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BSIS STAFF REPORT

LICENSING UPDATE

LICENSING UPDATES

The Bureau's Licensing Program's management team and staff continue to encourage applying online instead of paper for faster processing. Applying online for **initial** applications is at 85% compared to paper at 15%. Applying for **renewal** applications online is at 68% compared to paper at 32%. Our efforts to promote online participation reflects in the data provided. However, we want to increase those percentages to issue our licenses faster to the applicants/licensees, and we will continue to find ways to make it easier for applicants/licensees to apply online.

Increasing the information available online to our licensees and applicants is an ongoing goal of the Bureau's. We recently implemented the uploading of deficiency letters in Breeze. This allows applicants to pull up their personal Breeze account and see, for the first time, an e-copy of letter(s) sent to them.

PROCESSING TIMEFRAMES / PERFORMANCE MEASURES

We continue to meet our target goals to ensure licenses are issued promptly. For FY 20/21, we met 90% of its processing turnaround time target goals. Below are some statistics showing the processing turnaround time target goals.

			COMPLETE APPLICATIONS		INCOMPLETE APPLICATIONS	
License Type	Transaction Description	Target	Count	Processing Time	Count	Processing Time
Security Guard	Guard Initial Application	60	57,311	24	507	133
Firearm Permit	FQ Initial Application	75	7,198	144	468	213
Private Patrol Operator	PPO Initial Application	30	88	9	389	111
	PPO License Application	90	7	1	287	121
PPO Branch	PPB Initial Application	60	4	43	73	111
Training Facility Firearm	TFF Initial Application	90	0		28	165

Training Facility Baton	TFB Initial Application	90	0		14	142
Training Facility Firearm Instructor	TIF Initial Application	75	0		43	129
Training Facility Baton Instructor	TIB Initial Application	75	0		19	117
Private Patrol Qualified Manager	PPQ Exam Request		57	1	252	74
	PPQ Initial Application		6	239	210	181
Proprietary Private Security Officer	PSO Initial Application	60	1,178	47	5	212
Proprietary Private Security Officer Employer	PSE Initial Application	90	1	1	47	55
Alarm Company Employee	ACE Initial Application	60	4,032	35	32	197
Alarm Company Operator	ACO Initial Application	30	0		95	70
	ACO License Application	90	0		47	167
Alarm Company Branch	ACB Initial Application	60	14	25	19	165
Alarm Company Qualified Manager	ACQ Exam Request		10	58	46	146
	ACQ Initial Application	120	3	1	42	201
Locksmith Employee	LOC Initial Application	60	211	53	13	158
Locksmith Company	LCO Initial Application	90	1	4	168	109
Locksmith Company Branch	LCB Initial Application	60	3	27	14	50
Repossessor Agency Employee	RAE Initial Application	60	64	39	34	121
Repossessor Agency	RA Initial Application	120	1	100	35	71
Repossessor Agency Qualified Manager	RAQ Exam Request		0		10	91
	RAQ Initial Application	120	1	1	6	146

Private Investigator	PI Initial Application	30	36	3	275	85
	PI License Application	90	4	1	208	87
Private Investigator Branch	PIB Initial Application	60	23	81	8	59
Private Investigator Qualified Manager	PIQ Exam Request		188	1	35	107
	PIQ Initial Application		4	275	166	186

SUMMARY OF BREEZE CHANGES

August 2021

BMO 1434 – Removed the Hard Card Fingerprint question and text from all online applications except for Alarm Industry applications.

September 2021

BMO 393 – BSIS is now added to the BreEZe Versa Online Contact Us list for applicants to send questions to the bureau.

