
By: **Delegates McClenahan, Donoghue, Love, and W. Baker**

Introduced and read first time: March 1, 2000

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Private Detective Agencies - Hiring Individuals Not Certified as Private**
3 **Detectives**

4 FOR the purpose of providing that an individual who is not certified as a private
5 detective may provide private detective services in the State if the individual is
6 employed by or has applied for employment with a licensed private detective
7 agency, the licensed private detective agency has taken certain steps to have the
8 individual certified as a private detective, and the Secretary of the State Police
9 has not denied the application; making this Act an emergency measure; and
10 generally relating to the hiring of certain uncertified individuals as private
11 detectives by licensed private detective agencies.

12 BY repealing and reenacting, with amendments,
13 Article - Business Occupations and Professions
14 Section 13-401
15 Annotated Code of Maryland
16 (1995 Replacement Volume and 1999 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article - Business Occupations and Professions
19 Section 13-403
20 Annotated Code of Maryland
21 (1995 Replacement Volume and 1999 Supplement)

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

24 **Article - Business Occupations and Professions**

25 13-401.

26 (A) [An] EXCEPT AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, AN
27 individual shall be certified by the Secretary as a private detective before the
28 individual personally may provide any private detective service in the State.

1 (B) AN INDIVIDUAL WHO IS NOT CERTIFIED AS A PRIVATE DETECTIVE MAY
2 PROVIDE PRIVATE DETECTIVE SERVICES IN THE STATE IF:

3 (1) THE INDIVIDUAL IS EMPLOYED BY OR HAS APPLIED FOR
4 EMPLOYMENT WITH A LICENSED PRIVATE DETECTIVE AGENCY;

5 (2) THE LICENSED PRIVATE DETECTIVE AGENCY HAS SUBMITTED TO
6 THE SECRETARY THE APPLICATION OF THE INDIVIDUAL FOR CERTIFICATION AS A
7 PRIVATE DETECTIVE, FINGERPRINT CARDS, AND FEES REQUIRED UNDER § 13-403 OF
8 THIS SUBTITLE; AND

9 (3) THE SECRETARY HAS NOT DENIED THE APPLICATION.

10 13-403.

11 To qualify for certification as a private detective, an employee of or applicant for
12 employment with a licensed private detective agency shall:

13 (1) meet the standards set by the Secretary;

14 (2) submit to the Secretary:

15 (i) a sworn application on the form the Secretary provides; and

16 (ii) 2 sets of fingerprint cards marked with the applicant's
17 fingerprints; and

18 (3) pay to the Secretary:

19 (i) an application fee of \$50; and

20 (ii) payment for the cost of the fingerprint card record checks.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
22 measure, is necessary for the immediate preservation of the public health and safety,
23 has been passed by a ye and nay vote supported by three-fifths of all the members
24 elected to each of the two Houses of the General Assembly, and shall take effect from
25 the date it is enacted.