

CHAPTER 62
FORMERLY
SENATE BILL NO. 79
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO EMPLOYEE IDENTIFICATION CARDS FOR SECURITY BUSINESSES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 12, Title 24 of the Delaware Code by making insertions as show by underlining and deletions as shown by strike through as follows:

§ 1208. Employee identification cards

(a) Any person operating a security business shall provide the Superintendent with a list of the names, addresses, social security numbers and 1 set of classifiable fingerprints recorded in the manner required by the Superintendent of employees as hired, except persons subject to the exceptions of subsection (j).

(b) No individual shall function as a security agent or perform the duties described in subsection (c) of this section without first obtaining the identification card required by this section.

(c) Owners, principal corporate officers, partners, employees and managers of all security businesses shall be required to obtain identification cards if they are directly engaged in selling, installing, altering, servicing, moving, maintaining, repairing, replacing, monitoring, responding to or causing others to respond to security systems within the State.

(d) Security agents who are employed by persons who were engaged in the security business on June 25, 1984, shall have 60 days to file an application for an identification card under this section and may continue to function as a security agent pending a final determination of such application.

(e) A temporary identification card may be issued by a security business licensed under this statute to any of its security agents or any individual required to obtain an identification card prior to the issuance of a permanent identification card for any such individual by the business. The form, requirements and conditions for issuance and use of temporary identification cards shall be prescribed by the Superintendent.

(f) The temporary or permanent identification card shall be carried by any individual required to obtain an identification card under this statute whenever such individual is engaged in the security business and shall be exhibited upon request.

(g) The Superintendent may refuse to approve an identification card if the identification card applicant has been convicted of a felony or a misdemeanor in any jurisdiction and the Superintendent finds that such conviction reflects unfavorably on the fitness of such applicant to engage in the security business or to be employed by the security business.

(h) The permanent and temporary identification card issued by the business shall include the name and description identifying the cardholder, the name of the security agent's employer and the number of any other information which is required or which the business may wish to include.

(i) No permanent identification card or temporary identification card issued pursuant to this chapter shall be transferable. Temporary identification cards issued by a security business must be surrendered to the business by the cardholder upon termination of employment.

(j) Persons, individuals, owners, principal corporate officers, partners, employees, and managers who do not perform functions at an end user's premises are not subject to the requirements of subsections (a) through (i) if their duties are limited to selling electronic security equipment or services at a retail store location, online, or by telephone.

Approved June 28, 2013