LICENSING DATA FOR FY JULY 1, 2021 – SEPT 30, 2021:

License Type	Apps Received	Apps Approved	Licenses Renewed	Current Licensing Population
Security Guard	18,946	16,732	22,704	290,962
Firearm Permit	3,129	1,854	3,830	38,612
Baton Permit	159	478	N/A	33,230
Private Patrol Operator	162	78	310	2,543
PPO Branch	26	14	35	368
Training Facility Firearm	11	11	34	340
Training Facility Baton	5	4	15	161
Training Facility Firearm Instructor	17	11	53	604
Training Facility Baton Instructor	5	2	16	197
Proprietary Private Security Officer	653	464	416	5,657
Proprietary Private Security Officer Employer	61	32	55	560
Alarm Company Employee	1,042	1,003	1,136	16,214
Alarm Company Operator	23	14	200	1,699
Alarm Company Branch	7	6	48	259
Alarm Company Qualified Manager	26	9	221	1,754

Locksmith Employee	66	69	181	1,995
Locksmith Company	65	51	249	2,110
Locksmith Company Branch	1	2	13	55
Repossessor Agency Employee	39	33	41	499
Repossessor Agency	3	4	39	251
Repossessor Agency Qualified Manager	8	1	23	254
Private Investigator	77	31	915	7,627
Private Investigator Branch	7	3	12	156
Total	25,580	20,906	30,546	406,107

OUTREACH

The Licensing Deputy Chief, Gloriela Garcia presented as a guest speaker on a prerecording on September 24, 2021, for the upcoming virtual CalSaga annual conference. She will also be available on October 22, 2021, to answer live questions from the industry during one of the scheduled conference dates.

POLICY AND ADMINISTRATION UPDATE

STAFFING UPDATE

The Bureau has 72.4 permanent full-time position (in addition to temporary staff). As of September, the Bureau is at an 7.6% vacancy rate, which equates to 9.5 vacant positions. However, there is one candidate pending hiring, which takes the vacancy rate to 6.9%. Management is working to fill all positions as soon as possible.

BUDGET UPDATE

The fund condition identifies the Bureau's fund reserve at 4.9 months at the end of fiscal year (FY) 20-21 and is projected to be at 3.1 months at the end of FY 21-22. At the end of FY 23-24, the Bureau will be at -1.0 months, which means the Bureau will be insolvent.

Table 1 - BSIS Fund Condition				
	PY 2020-21	Budget Act CY 2021-22	BY 2022-23	BY+2 2023-24
Beginning Balance	\$8,396,000	\$7,522,000	\$4,940,000	\$1,825,000
Total Revenues & Transfers	\$15,958,000	\$15,830,000	\$15,802,000	\$15,775,000
Expenditures	\$16,832,000	\$18,412,000	\$18,917,000	\$19,276,000
Fund Balance	\$7,522,000	\$4,940,000	\$1,825,000	-\$1,676,000
Months in Reserves	4.9	3.1	1.1	-1.0

As part of a long-term solution, Senate Bill 607 (Min and Roth, Chapter 367, Statutes of 2021) will require firearm permit applicants to pass the assessment prior to applying and would clarify that an applicant that fails the assessment is not entitled to appeal the assessment results, effective January 1, 2022. This would result in significant AG cost savings.

LEGISLATIVE UPDATE

1. [AB 107 \(Salas\)](#)

Requires the Bureau to issue a temporary license to an applicant that is married to, or in a domestic partnership, or other legal union with an active duty member of the military who is assigned to a duty station in California if the meet a specified set of eligibility criteria, effective July 1, 2023. Further, this bill requires the Department of Consumer Affairs to submit an annual report to the Legislature containing specified information relating to the professional licensure of veterans, servicemembers, and their spouses and requires DCA to publish information pertinent to all licensing options available to military spouses on its home page.

