

**Effective 5/13/2014**

**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.
  - (b) An applicant may not have been:
    - (i) convicted of a felony;
    - (ii) convicted of an act involving illegally using, carrying, or possessing a dangerous weapon;
    - (iii) convicted of an act of personal violence or force on any person or convicted of threatening to commit an act of personal violence or force against another person;
    - (iv) convicted of an act constituting dishonesty or fraud;
    - (v) convicted of an act involving moral turpitude;
    - (vi) placed on probation or parole;
    - (vii) named in an outstanding arrest warrant; or
    - (viii) convicted of illegally obtaining or disclosing private, controlled, or protected records as provided in Section 63G-2-801.
  - (c) If previously or currently licensed in another state or jurisdiction, the applicant shall be in good standing within that state or jurisdiction.
- (2) In assessing if an applicant meets the requirements under Subsection (1)(b), the board shall consider mitigating circumstances presented by an applicant.
- (3)
  - (a) An applicant for an agency license shall have:
    - (i) a minimum of 10,000 hours of investigative experience that consists of actual work performed as a licensed private investigator, an investigator in the private sector, an investigator for the federal government, or an investigator for a state, county, or municipal government; or
    - (ii) if the applicant held a registrant license or an apprentice license under this chapter on or before May 1, 2010, a minimum of 2,000 hours of investigative experience that consists of actual work performed as a licensed private investigator, an investigator in the private sector, an investigator for the federal government, or an investigator for a state, county, or municipal government.
  - (b) An applicant for a registrant license shall have a minimum of 2,000 hours of investigative experience that consists of actual investigative work performed as a licensed private investigator, an investigator in the private sector, an investigator for the federal government, an investigator for a state, county, or municipal government, or a process server.
  - (c) At least 2,000 hours of the investigative experience required under this Subsection (3) shall have been performed within 10 years immediately prior to the application.
  - (d) An applicant shall substantiate investigative work experience required under this Subsection (3) by providing:
    - (i) the exact details as to the character and nature of the investigative work on a form prescribed by the bureau and certified by the applicant's employers; or
    - (ii) if the applicant is applying for the reinstatement of an agency license, internal records of the applicant that demonstrate the investigative work experience requirement has previously been met.
  - (e)
    - (i) The applicant shall prove completion of the investigative experience required under this Subsection (3) to the satisfaction of the board and the board may independently verify the certification offered on behalf of the applicant.

- (ii) The board may independently confirm the claimed investigative experience and the verification of the applicant's employers.
- (4) An applicant for an apprentice license, lacking the investigative experience required for a registrant license, shall meet all of the qualification standards in Subsection (1), and shall complete an apprentice application.
- (5) An applicant for an agency or registrant license may receive credit toward the hours of investigative experience required under Subsection (3) as follows:
  - (a) an applicant may receive credit for 2,000 hours of investigative experience if the applicant:
    - (i) has an associate's degree in criminal justice or police science from an accredited college or university; or
    - (ii) is certified as a peace officer; and
  - (b) an applicant may receive credit for 4,000 hours of investigative experience if the applicant has a bachelor's degree in criminal justice or police science from an accredited college or university.
- (6) The board shall determine if the applicant may receive credit under Subsection (5) toward the investigative and educational experience requirements under Subsection (3).
- (7) An applicant for the renewal of a license under this chapter shall be a legal resident of this state.

Amended by Chapter 378, 2014 General Session