

53-9-104 Board -- Creation-- Qualifications -- Appointments -- Terms -- Immunity.

- (1) There is established a Private Investigator Hearing and Licensure Board consisting of five members appointed by the commissioner.
- (2) Each member of the board shall be a citizen of the United States and a resident of this state at the time of appointment.
 - (a) Two members shall be qualifying parties who are licensed as provided in this chapter.
 - (b) One member shall be a supervisory investigator from the commissioner's office.
 - (c) One member shall be a chief of police or sheriff.
 - (d) One member shall be a public member who shall not have a financial interest in a private investigative agency and shall not have an immediate family member or a household member or friend who is licensed or registered under this chapter.
- (3)
 - (a) Each member of the board shall serve four-year staggered terms beginning and ending on January 1.
 - (b) Notwithstanding the term requirements of Subsection (3)(a), the commissioner may adjust the length of terms to ensure the terms of board members are staggered so that approximately one member of the board is appointed every year.
- (4) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.
- (5) At its first meeting every year, the board shall elect a chair, vice chair, and secretary from its membership.
- (6) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
 - (a) Section 63A-3-106;
 - (b) Section 63A-3-107; and
 - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (7) A member shall not serve more than one term, except that a member appointed to fill a vacancy or appointed for an initial term of less than four years may be reappointed for one full term.
- (8) The commissioner, after a board hearing and recommendation, may remove any member of the board for misconduct, incompetency, or neglect of duty.
- (9) Members of the board are immune from suit with respect to all acts done and actions taken in good faith in furtherance of the purposes of this chapter.

Amended by Chapter 286, 2010 General Session