

1 PRIVATE SECURITY LICENSING BOARD AMENDMENTS

2 2016 GENERAL SESSION

3 STATE OF UTAH

4 Chief Sponsor: Margaret Dayton

5 House Sponsor: _____

6
7 LONG TITLE

8 General Description:

9 This bill modifies the Public Safety Code regarding private investigators.

10 Highlighted Provisions:

11 This bill:

- 12 ▶ modifies the membership of the Private Investigator Hearing and Licensure Board.

13 Money Appropriated in this Bill:

14 None

15 Other Special Clauses:

16 None

17 Utah Code Sections Affected:

18 AMENDS:

19 53-9-104, as last amended by Laws of Utah 2010, Chapter 286

20
21 *Be it enacted by the Legislature of the state of Utah:*

22 Section 1. Section 53-9-104 is amended to read:

23 53-9-104. Board -- Creation-- Qualifications -- Appointments -- Terms --

24 Immunity.

25 (1) There is established a Private Investigator Hearing and Licensure Board consisting
26 of five members appointed by the commissioner.

27 (2) Each member of the board shall be a citizen of the United States and a resident of



28 this state at the time of appointment.

29 (a) [~~Two~~] Three members shall be qualifying parties who are licensed as provided in
30 this chapter.

31 (b) One member shall be a supervisory investigator from the commissioner's office.

32 (c) One member shall be a chief of police or sheriff.

33 [~~(d) One member shall be a public member who shall not have a financial interest in a
34 private investigative agency and shall not have an immediate family member or a household
35 member or friend who is licensed or registered under this chapter.~~]

36 (3) (a) Each member of the board shall serve four-year staggered terms beginning and
37 ending on January 1.

38 (b) Notwithstanding the term requirements of Subsection (3)(a), the commissioner may
39 adjust the length of terms to ensure the terms of board members are staggered so that
40 approximately one member of the board is appointed every year.

41 (4) When a vacancy occurs in the membership for any reason, the replacement shall be
42 appointed for the unexpired term.

43 (5) At its first meeting every year, the board shall elect a chair, vice chair, and secretary
44 from its membership.

45 (6) A member may not receive compensation or benefits for the member's service, but
46 may receive per diem and travel expenses in accordance with:

47 (a) Section [63A-3-106](#);

48 (b) Section [63A-3-107](#); and

49 (c) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and
50 [63A-3-107](#).

51 (7) A member shall not serve more than one term, except that a member appointed to
52 fill a vacancy or appointed for an initial term of less than four years may be reappointed for one
53 full term.

54 (8) The commissioner, after a board hearing and recommendation, may remove any
55 member of the board for misconduct, incompetency, or neglect of duty.

56 (9) Members of the board are immune from suit with respect to all acts done and
57 actions taken in good faith in furtherance of the purposes of this chapter.

Legislative Review Note
Office of Legislative Research and General Counsel