2. [AB 229 \(Holden\)](#)

This bill:

- Expands the Power to Arrest (PTA) and training in the carrying and usage of firearms to include “appropriate use of force” topics, effective January 1, 2023. The Bureau will work with POST to develop the course outline. Makes “Weapons of Mass Destruction and Terrorism Awareness” an elective course only, effective January 1, 2023.
- Repeals the requirement for Private Investigators seeking a firearms permit to complete the power to arrest training, effective January 1, 2023.
- Clarifies that an armed security guard must be an employee of a private patrol operator (PPO) or an employee of the state or a political subdivision thereof.
- Requires PPOs to submit a written report describing the circumstances of the discharge of any firearm or any altercation, as specified, including an altercation that resulted in any type of first aid or medical attention and any physical use of force while on duty, and clarifies the reports shall be submitted within seven business days.
- Authorizes the Bureau to deny, suspend, or revoke a license for any use of force in violation of standards prescribed by the bureau by regulation, effective January 1, 2023.
- Increases the fine amount for a violation of Business and Professions Code section 7583.2 (f) (submission of written report) from \$1,000 for the first violation and \$2,500 for subsequent violations to \$5,000.
- Authorizes, rather than requires, PPOs to provide a copy of the PTA training manual to their employees.

- Clarifies security guard training requirements and amends security guard and private patrol operator record retention requirements.
3. [**AB 358 \(Flora, Chapter 148, Statutes of 2021\)**](#)
Current law defines an "electrified security fence" and authorizes a property owner to install and operate an electrified security fence on their property, as specified. This bill would allow an "electrified security fence" to interface with a monitored alarm device in a way that would enable the alarm system to alert the business, monitoring service, or both, in response to an intrusion or burglary.
 4. [**AB 484 \(Medina, Chapter 373, Statutes of 2021\)**](#)
Current law requires an ACO to include their name and license number in any advertisement soliciting or advertising business. This bill would allow an ACO to direct potential customers to their online landing page for their name and license number for any radio, television, or billboard advertisement.
 5. [**AB 830 \(Flora, Chapter 376, Statutes of 2021\)**](#)

This bill:

- Amends the definition of "alarm agent," "alarm system," and "alarm company operator" in the Alarm Company Act.
- Requires alarm industry applications for a license, registration, certification, or permit to be submitted electronically, effective July 1, 2022.
- Clarifies that the Bureau cannot investigate, hear, or adjudicate violations of Business and Professions Code section 7592.9 regarding local use permits.
- Removes the requirement to submit a photograph with the personal identification form for alarm industry applicants.
- Prohibits a firearms training instructor from self-certifying initial and renewal application requirements, specifying that they need to be completed another Bureau-certified instructor.
- Authorizes an ACE to carry on their person, while on duty, a digital copy of their registration or temporary application.
- Amends alarm agreement requirements, specific to the alarm agent, alarm agent applicant, or individual who solicited or negotiated the agreement and conforms the "right-to-cancel" provision of the alarm agreement to the California Civil Code.
- This bill authorizes the Bureau to automatically suspend a license that is not in good standing with the Secretary of State, Franchise Tax Board, or both, and authorizes the Bureau to reinstate the license once the license is in good standing and upon payment of the reinstatement fee. (Impacts all Bureau industries.)

- Authorize the Bureau to charge a fee for an alarm company operator licensee who wishes to reinstate their license if it has been automatically suspended for failing to provide proof of insurance.

6. [**AB 913 \(Smith, Chapter 416, Statutes of 2021\)**](#)

This bill redefines specified terms in the Collateral Recovery Act, including 'deadly weapon,' 'legal owner,' and 'repossession.' This bill also requires instruments or weapons, other than a firearm, to be inventoried and disposed of in a reasonable and safe manner and requires a repossession agency to receive written authorization from a debtor allowing a third party to take possession of their belongings. Lastly, this bill makes other minor, technical, and non-substantive changes to the Collateral Recovery Act.

7. [**AB 1221 \(Flora\)**](#)

Current law specifies what must be included in a service contract, including the contract term. This bill specifies that a contract may be month-to-month or other periodic basis and continue until cancelled by the buyer or obligor and specifies additional information to be contained in such contract. Further, the bill specifies when a month-to-month/periodically based contract can be cancelled.

