

**NOTICE OF INTENT TO ADOPT PROPOSED AMENDMENTS TO THE
GEORGIA BOARD OF PRIVATE DETECTIVE & SECURITY AGENCIES
CHAPTER 509-2 LICENSURE & REGISTRATION,
RULE 509-2-.03 ISSUANCE OF LICENSES AND REGISTRATIONS.
AMENDED.
AND NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Private Detective & Security Agencies (hereinafter "Board") proposes amendments to the Georgia Board of Private Detective & Security Agencies Rules, Chapter 509-2 Licensure & Registration, Rule 509-2-.03 Issuance of Licenses and Registrations. Amended. (hereinafter "proposed rule amendments"). The proposed rule amendments include revisions to Rule 509-2-.03. The Board voted to post this notice of adoption and hearing at its board meeting on October 19, 2006.

The proposed rule amendments correct the intent of the rule to encompass the licensure application process for all types of company licenses, and to provide for a grace period during which a company may operate after the departure of the license holder while presenting a new application to the Board. The amendments also correct the intent of the rule in describing the process for employees to obtain registrations to work for more than one company simultaneously, or to work for another employer.

This notice, together with an exact copy of the proposed rule amendments and a synopsis of the proposed rule amendments, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendments, and a synopsis of the proposed rule amendments may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia Board of Private Detective & Security Agencies' web page at <http://www.sos.state.ga.us/plb/detective/>. Copies may also be requested by contacting the Georgia Board of Private Detective & Security Agencies office at 478-207-1460.

A public hearing will be held at 9:00 a.m. on December 7, 2006 at the office of the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia to provide the public an opportunity to comment upon and provide input into the proposed rule amendments. A vote to adopt the proposed rule amendment will be held at 9:30 a.m. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record.

Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. Such written comments must be legible and signed, should contain contact information for the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 p.m.) on November 30, 2006. Written comments should be addressed to Mollie L. Fleeman, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Private Detective & Security Agencies, 237 Coliseum Drive, Macon, Georgia 31217. FAX: 478-207-1468.

The proposed rule amendments will be considered for adoption by the Georgia Board of Private Detective & Security Agencies at its meeting on December 7, 2006 scheduled to begin at 9:30 a.m. at the office of the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia. The Georgia Board of Private Detective & Security Agencies has the authority to adopt proposed rule amendments to Rule 509-2-.03 pursuant to authority contained in O.C.G.A. §§ 43-1-19, 43-1-25, 43-38-3, 43-38-4.

The Board will consider at its meeting on December 7, 2006 whether the formulation and adoption of this proposed rule amendment imposes excessive regulatory costs on any licensee or entity and whether any cost to comply with the proposed rule amendment could be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-19, 43-1-25, 43-38-3, 43-38-4.

Additionally, at its meeting on December 7, 2006, the Board will consider whether it is legal or feasible in meeting the objectives of O.C.G.A. §§ 43-1-19, 43-1-25, 43-38-3, 43-38-4 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The Board will consider whether the formulation and adoption of this proposed rule amendment will impact every licensee in the same manner when small businesses are independently owned and operated and not dominant in the field of private detective and security.

For further information, contact the Board office at 478-207-2440.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This _____ day of _____, 2006.

**Mollie Fleeman
Division Director
Professional Licensing Boards**

Posted: _____

**SYNOPSIS OF PROPOSED AMENDMENTS TO THE
GEORGIA BOARD OF PRIVATE DETECTIVE & SECURITY AGENCIES
RULES,
CHAPTER 509-2 LICENSURE & REGISTRATION, RULE 509-2-.03 ISSUANCE
OF LICENSES AND REGISTRATIONS. AMENDED.**

Rule 509-2-.03 Issuance of Licenses and Registrations. Amended. is hereby proposed for amendment and adoption as amended. The proposed amendments to the rule correct language to encompass the application for licensure process for all company applications, and provide for the issuance of registrations when reports have been received from the fingerprint-based criminal background check from the state and federal agencies to which the fingerprint cards were submitted. The amendments to the rule also clarify the process by which a registered employee who becomes employed with a new employer can obtain a registration number to work for the new or additional employer.

Purpose: The purpose of the proposed amendments to the rule is to correct language to encompass the application for licensure process for all company applications, and to provide for the issuance of registrations when reports have been received from the fingerprint-based criminal background check from the state and federal agencies to which the fingerprint cards were submitted. The amendments to the rule also clarify the process by which a registered employee who becomes employed with a new employer can obtain a registration number to work for the new or additional employer.

Main Features: The main features of the proposed amendments to the rule are to correct language to encompass the application for licensure process for all company applications, to provide for the issuance of registrations when reports have been received from the fingerprint-based criminal background check from the state and federal agencies to which the fingerprint cards were submitted. The amendments to the rule also clarify the process by which a registered employee who becomes employed with a new employer can obtain a registration number to work for the new or additional employer.

**DIFFERENCES BETWEEN THE EXISTING RULE AND
THE PROPOSED AMENDMENTS TO THE
GEORGIA BOARD OF PRIVATE DETECTIVE & SECURITY AGENCIES
RULES,
CHAPTER 509-2 LICENSURE & REGISTRATION., RULE 509-2-.02 ISSUANCE
OF LICENSES AND REGISTRATIONS. AMENDED.**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

509-2-.03 Issuance of Licenses and Registrations. Amended.

(1) Any applicant for licensure of ~~an In-House Security Operation~~ who is filing the application on behalf of ~~such~~ a firm, association, company, partnership, or corporation

shall be the president or secretary of such company or corporation or a member of such firm, association, or partnership; ~~or such individual may designate a chief of security in Georgia to complete application for licensure.~~ Said chief of security officer or member shall be directly responsible for all security operations and must be registered with the Board.

(2) At any time after the receipt by the Board of all documents and fees required by law or by these rules, and after being satisfied that the applicant has the qualifications set forth by law, and has received the minimum training required by rule, the Board may issue a license or registration card ~~notwithstanding the fact~~, provided that reports have ~~not~~ been received from the state and federal agencies to which the applicant's fingerprint cards have been sent. Should any statement appearing in the application or any other form submitted to the Board by the applicant be demonstrated to be untrue or false, the Board will then, at its earliest opportunity, take appropriate action against the applicant.

(3) Upon death, resignation or termination of the license holder of the company, the chief officer of the company shall notify the Board within 10 (ten) business days of the absence of the license holder, and shall request a 180-day grace period to operate the company until a qualified license holder can be submitted to the Board for approval with a new application for company license.

~~(3)~~ (4) Upon death, resignation or termination of a registrant the licensee (employer) shall notify the Board within 30 days of the termination of employment of any registered employee by mailing to the office of the Joint Secretary Division Director the employee's registration and weapon permit cards.

~~(4)~~ (5) Any When any registrant who transfers from one employer to another, the employer must make a new application and submit the appropriate fee to the Board. Refer to the fee schedule for transfer fee. The board may issue the registration with weapon permit to such registrant before receiving the results of the criminal background check, based upon a current registration with weapon permit with another employer.

~~(5)~~ (6) Any When any registrant who is employed by more than one agency (~~dual registration~~) simultaneously, each employer must complete application for licensure registration on behalf of the employee with each company of employment. Each application must be accompanied by the appropriate fee. Refer to the fee schedule for dual registration fee. The board may issue the registration with weapon permit to such registrant before receiving the results of the criminal background check, based upon a current registration with weapon permit with another employer.

Authority: O.C.G.A. §§43-1-19, 43-1-25, 43-38-3, and 43-38-4.