



OPISSC Legislative Committee March 9, 2017, Minutes

Legislative Committee Meeting Date and Location: 1:00 p.m. March 9, 2017, Ohio Department of Public Safety (DPS), 1970 W. Broad Street, Columbus, Ohio 43223

Committee Members Present: Mr. Rodney Armstrong, Mr. Ted Owens, Mr. Jim Sylvania, Mr. Brian Simms

Committee Members Absent: Mr. Mark Wasylyshyn

Also Attending: Aleta Dodson, Geoff Dutton, Julie Faulconer, Anne Vitale

Mr. Armstrong called the meeting to order at 1:03 p.m.

ROLL CALL:

Mr. Armstrong	Here	Mr. Owens	Here
Mr. Sylvania	Here	Mr. Simms	Here
Mr. Wasylyshyn			

A quorum was present to conduct business.

Mr. Armstrong asked Legal Counsel Anne Vitale her legal opinion of the firearm bearer (FAB) requirements of Chapter 4749 of the Ohio Revised Code (ORC) and a Conceal Handgun License (CHL). Ms. Vitale explained that while she cannot give the committee legal advice, it is her opinion, that the FAB endorsement permits a registrant to open carry during the course of working as a registered security guard or private investigator. Her opinion was that the FAB does not allow them to carry concealed. Mr. Armstrong provided an example of a guard with an FAB endorsement as compliant until they put on a jacket, then it becomes concealed. Ms. Vitale's said it was her opinion in this instance that the guard would need both FAB notation and CHL, but Private Investigator Security Guard Services (PISGS) can take administrative action only. Mr. Simms suggested focusing on getting SB 183 introduced and passed before considering any legislation regarding a CHL.

ACTION: Motion to approve the minutes of July 23, 2015, with a correction on page two. Simms first. Owens second. Motion passed.

ACTION: Motion to nominate Mr. Armstrong as Chair. Simms first. Owens second. Motion passed.

NEW BUSINESS:

Mr. Sylvania provided copies of H.B. 304 introduced in 2009 which was created to restrict the usage of tracking devices by the security and investigation industry, and case number 1646 which ultimately defeated the bill. Mr. Owens distributed the results of a poll he put on the National Council of Investigation and Security Service (NCISS) website asking other states if 1) they have a GPS tracking usage law and 2) are private investigators allowed to use it. Twelve states responded. Five states have a law (sixth state pending) and do not permit private investigators to use GPS tracking. Six states do not have a law and permit the use of GPS tracking. Mr. Owens and Mr. Sylvania believe legislation needs written in Ohio like the Michigan law which will permit GPS tracking device usage by the security and investigation industry. Again, Mr. Simms suggested focusing on getting SB 183 introduced and passed before considering any new legislation.

Ms. Vitale believes the industry needs to discuss this issue, but reminded the committee that the purpose of OPISSC is to make recommendations to the Director of Public Safety. It would be more appropriate for the Ohio Association of Security and Investigation Services (OASIS) to review the issue, write legislation, present it to the commission, and then commission can make a recommendation to the Director. Mr. Armstrong said he would bring this issue to the attention of OASIS.

ACTION: Motion to adjourn. Simms first. Owens second. Motion passed. The meeting adjourned at 1:57 p.m.