

Department of Legislative Services
 Maryland General Assembly
 2026 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 365

(Senator Waldstreicher)

Judicial Proceedings

Economic Matters

Security Guards - Certification Renewal - Requirements

This bill (1) repeals the requirement that the Secretary of State Police, by regulation, stagger the terms of the certification of security guards; (2) requires the certification of security guards to expire on the last day of the certification holder’s birth month, rather than the date the Secretary of State Police sets; and (3) repeals the late fee for late applications for the recertification of security guards.

Fiscal Summary

State Effect: General fund expenditures increase by \$100,000 only in FY 2027 for one-time information technology (IT) costs. General fund revenues decrease annually beginning in fiscal 2027, as discussed below.

(in dollars)	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
GF Revenue	(-)	(-)	(-)	(-)	(-)
GF Expenditure	\$100,000	\$0	\$0	\$0	\$0
Net Effect	(\$100,000)	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: The bill is not anticipated to materially affect local government operations or finances.

Small Business Effect: Minimal.

Analysis

Bill Summary: At least 90 days, 60 days, and 30 days before a security guard's certification expires, the Secretary of State Police must send a renewal notice to a certification holder that states the date on which the certification expires, and that the renewal application for certification must be received and accepted by the Secretary of State Police before the date the certification expires. The Secretary of State Police must send a renewal notice by electronic means to the last known email address of the certification holder.

Current Law:

Requirement for the Certification of Security Guards

A licensed security guard agency or employer may provide or employ an individual as a security guard only if the individual is certified by the Secretary of State Police as a security guard. However, a licensed security guard agency or employer may provide or employ an uncertified individual as a security guard if (1) the security guard agency or employer has submitted to the Secretary of State police specified information about the individual for certification as a security guard and the Secretary of State Police has not disapproved the application or (2) the individual has obtained and currently possesses certification by the Maryland Police Training and Standards Commission (MPTSC) as a police officer.

By regulation, the Secretary of State Police must stagger the terms of the certifications for security guards. Unless a certification is renewed for a three-year term, the certification expires on the date the Secretary of State Police sets. The fee for an original certification is \$15, and the fee for a renewal certification is \$10. Fees are paid to the general fund.

Renewal Applications and Late Fees

Generally, at least 90 days before a certification expires, the applicant for a certification as a security guard must submit to the Secretary of State Police (1) a renewal application; (2) a renewal fee; and (3) the amount of any late fee, as determined by the Secretary of State Police. An individual periodically may renew the certification for an additional three-year term, if the individual (1) otherwise is entitled to be certified; (2) pays a renewal fee of \$10, fees for a fingerprint record check, and any late fees; (3) satisfactorily completes specified training approved by MPTSC; and (4) submits to the Secretary of State Police a renewal application.

If a complete application for renewal of certification is not received by the Secretary of State Police by the first business day of the next calendar month immediately following the renewal date, the Secretary of State Police must assess a late fee of \$5 per day until the

application is received. The Secretary of State Police may not charge a late fee if the applicant did not make timely renewal because of incapacity, hospitalization, being called into active military duty, or other hardship.

The Secretary of State Police may not certify any applicant if the applicant has outstanding late fee obligations. The Secretary of State police must renew the certification of each individual who meets specified requirements. However, the Secretary of State Police must send written notice of the refusal to the individual who submitted a renewal application within five days after the Secretary refuses to renew the certification.

Generally, at least 90 days before a certification expires, a licensed security guard agency or security guard employer must submit a declaration to the Secretary of State Police under the penalties of perjury stating whether they know that a certified security guard in their service no longer satisfies qualifications for certification.

State Fiscal Effect: The Department of State Police (DSP) advises that it must update its online application portal so that (1) it sends out the required notices based on applicants' birth months, rather than days established by the Secretary of State Police and (2) to no longer automatically accrue late fees for delinquent security guard certifications. Therefore, general fund expenditures for DSP increase by \$100,000 in fiscal 2027 for one-time IT costs for DSP to update its online application portal.

General fund revenues decrease annually beginning in fiscal 2027 to the extent DSP no longer collects late fees from individuals reapplying for certification as a security guard. DSP was unable to provide annualized data on late fees collected in recent years in time for this analysis, so a reliable estimate of foregone revenue is not feasible. *For illustrative purposes only*, DSP advises that between July 25, 2025, and December 31, 2025, it collected approximately \$40,100 in late fees from affected security guards.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Department of State Police; Department of Legislative Services

Fiscal Note History:
jg/mcr

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