

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control \_\_\_\_\_ Department or Agency: Alabama Security Regulatory Board

Rule No.: 832-X-1-.01

Rule Title: Definitions

\_\_\_\_\_ New X Amend \_\_\_\_\_ Repeal \_\_\_\_\_ Adopt by Reference

Would the absence of the proposed rule significantly Harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's Police power and the protection of the public health, Safety, or welfare? Yes

Is there another, less restrictive method of regulation Available that could adequately protect the public? No

Does the proposed rule have the effect of directly or Indirectly increasing the costs of any goods or services Involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public Than the harm that might result from the absence of The proposed rule? No

Are all facets of the rulemaking process designed solely For the purpose of, and so they have, as their primary Effect, the protection of the public? Yes

\*\*\*\*\*  
Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama, 1975.

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**Certification of Authorized Official**

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer 

Date: May 20, 2015

(DATE FILED)  
(STAMP)

**Alabama Security Regulatory Board**

**NOTICE OF INTENDED ACTION**

**AGENCY NAME:** Alabama Security Regulatory Board

**RULE NO. & TITLE:** 832-X-1-.01 Definitions

**INTENDED ACTION:** Amended

**SUBSTANCE OF PROPOSED ACTION:** The Board proposes add the conviction of soliciting prostitution in the definition of moral turpitude.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** Written comments will be received by the Board until 4:00 p.m. on Friday, July 3, 2015. Comments should be directed to Keith E. Warren, Executive Director at 2777 Zelda Road, Montgomery, AL 36106 or via electronic mail at [keith@warrenandco.com](mailto:keith@warrenandco.com) or via telephone at 334-420-7234.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**  
Friday, July 3, 2015.

**CONTACT PERSON AT AGENCY:** Keith E. Warren  
Executive Director  
2777 Zelda Road  
Montgomery, AL 36106  
(334) 420-7234



Keith E. Warren, *Executive Director*  
Alabama Security Regulatory Board

**832-X-1-.01 Definitions.** As used by the Alabama Security Regulatory Board, the following words and phrases shall have the following meanings respectively.

- (1) References to Statute. Unless otherwise indicated, any reference to any statute shall be a reference to the Code of Alabama 1975, as amended.
- (2) Act. Act 2009-640, codified as Code of Alabama 1975, §34-27C
- (3) Applicant. Any business or person that has applied to the Board for licensure or certification.
- (4) Conviction. The entry of a plea of guilty or a guilty verdict rendered by any court of competent jurisdiction.
- (5) Moral turpitude. For the purposes of the Act, this term shall mean any sexual offense, including soliciting prostitution, controlled substance offense, or any offense involving theft, theft of services, extortion, receiving stolen property, identity theft, forgery, fraud, tampering with records, bribery, perjury, or any similar offense in any jurisdiction.
- (6) Under Contract. For the purposes of §34-27C-1(9), this term shall mean the performance of any regulated service or activity for wages. Nothing in this definition or any other section of the Act shall be interpreted to create or require an employment contract between any person and any Contract Security Company.
- (7) Undefined words or terms. Words or terms not otherwise explicitly defined by statute or rules adopted by the Board shall have the usual, customary and reasonable meaning of the word or term as commonly interpreted in general business communications.
- (8) Business Manager. An employee of a Contract Security Company who exercises managerial authority in order to accomplish the business goals of the Contract Security Company.
- (9) Contact Hour. A minimum of 50 minutes of instruction given to class attendees in a 1 hour time period.
- (10) Uncertified Trainers. Any person other than a Certified Trainer with the experience, knowledge, skill or abilities to conduct a course of instruction relevant to Board training requirements.
- (11) Independent Instructor Certifying Authority: an established business entity, other than a manufacturer, that has a multi-year documented history of providing training to criminal justice agencies and officers.

- (12) Less Lethal Weapon: any tool, implement, instrument, device, or object where the primary means of utilization is to impart less-than-lethal physical force or coercion against a person by any means; including, but not limited to, impact instruments, defensive chemical sprays, and electroshock devices.
- (13) Restraints: any tool, implement, instrument, device, or object where the primary means of utilization is intended to limit the freedom of movement of a person; including, but not limited to; handcuffs, leg irons/cuffs, thumbcuffs, disposable restraints, hobbles, or similar.
- (14) Lesson Plan. A detailed description of a course of instruction.
- (15) Training Record. Any document containing information related to the conduct of, attendance at, failure or successful competition of any Board required training; to include, but not limited to, lesson plans, class attendance and/or sign-in sheets, class handouts, overhead projector sheets, any local computer files used during any period of instruction, information necessary to identify and/or locate any web-based material/video used, test materials, test score sheets and any other similar documents.
- (16) Qualification Attempt. Firing a shot to begin a Board approved course of fire with the intent to meet a Board firearm qualification requirement.

**Author:** Alabama Security Regulatory Board

**Statutory Authority:** Code of Ala. 1975, §34-27C-3(a)(1)

**History:** Adopted August 19, 2010; Amended September 16, 2010. Amended: June 29, 2012; Effective: August 3, 2012. Amended: March 20, 2015;