

SENATE BILL REPORT

HB 2233

As of February 21, 2018

Title: An act relating to temporary registration cards for private investigators.

Brief Description: Concerning temporary registration cards for private investigators.

Sponsors: Representative McDonald.

Brief History: Passed House: 1/31/18, 93-1.

Committee Activity: Labor & Commerce: 2/19/18.

Brief Summary of Bill

- Permits private investigator agencies to issue temporary registration cards to prospective employees.

SENATE COMMITTEE ON LABOR & COMMERCE

Staff: Richard Rodger (786-7461)

Background: The Department of Licensing (Department) issues licenses for private investigators and private security guards. A private investigator is a person employed by a private investigator agency for purposes of investigation, escort or bodyguard services, or property loss prevention activities.

To obtain a license as a private investigator, an applicant must:

- be at least 18 years old;
- be a citizen or resident alien;
- not have a criminal conviction related to the duties of private investigators or private security guards, respectively, that affects public safety;
- be employed by, have an employment offer from, or be licensed as a private investigator agency or private security guard company, respectively;
- submit a set of fingerprints;
- pay a fee;
- submit an application that includes identification; and
- satisfy training requirements.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In addition to meeting the requirements to obtain a license as a private investigator, the applicant, or in the case of a partnership or limited partnership, each partner, or in the case of a corporation, the qualifying agent must meet the following additional requirements to obtain a private investigator agency license:

- pass an examination, as determined by the Department, to measure knowledge and competence; or
- have at least three years' experience in investigative work or its equivalent, as determined by the Department.

Summary of Bill: A private investigator agency may issue a temporary registration card to prospective employees while a background check is being conducted and the licensing application is being processed. Temporary registration cards may be issued only after the employee has completed pre-assignment training and testing and initiated a fingerprint-based background check. The private investigator license application must be mailed to the Department within three business days after issuance of the temporary registration card.

The temporary registration card permits the applicant to perform the duties of a private investigator for the issuing private investigator agency and does not authorize the applicant to carry a firearm during the performance of those duties.

The temporary registration card must be surrendered to the private investigator agency upon receipt of a permanent license or notification from the Department that the permanent license is being withheld from the applicant.

The Department may suspend private investigator agencies' authority to issue temporary registration cards if the private investigator agency fails to comply. The Department may reinstate this authority after a minimum of one year.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The current law limits our ability to hire investigative staff during our busy times. It takes the Department of Revenue two weeks to let the Department of Licensing to know that our check has cleared and two months for DOL to approve our prospective applicants. Many applicants can not wait that long for approval and take other jobs. The bill would allow us to issue temporary registration cards while the applications are being reviewed.

Persons Testifying: PRO: Brian McDonald, McDonald Services, Inc.

Persons Signed In To Testify But Not Testifying: No one.