



**Department  
of State**

**2015 ANNUAL REPORT:  
ADMINISTRATION OF THE SECURITY GUARD ACT**

***PURSUANT TO SECTION 89-S OF THE GENERAL BUSINESS LAW***

**FOR SUBMISSION TO:**

**TEMPORARY PRESIDENT OF THE SENATE JOHN J. FLANAGAN  
SPEAKER OF THE ASSEMBLY CARL E. HEASTIE**

**February 5, 2016**

**Andrew M. Cuomo  
Governor**

**Cesar A. Perales  
Secretary of State**

## **INTRODUCTION**

In compliance with section 89-s of the General Business Law (the “GBL”), the Department of State (the “Department”) respectfully submits the following report on the implementation, procedures, operation, training, and enforcement of the Security Guard Act. This report covers the period from January 1, 2015 through December 31, 2015.

## **SECURITY GUARD REGISTRATIONS, APPLICATIONS, AND DENIALS**

On December 31, 2015, there were 165,593 registered security guards, an increase over the prior year. At the end of 2014, there were 164,801 registered security guards. Per statute, each security guard is required to renew his or her registration every two years. In 2015, the Department issued 79,458 new and renewal registrations for security guards. During the reporting period, approximately 1.1 percent of applications were denied.

## **PROCESSING STATISTICS**

The Security Guard Act (Article 7-A of the GBL) requires employers to conduct due diligence prior to hiring a security guard. This includes a requirement the employer verify the Department has approved a security guard for employment. To assist with this duty, the Department maintains an automated online security guard registry which, upon entry of identifying information for a potential security guard, informs the employer whether the security guard is eligible for employment. If employers have additional questions, they may call the Department’s security guard hotline at (518) 474-7569. The average wait time for an operator is approximately seven (7) minutes.

According to statute, all initial applications to become a registered security guard or to work at a security guard company must be accompanied by fingerprints, which are taken electronically and transmitted to the New York State Division of Criminal Justice Services (the “DCJS”). DCJS reports, during 2015, it processed 35,917 fingerprint submissions for initial security guard registration applicants. Over 99% of such submissions were processed in less than twenty-four hours; 84% were processed in under an hour; 78% were processed in under five minutes.

## **DISCIPLINARY ACTION**

Article 7-A of the GBL authorizes the Department to revoke or suspend a security guard registration based upon proven incompetence, untrustworthiness, or a violation of statutory or regulatory provisions. The Department is also empowered to impose a fine of up to \$1,000 per violation. In 2015, the Department suspended 29 registrations, revoked 86 registrations, and imposed \$122,900 in fines for violations of the Article.

## **FEES COLLECTED**

In 2015, the Department and DCJS together collected \$6,566,539 in fees as follows:

- DCJS fingerprint transaction fee - \$ 2,866,350
- DCJS school and instructor fees - \$ 210,500
- Department of State application fees - \$ 3,489,689

## **APPROPRIATION**

The SFY2014-15 Budget appropriated \$38,633,000 from the Business and Licensing Services Account to support a number of the Department's functions, including its licensing function. The security guard registration program is one of 33 licensing disciplines regulated by the Department and supported by this appropriation. The Department does not separately account for spending within individual licenses/registrations.