



Ohio Private Investigation & Security Services Commission (OPISSC)  
November 6, 2014, Minutes

Commission Meeting Date and Location: November 6, 2014, Ohio Department of Public Safety (DPS), 1970 W. Broad Street, Columbus, Ohio 43223

Commission Members Present: Mr. Rodney Armstrong, Mr. Dennis Deskins, Mr. Dwight Holcomb, Mr. Bryan Kirk, Mr. Anthony Macisco, Mr. Ted Owens, Mr. Ralph Portier, Mr. Joseph Montgomery for Mr. John Born, and Mr. Mark Wasylyshyn

Commission Members Absent: Mr. Jay Beighley, Mr. Brian Simms, Mr. Paul Pride

Also Attending: Geoff Dutton, and Anne Vitale

Mr. Rodney Armstrong, Chair, called the meeting to order at 1:00 PM.

**ROLL CALL:**

Mr. Armstrong	Here	Mr. Macisco	Here
Mr. Beighley		Mr. Owens	Here
Mr. Montgomery for Mr. Born	Here	Mr. Portier	Here
Mr. Deskins	Here	Mr. Pride	
Mr. Holcomb	Here	Mr. Simms	
Mr. Kirk	Here	Mr. Mark Wasylyshyn	Here

A quorum was present to conduct business.

**OLD BUSINESS**

Discussed Legislative Services Commission (LSC) draft bill to rewrite ORC 4749

**DISCUSSION**

The Commission reviewed and discussed the LSC draft, including:

Lines 1314 -1315 (page 43) – Mr. Macisco asked whether the word “civil” should be included here. Commission discussed and agreed that existing “judicial” language is sufficient.

Lines 1680 - 1681 (page 55) – Mr. Macisco, Mr. Armstrong and Mr. Kirk identified a typo (“stock of a-person”) and agreed the “a” should be stricken.

Lines 1805 – 1810 (page 59) – Discussed adding “federal offense,” but Mr. Armstrong and Mr. Macisco agreed that the language as written is OK.

Lines 1951-1957 (page 64) – Mr. Macisco and Mr. Wasylyshyn discussed the language limiting background checks to anything since the previous background check. Ms. Vitale explained that it relates to the caps in the collateral sanctions bill and not within the discretion of PISGS/ODPS or this proposed legislation.

Lines 2089-2092 (page 69) – Mr. Owens asked whether we should review the agreed-upon fee caps. Mr. Armstrong explained that the caps are specified elsewhere in the bill.

Lines 2510-2511 (page 82) -- Mr. Macisco asked whether licensees also should be prohibited from using "agent," in conjunction with "Ohio" or "State," when publishing the services they provide. After discussion, Mr. Kirk and Mr. Macisco, and others, agreed the language as written is OK.

Lines 2531-2532 (page 83) – Mr. Owens asked whether the proposed restrictions on using a "phrase or statement of any sort that suggests the licensee is an official law enforcement or governmental, investigative agency" were too broad. Ms. Vitale mentioned the possibility of adding language to grandfather the names of providers already licensed by PISGS.

Line 2544-2553 (page 84) – Commission and Ms. Vitale discussed that under current law a permit to carry a concealed weapon doesn't authorize a security guard or private investigator to carry a firearm on duty – that an FAB is still required. This language is intended to clarify that point. Commission members said that this isn't widely understood in the industry. There also were questions about whether an FAB only permits "open carry," and specifically how "open" and "concealed" are defined. The Commission members agreed that they and the industry would benefit from future discussions on these topics.

Lines 2605-2617 (page 86) – Mr. Macisco asked whether there should be a limit on the fee the director can impose for firearms. He noted that current language of "not to exceed fifteen dollars" is stricken from the bill.

Lines 2714 (page 89) – Mr. Armstrong asked whether the "commission" reference needs to be clarified (OPISSC or OPOTA?) Ms. Vitale agreed that it should be clarified.

Line 2728 (page 89) – Mr. Macisco noted a typo – "investigate any the person listed on...." Should strike "the."

The Commission agreed that none of the issues they discussed were significant enough to seek a redrafted bill from LSC, which would likely slow progress on the bill. The Commission asked DPS to proceed with trying to get the draft introduced as a bill. Once introduced as a bill, the Commission and DPS may look for opportunities to address some of the issues identified in this meeting.

**ACTION: Motion for DPS to seek introduction of a bill to rewrite ORC 4749 as drafted by the Legislative Services Commission, and reviewed and discussed on this day by the Ohio Private Investigation & Security Services Commission.** Wasylyshyn first. Kirk second. None opposed. Motion approved.

#### **QUESTIONS FROM THE PUBLIC**

There were no comments or questions from the public.

The meeting was adjourned.