suite 280  
Montgomery, Alabama 361074

Dear Mrs. Martin,

Please find the following information regarding Board members that were appointed during the examination period.

<b><u>Board Member</u></b>	<b><u>Date of Appointment</u></b>	<b><u>Expiration of Appointment</u></b>
Kevin J. Murphy Chair Montgomery, Alabama 36117	June 14, 2018	September 16, 2023
Burke V. Swearingen Vice-Chair Vestavia Hills, Alabama 35226	August 29, 2018	May 21, 2021
Debra B. Davis Oxford, Alabama 36203	August 18, 2016	September 16, 2021
Sheriff Billy Jones Marion, Alabama 36756	October 1, 2020	August 31, 2021
Harold Stamps Albertville, Alabama 35951	January 23, 2020	October 18, 2022

Please do not hesitate to let me know if you have any questions pertaining to this information.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Keith E. Warren", is written over a horizontal line.

Keith E. Warren  
*Executive Director*



Response to Significant Issues



**Alabama Security Regulatory Board**  
**2777 Zelda Road**  
**Montgomery, AL 36106**  
**(334) 420-7234**  
**Fax (334) 263-6115**  
**[www.asrb.alabama.gov](http://www.asrb.alabama.gov)**

June 22, 2022

Maria L. Catledge  
Director, Operational Division  
401 Adams Avenue, Suite 280  
Montgomery, Alabama 36104-4338

Dear Ms. Catledge,

Please find below the responses to the significant issues outlined in your letter dated June 15, 2022.

**Significant Issue 2022-01**

The Board will include the removal of 34-27C-2(b) in its legislative changes for the 2023 Regular Legislation Session.

**Significant Issue 2022-02**

The Board approved to waive all late fees due to COVID-19 and an Emergency Rule is only good for 120. The Board does see the error of not promulgating a rule to waive this fee only during COVID-19 but has reinstate the late fee under normal operations. The Board will appropriately promulgate rules in the future. This significant issue is resolved.

**Significant Issue 2022-03**

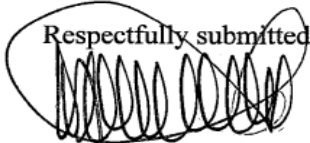
COVID-19 caused many training facilities and companies to eliminate their training programs due to social distancing, etc., and have not resumed the programs. The Board is finalizing an online training program to provide to all new and renewal licenses and this training will be provided at no cost to the individuals. The Board has chosen a provider through the RFP process and finalizing the program to hopefully launch by this fall. This finding will be resolved in the coming months.

**Significant Issue 2022-04**

The Board Office experienced major staffing issues and changes during the pandemic; however, new staff was hired and trained and the licensure process operates smoothly and efficiently. There is one process the Board wants to change in their statute to expedite the licensure process is the background check required for renewals. Under the current statute, a complete background checking, including fingerprint cards, are required for initial and each renewal which is a full background check each time. The Board is drafting legislation to change the background check requirements for renewal of licensure to a lessor process to review only the last two years and not a full background check each time. The background check process during the pandemic were extremely slow but are now processing in a normal 6-8 weeks. A background check that does not require fingerprint cards will have a 24-48 processing time to expedite the renewal of licenses.

Thank you for your assistance and cooperation during this process. Please let me know if you have any questions or need any additional information.

Respectfully submitted,

A handwritten signature in black ink, consisting of a series of overlapping loops and curves, enclosed within a hand-drawn oval.

Keith E. Warren  
*Executive Director*