

FIRST REGULAR SESSION

HOUSE BILL NO. 572

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ST. ONGE (Sponsor) AND SATER (Co-sponsor).

Read 1st time January 24, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1369L.011

AN ACT

To repeal section 324.609, RSMo, and to enact in lieu thereof one new section relating to licensed private fire investigators.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 324.609, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 324.609, to read as follows:

- 324.609. 1. Every person desiring to be licensed in this state as a licensed private fire investigator or licensed private fire investigator agency shall make an application to the board. An application for a license pursuant to the provisions of sections 324.600 to 324.635 shall be on a form prescribed by the board and accompanied by the required application fee. An application shall be verified and shall include:
- (1) The full name and business address of the applicant;
 - (2) The name that the applicant intends to do business under;
 - (3) A statement as to the general nature of the business that the applicant intends to engage in;
 - (4) Two recent passport photographs of the applicant and two classifiable sets of the applicant's fingerprints;
 - (5) A verified statement of the applicant's experience qualifications; and
 - (6) Such other information, evidence, statements, or documents as may be required by the state fire marshal.
2. To be eligible for licensure, the applicant shall:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 16 (1) Be at least twenty-one years of age;
- 17 (2) Be a citizen of the United States;
- 18 (3) Not have a felony conviction or a conviction of a crime involving moral turpitude;
- 19 (4) Provide proof of liability insurance with **the** amount to be no less than one million
- 20 dollars in coverage; and
- 21 (5) Comply with such other qualifications as the board shall require. For the purposes
- 22 of sections 324.600 to 324.635, the record of conviction, or a certified copy thereof, shall be
- 23 conclusive evidence of such conviction, and a plea or verdict of guilty is deemed to be a
- 24 conviction within the meaning thereof.
- 25 3. The board shall require as a condition of licensure that the applicant:
- 26 (1) Successfully complete a course of training approved by the state fire marshal's office;
- 27 (2) Pass a written examination as evidence of knowledge of fire investigation.
- 28 Certification as a fire investigator by the state fire marshal or other agencies approved by the
- 29 state fire marshal shall constitute passing a written examination;
- 30 (3) Provide a background check from an authorized state law enforcement agency. The
- 31 board shall conduct a complete investigation of the background of each applicant for licensure
- 32 as a licensed private fire investigator or agency to determine whether the applicant is qualified
- 33 for licensure pursuant to sections 324.600 to 324.635; and
- 34 (4) Pass any other basic qualification requirements as the board shall outline.
- 35 4. The board may deny a request for a license if the applicant has:
- 36 (1) Committed any act that, if committed by a licensee, would be grounds for the
- 37 suspension or revocation of a license pursuant to the provisions of sections 324.600 to 324.635;
- 38 (2) Been finally adjudicated and found guilty, or entered a plea of guilty or nolo
- 39 contendere in a criminal prosecution under the laws of any state or the United States for any
- 40 offense reasonably related to the qualifications, functions, or duties of any profession licensed
- 41 or regulated under this chapter or for any offense an essential element of which is fraud,
- 42 dishonesty, or an act of violence, or for any offense involving moral turpitude, whether or not
- 43 a sentence is imposed;
- 44 (3) Been refused a license pursuant to the provisions of sections 324.600 to 324.635 or
- 45 had a license revoked in this state or in any other state;
- 46 (4) Prior to being licensed, committed, aided, or abetted the commission of any act that
- 47 requires a license pursuant to sections 324.600 to 324.635; and
- 48 (5) Knowingly made any false statement in the application.
- 49 5. Every application submitted pursuant to the provisions of sections 324.600 to 324.635
- 50 shall be accompanied by a fee as determined by the board as follows:

51 (1) A separate fee shall be paid for an individual license, agency license, and employees
52 being licensed to work under an agency license; and

53 (2) If a license is issued for a period of less than two years, the fee shall be prorated for
54 the months, or fraction thereof, for which the license is issued.

55 6. All fees required pursuant to this section shall be paid to and collected by the division
56 of fire safety and [transmitted to the department of revenue for deposit in the state general
57 revenue fund] **deposited in the "Private Fire Investigator Licensing Fund", which is hereby**
58 **created, to support the functions of the program. Notwithstanding the provisions of section**
59 **33.080, RSMo, to the contrary, moneys in the fund at the end of any biennium shall not be**
60 **transferred to the credit of the general revenue fund.** The board shall set fees at a level to
61 produce revenue that will not substantially exceed or fail to cover the costs and expenses of
62 administering sections 324.600 to 324.635. These fees shall be exclusive and no municipality
63 may require any person licensed pursuant to sections 324.600 to 324.635 to furnish any bond or
64 pass any examination to practice as a licensed private fire investigator.

65 7. Renewal of a license shall be made in the manner prescribed by the board, including
66 the payment of a renewal fee.

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