

HB 1482-FN – AS INTRODUCED

2014 SESSION

14-2304
10/06

HOUSE BILL ***1482-FN***

AN ACT relative to licensure of individuals as private investigators, bail enforcement agents, and security guards, and requiring a skills training course for applicants for such licensure.

SPONSORS: Rep. Rappaport, Coos 1

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill provides that the commissioner of safety may issue an individual license to a person licensed as a private investigator, bail enforcement agent, or security guard and authorize endorsements on the license and identification card showing multiple licensure. The bill also requires an applicant for licensure as a private investigator, bail enforcement agent, or security guard to complete a 40-hour skills training course as determined in rules adopted by the commissioner of safety.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT relative to licensure of individuals as private investigators, bail enforcement agents, and security guards, and requiring a skills training course for applicants for such licensure.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Rulemaking; Skills Training Course. Amend RSA 106-F:3, I to read as follows:

2 I. The commissioner of safety shall adopt rules, pursuant to RSA 541-A, relative to the:

3 (a) Form of original and renewal licenses and applications therefor;

4 (b) Examination procedures for license applications;

5 (c) Requisite standards of applicant and licensee integrity and reputation for honesty;

6 (d) ***Minimum course offerings and subject areas for, and requirements for***
7 ***completion of, a required 40-hour skills training course for applicants for licensure;***

8 (e) Use of fees for administration and enforcement of this chapter;

9 ~~(f)~~ (f) Revocation of licenses; and

10 ~~(g)~~ (g) Creation of an advisory board to review complaints and licensing issues.

11 2 Definitions; Licensee; Holder. Amend RSA 106-F:4, IX and X to read as follows:

12 IX. "Licensee" means a licensed private investigative agency, ***bail enforcement agency***, or
13 security guard service, ***or an individual licensed as a private investigator, bail enforcement***
14 ***agent, and/or security guard.***

15 X. "License holder" means an employee of a licensee ***who is a private investigative***
16 ***agency, security guard agency, or bail enforcement agency, or an individual licensed as a***
17 ***private investigator, bail enforcement agent, and/or security guard.***

18 3 Licensure as Individual. Amend RSA 106-F:5, I to read as follows:

19 I.(a) No person shall engage in the business of a private investigative agency, security
20 guard agency, or bail enforcement agency without obtaining a private investigative, security guard,
21 or bail enforcement agency license from the commissioner of safety ~~and~~.

22 (b) No person shall engage ***as an individual*** in the business of a ***private***
23 ***investigator***, security guard service or bail enforcement service without obtaining a ***private***
24 ***investigator***, security guard service or bail enforcement service license from the commissioner of
25 safety. ***For an individual licensed in more than one profession under this chapter, the***
26 ***commissioner shall authorize endorsements on the license and identification card showing***
27 ***the licenses held by such individual.***

28 4 New Paragraph; Applicants; Skills Training Course. Amend RSA 106-F:6 by inserting after
29 paragraph III the following new paragraph:

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1 III-a. For an original license, proof of completion of a 40-hour skills training course offered
2 by the police standards and training council or other course approved by the commissioner.

3 5 New Paragraph; Issuance of License; Identification Card. Amend RSA 106-F:7 by inserting
4 after paragraph II the following new paragraph:

5 II-a. For an individual licensed in more than one profession under this chapter, the
6 commissioner shall authorize endorsements to be shown on the license and identification card of an
7 individual licensee showing the licenses held by such individual.

8 6 License Applications. Amend RSA 106-F:8 to read as follows:

9 106-F:8 License Application and Renewal Fees.

10 I. The fee for a private investigative agency license, **bail enforcement agency license**, or a
11 security guard service license shall be \$150 for an agency or service employing one person licensed
12 under this chapter **or for an individual license**, and \$500 for an agency or service employing more
13 than one such person. A person may hold one or more types of license at any given time, provided
14 that a separate fee shall be paid for each license so held. Licenses shall be valid for 2 years after the
15 date of issue and shall be renewed every 2 years thereafter, upon application and payment of the fee
16 and submission of certified evidence that the surety bond remains in force. The application for
17 renewal shall be submitted at least 15 days before the expiration of the previously granted license.

18 II. The commissioner of safety shall set a reasonable fee, not exceeding \$50, which the
19 commissioner shall adopt by rule under RSA 541-A, to cover the expenses of licensing [~~individuals~~]
20 **employees** under this chapter. Such fee shall be paid by the service or agency employing such
21 employee and shall be paid before the license is issued. Such licenses shall be valid for 2 years after
22 the date of issue and shall be renewed upon the completion and filing of an application for renewal
23 which meets the requirements of this chapter submitted at least 15 days before the expiration of the
24 previously granted license.

25 III. The commissioner of safety shall set a reasonable fee, which he or she shall adopt by
26 rule under RSA 541-A, to cover the expenses of the record check and investigation provided in
27 RSA 106-F:7. The fee shall be charged to the applicant.

28 7 New Paragraph; Police Standards and Training; Skills Training Course. Amend RSA 188-
29 F:32-a by inserting after paragraph III the following new paragraph:

30 IV. The council may establish in coordination with the commissioner of safety a 40-hour
31 skills training courses to be offered for a fee to persons who are applying for or are already licensed
32 by the commissioner of safety under RSA 106-F as private investigators, security guards, or bail
33 enforcement agents in areas determined in rules of the commissioner of safety to be necessary.

34 8 Effective Date. This act shall take effect 60 days after its passage.

HB 1482-FN - FISCAL NOTE

AN ACT relative to licensure of individuals as private investigators, bail enforcement agents, and security guards, and requiring a skills training course for applicants for such licensure.

FISCAL IMPACT:

The Department of Safety and Police Standards and Training Council state this bill, **as introduced**, may increase state revenues and expenditures in FY 2014 and each year thereafter. There will be no impact on county and local revenues or expenditures.

METHODOLOGY:

The Department of Safety states this bill allows for the establishment of an individual license to a person as a private investigator, bail enforcement agent, or security guard and requires such applicants to complete a 40-hour skills training course approved by the Department. The Department states it is unable to determine the fiscal impact of this bill as it cannot estimate the amount of applicants for licenses there may be, how much the fee will be at this time, or the administration needed for such licenses.

The Police Standards and Training Council states this bill would allow it to offer a 40-hour skills training course for private investigators, bail enforcement agents, or security guards licensed or applying for a license with the Department of Safety. The Council states it can neither estimate how many individuals may want to enroll nor the operating costs it may incur to offer such a course and therefore is unable to estimate the fiscal impact of this bill.