

HB 2170 -- Licensure of Private Investigators

Sponsor: Wasson

This bill changes the laws regarding the licensure of private investigators. In its main provisions, the bill:

- (1) Requires each member of the Board of Private Investigators in the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration to be a resident of the state for at least one year prior to his or her appointment and to be a registered voter;
- (2) Increases, from two to five years, the term of a board member and allows him or her to serve consecutive terms;
- (3) Repeals a conflicting statute created by the passage of House Bill 780 and Senate Bill 308 in 2007 regarding the Board of Private Investigator Examiners;
- (4) Authorizes the division to employ board personnel, exercise all administrative functions, and deposit all fees collected into the Board of Private Investigators Examiners Fund;
- (5) Removes the exemption for licensure as a private investigator if an employer-employee relationship exists;
- (6) Clarifies the exemption for licensure as a private investigator for employees of profit and non-profit agencies making employee background checks;
- (7) Clarifies the exemption for licensure as a private investigator if the person is exclusively employed by or under an exclusive contract with a state agency or political subdivision;
- (8) Clarifies the exemption for licensure as a private investigator when legal process servers are conducting process-serving activities;
- (9) Requires the board, instead of the department, to be responsible for the review of applicants;
- (10) Specifies that an applicant can be denied a license if he or she has received a suspended imposition of sentence following a guilty plea to a misdemeanor offense involving moral turpitude;
- (11) Removes a provision regarding the licensure fee for an individual, an agency, or an employee of an agency and for licenses issued for less than a year;

- (12) Specifies the procedures for renewing a license;
- (13) Allows the board to establish all fees;
- (14) Requires licensees to maintain records containing information relative to his or her employees and copies of contracts or court orders regarding the destruction, sealing, or return of certain records; and
- (15) Allows the board to issue licenses to private investigator trainers.