

By: **Delegates Montague and Hutchins**
Introduced and read first time: February 1, 2002
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 12, 2002

CHAPTER 379

1 AN ACT concerning

2 **Private Detectives - ~~Bounty Hunters~~ Fugitives from Justice**

3 FOR the purpose of altering the scope of providing private detective services to
4 include conducting an investigation to locate or apprehend a fugitive from
5 justice, unless the person conducting the investigation is a property bail
6 bondsman or licensed by the Insurance Commissioner of the State or a similar
7 licensing body of another state as a bail bondsman or is an employee of a certain
8 employees or agents of a property bail bondsman or licensed bail bondsman; and
9 generally relating to private detectives and ~~bounty hunters~~ fugitives from
10 justice.

11 BY repealing and reenacting, with amendments,
12 Article - Business Occupations and Professions
13 Section 13-101(i)
14 Annotated Code of Maryland
15 (2000 Replacement Volume and 2001 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article - Business Occupations and Professions
18 Section 13-201, 13-301, and 13-401
19 Annotated Code of Maryland
20 (2000 Replacement Volume and 2001 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Business Occupations and Professions**

2 13-101.

3 (i) (1) "Provide private detective services" means to provide, for
4 compensation, the service of:

5 (i) conducting an investigation that concerns:

6 1. a crime or wrong committed, assumed to have been
7 committed, or threatened to be committed;

8 2. the identity, habits, conduct, movement, location,
9 affiliations, associations, transactions, reputation, or character of any person;

10 3. the credibility of a witness or of any other individual;

11 4. the location of a missing individual;

12 5. the location or recovery of lost or stolen property;

13 6. the origin or cause of or responsibility for:

14 A. a fire;

15 B. an accident;

16 C. any damage to or loss of property; or

17 D. an injury to an individual;

18 7. the affiliation, connection, or relation of any person with
19 an organization or other person; or

20 8. the activities, conduct, efficiency, loyalty, or honesty of any
21 employee, agent, contractor, or subcontractor;

22 (ii) securing evidence for use before any investigating committee,
23 board of award, or board of arbitration or for use in the trial of any civil or criminal
24 cause; [or]

25 (iii) nonuniformed personal protection; OR

26 (IV) CONDUCTING AN INVESTIGATION TO LOCATE OR APPREHEND A
27 FUGITIVE FROM JUSTICE, UNLESS THE PERSON;

28 1. CONDUCTING THE INVESTIGATION IS A PROPERTY BAIL
29 BONDSMAN OR LICENSED BY THE INSURANCE COMMISSIONER OF THE STATE OR A
30 SIMILAR LICENSING BODY OF ANOTHER STATE AS A BAIL BONDSMAN OR;

1 (b) An individual who is not certified as a private detective may provide
2 private detective services in the State if:

3 (1) the individual is employed by or has applied for employment with a
4 licensed private detective agency;

5 (2) the licensed private detective agency has submitted to the Secretary
6 the application of the individual for certification as a private detective, fingerprint
7 cards, and fees required under § 13-403 of this subtitle;

8 (3) after a preliminary background investigation, the Secretary
9 determines that the provision of private detective services by the individual would not
10 result in a potential threat to public safety; and

11 (4) the Secretary has not denied the application.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2002.