

**PRIVATE INVESTIGATOR MODIFICATIONS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Paul Ray**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies Title 53, Chapter 9, Private Investigator Regulation Act, by amending provisions regarding the licensing and requirements of private investigators.

**Highlighted Provisions:**

This bill:

► modifies the number of hours of investigative experience that are required to apply for an agency license.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53-9-108**, as last amended by Laws of Utah 2014, Chapter 378

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53-9-108** is amended to read:

**53-9-108. Qualifications for licensure.**

(1) (a) An applicant under this chapter shall be at least 21 years of age and a legal resident of this state.



- 28 (b) An applicant may not have been:  
29 (i) convicted of a felony;  
30 (ii) convicted of an act involving illegally using, carrying, or possessing a dangerous  
31 weapon;  
32 (iii) convicted of an act of personal violence or force on any person or convicted of  
33 threatening to commit an act of personal violence or force against another person;  
34 (iv) convicted of an act constituting dishonesty or fraud;  
35 (v) convicted of an act involving moral turpitude;  
36 (vi) placed on probation or parole;  
37 (vii) named in an outstanding arrest warrant; or  
38 (viii) convicted of illegally obtaining or disclosing private, controlled, or protected  
39 records as provided in Section [63G-2-801](#).

40 (c) If previously or currently licensed in another state or jurisdiction, the applicant shall  
41 be in good standing within that state or jurisdiction.

42 (2) In assessing if an applicant meets the requirements under Subsection (1)(b), the  
43 board shall consider mitigating circumstances presented by an applicant.

44 (3) (a) An applicant for an agency license shall have:

45 (i) a minimum of [~~10,000~~] 5,000 hours of investigative experience that consists of  
46 actual work performed as a licensed private investigator, an investigator in the private sector,  
47 an investigator for the federal government, or an investigator for a state, county, or municipal  
48 government; or

49 (ii) if the applicant held a registrant license or an apprentice license under this chapter  
50 on or before May 1, 2010, a minimum of 2,000 hours of investigative experience that consists  
51 of actual work performed as a licensed private investigator, an investigator in the private  
52 sector, an investigator for the federal government, or an investigator for a state, county, or  
53 municipal government.

54 (b) An applicant for a registrant license shall have a minimum of 2,000 hours of  
55 investigative experience that consists of actual investigative work performed as a licensed  
56 private investigator, an investigator in the private sector, an investigator for the federal  
57 government, an investigator for a state, county, or municipal government, or a process server.

58 (c) At least 2,000 hours of the investigative experience required under this Subsection

59 (3) shall have been performed within 10 years immediately prior to the application.

60 (d) An applicant shall substantiate investigative work experience required under this  
61 Subsection (3) by providing:

62 (i) the exact details as to the character and nature of the investigative work on a form  
63 prescribed by the bureau and certified by the applicant's employers; or

64 (ii) if the applicant is applying for the reinstatement of an agency license, internal  
65 records of the applicant that demonstrate the investigative work experience requirement has  
66 previously been met.

67 (e) (i) The applicant shall prove completion of the investigative experience required  
68 under this Subsection (3) to the satisfaction of the board and the board may independently  
69 verify the certification offered on behalf of the applicant.

70 (ii) The board may independently confirm the claimed investigative experience and the  
71 verification of the applicant's employers.

72 (4) An applicant for an apprentice license, lacking the investigative experience required  
73 for a registrant license, shall meet all of the qualification standards in Subsection (1), and shall  
74 complete an apprentice application.

75 (5) An applicant for an agency or registrant license may receive credit toward the hours  
76 of investigative experience required under Subsection (3) as follows:

77 (a) an applicant may receive credit for 2,000 hours of investigative experience if the  
78 applicant:

79 (i) has an associate's degree in criminal justice or police science from an accredited  
80 college or university; or

81 (ii) is certified as a peace officer; and

82 (b) an applicant may receive credit for 4,000 hours of investigative experience if the  
83 applicant has a bachelor's degree in criminal justice or police science from an accredited  
84 college or university.

85 (6) The board shall determine if the applicant may receive credit under Subsection (5)  
86 toward the investigative and educational experience requirements under Subsection (3).

87 (7) An applicant for the renewal of a license under this chapter shall be a legal resident  
88 of this state.

**Legislative Review Note**  
**as of 2-11-15 9:39 AM**

**Office of Legislative Research and General Counsel**