

New Legislation Alert

SB 1454, authored by Member Ashby and signed into law by Governor Newsom on September 22, 2024, extends the sunset date for the Bureau of Security and Investigative Services (Bureau) until January 1, 2029, extends the ability for alarm companies and private investigators to form limited liability companies through January 1, 2030, and introduces several important changes to Practice Acts regulated by the Bureau. The provisions of this bill will take effect on January 1, 2025, unless otherwise specified.

Collateral Recovery Act

Requires a licensed repossession agency who chooses to serve a notice of seizure by mail to be addressed to the current address of the debtor, if known.

Authorizes the Bureau to issue citations to licensees violating the provisions of the Collateral Recovery Act under Business and Professions Code (BPC) 125.9 and 146.

Private Investigator Act

Effective July 1, 2025, the Private Investigators Act is amended to add BPC section 7524 which mandates that agreements between licensed private investigators and their clients be in writing. These agreements must include specific details, including, but not limited to:

1. The investigator's name, business address, phone number, and license number.
2. A disclosure about the licensing and regulation by the Bureau.
3. Estimated start and completion dates for the services.
4. A description of the investigation or services to be provided.
5. Information on whether a written report will be provided and the delivery method.
6. An explanation of the agreed-upon fees, including a breakdown of how they are assessed.
7. Any other mutually agreed matters.

Amendments to a service agreement between a private investigator and a client must be in writing, clearly legible, and approved by the client in writing before work continues. Private investigators (PI) shall submit a written report to the client within 30 days from completion of the investigation. PIs are required to keep a legible copy of the signed agreement and any investigative findings, including written reports, for at least two years. These documents must be available for inspection by the Bureau upon request.

Proprietary Security Services Act and Private Security Services Act

Under the new law, several exemptions to licensure under the Proprietary Security Services Act and the Private Security Services Act were removed including, but not limited to, charitable philanthropic organizations and associations.

Tribal Licensure

New law establishes a pathway to licensure for federally recognized tribes and tribally owned businesses under the Private Security Services Act. This law provides an exemption for federally recognized tribes from licensure requirements under the Proprietary Security Services Act. Additionally, a federally recognized tribe will now be required to complete an application to the Bureau for approval to offer training courses in the carrying and usage of firearms or batons.

Firearm and Baton Permits

Changes to BPC section 7583.23(b)(1) require the mandatory firearms training be certified by a bureau-approved or bureau-certified firearms training instructor within the six (6) months preceding the date the firearms permit application is submitted to the Bureau. BPC section 7583.32(d) is amended to create training exemptions for peace officers and federal qualified law enforcement officers who have completed their requalification training within the 12 months preceding the month of the permit's expiration. Additionally, BPC section 7583.22(e) was amended to limit the exemption from the course of study in the use of firearms requirement by requiring the peace officer or federal qualified law enforcement officers to have completed the course within the 24 months preceding the date of application.

Finally, changes to BPC section 7584.3 require Baton permit applicants, except as specified, to successfully complete the course of training approved by the Bureau in the carrying and use of a baton within the six (6) months preceding the date the baton permit application is submitted to the Bureau.