(Applicability: Alarm contracts)

8. [**SB 607 \(Min and Roth, Chapter 367, Statutes of 2021\)**](#)

This bill:

- Requires Department of Consumer Affairs boards and bureaus to waive the licensing fees for an applicant who is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders and holds a current license in another state, district, or territory of the United States in the profession or vocation for which the applicant seeks a license, effective July 1, 2022.
- Authorizes the Bureau to automatically revoke a firearm permit if the permit holder is prohibited from possessing, receiving, or purchasing a firearm pursuant to state or federal law.
- Requires a firearms permit applicant to pass the firearm assessment in order for their application to be complete and clarifies that an applicant that fails the assessment is not entitled to appeal the assessment results.
- Requires a firearms permit applicant to pass the firearm assessment within the six months preceding the date the application is submitted to the Bureau.
- The bill allows an applicant who fails the assessment to complete another assessment no earlier than 180 days after the results of the previous assessment are provided to the Bureau.

UPDATE ON ENACTED OR PENDING REGULATIONS

1. Badge, Patch, and Cap Insignia Criteria – New Sections to be added to Division 7 of Title 16 of the California Code of Regulations
2. Private Investigator Fee Increase (SB 385) – Section 639 of Division 7 of Title 16 of the California Code of Regulations
3. Firearms Qualification Card Training - Section 632 of Division 7 of Title 16 of the California Code of regulations

ENFORCEMENT UPDATE

DISCIPLINARY REVIEW UNIT (DRU)

The Disciplinary Review Unit (DRU) is comprised of two Associate Governmental Program Analysts (AGPA), two Staff Services Analysts (SSA), three Program Technician II's (PTII), one Office Technician (OT) and one Staff Services Manager I (SSMI). DRU staff receive and review all Criminal Offender Record Information (CORI) including rap sheets, subsequent arrest notifications, subsequent dispositions (conviction information) and firearm prohibits from the California Department of Justice (DOJ). Application denials to date are as follows:

Denial Type (July-September)	Total
Application Denials (criminal convictions)	637
Firearm Permit Denials (DOJ Prohibited)	100
Firearm Permit Denials (Failed Assessment)	283
Total Denials:	1,020

CASE MANAGEMENT (CM)

Case Management is comprised of four Associate Governmental Program Analysts (AGPA) who manage and facilitate all cases referred to the Attorney General's (AG) Office for appeals, denials and formal discipline. Case management analysts also monitor licensees who are placed on probation. Cases currently pending include Accusations to revoke licenses, Statement of Issues denying a license, citation appeals, firearm revocation appeals and firearm assessment appeals. To date there are 332 BSIS cases pending at the AG's Office, 209 of which are firearm assessment appeals. With SB 607 being signed by the Governor, the Bureau will no longer be required to refer firearm assessment cases to the AG's Office. The Bureau is currently working with the AG's Office to facilitate these appeals.

COMPLAINT INTAKE/COMPLAINT RESOLUTION

Complaint Intake and Complaint Resolution is comprised of three Staff Services Analysts (SSA), one Management Services Technician (MST), one Associate Governmental Program Analyst (AGPA) and one Staff Services Manager I (SSMI).

Currently, the average number of days for Complaint Intake staff to initiate a complaint is 2 days from receipt. Complaint Resolution staff currently have 721 pending cases, 89 of which are Incident Reports. Current fiscal year to date, staff have negotiated \$19,234 in savings for California consumers.

ENFORCEMENT

The BSIS Enforcement Unit is comprised of ten Associate Governmental Program Analysts (AGPA), one Management Services Technician (MST), one Special Investigator and a Staff Services Manager I (SSMI). The AGPAs investigate complaints and conduct inspections of Bureau licensees. The average caseload for Enforcement AGPAs is 35 complaints and 23 active inspections. Currently, the average number of days to investigate a complaint from initiation to closure is 68 days. With the addition of the Special Investigator, the Bureau is being more aggressive on Unlicensed Activity. To date, 10% of pending investigations are for Unlicensed Activity and 26% of the citations issued this fiscal year have been for Unlicensed Activity.