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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
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 <u>or apprehend</u> 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 <u>licensing body of another state</u> 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:

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1		Article	- Business Occupations and Professions
2	13-101.		
3	(i) (1) "Provid compensation, the service of:	e private	detective services" means to provide, for
5	(i)	conduct	ing an investigation that concerns:
6 7	committed, or threatened to be	1. committ	a crime or wrong committed, assumed to have been ed;
8 9	affiliations, associations, trans	2. actions, r	the identity, habits, conduct, movement, location, eputation, 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 19	an organization or other perso	7. on; or	the affiliation, connection, or relation of any person with
20 21	employee, agent, contractor, o	8. or subcon	the activities, conduct, efficiency, loyalty, or honesty of any tractor;
	(ii) board of award, or board of ar cause; [or]		g evidence for use before any investigating committee, or for use in the trial of any civil or criminal
25	(iii)	nonunif	formed personal protection; OR
26 27	(IV) FUGITIVE FROM JUSTICE		UCTING AN INVESTIGATION TO LOCATE <u>OR APPREHEND</u> A S THE PERSON <u>:</u>
			CONDUCTING THE INVESTIGATION IS <u>A PROPERTY BAIL</u> IE INSURANCE COMMISSIONER <u>OF THE STATE OR A</u> NOTHER STATE AS A BAIL BONDSMAN OR ;

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	3. IS AUTHORIZED AS AN AGENT BY A PROPERTY BAIL BONDSMAN OR LICENSED BAIL BONDSMAN IN ADVANCE OF THE APPREHENSION OF A FUGITIVE FROM JUSTICE.					
7	(2) "Provide private detective services" does not include:					
	(i) performing any activity of a person who is engaged exclusively in the business of making investigations and reports that relate to the financial standing, creditworthiness, or financial responsibility of any person;					
13	(ii) performing any activity of a person who is engaged exclusively in the business of making a report for an insurance or credit purpose, except if the making of the report involves an investigation or surveillance of a sort normally performed by a person who otherwise is subject to this title;					
15 16	(iii) monitoring an electronically controlled burglar or fire alarm system with a central unit; or					
17	(iv) making a marketing survey.					
18	13-201.					
	Subject to the provisions of this title, the Secretary is responsible for the licensing of private detective agencies and the regulation of those persons who provide private detective services in the State.					
22	13-301.					
23 24	(a) Except as otherwise provided in this title, a person shall be licensed by the Secretary as a private detective agency before the person may:					
25 26	(1) conduct a business that provides private detective services in the State; and					
27 28	(2) solicit to engage in a business that provides private detective services in the State.					
29 30	An individual or a firm may qualify for a license as a private detective agency.					
31	13-401.					
	Except as provided under subsection (b) of this section, an individual shall be certified by the Secretary as a private detective before the individual personally may provide any private detective service in the State.					

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- 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.