

SENATE BILL 328

C2

5lr1736
CF 5lr1933

By: **Senators Klausmeier, Bates, Cassilly, DeGrange, Eckardt, Middleton, Montgomery, and Norman**

Introduced and read first time: February 6, 2015

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Private Detective Agencies – License Terms**

3 FOR the purpose of altering the term of a license to conduct business to provide private
4 detective services; making a conforming change; and generally relating to private
5 detective agencies.

6 BY repealing and reenacting, without amendments,
7 Article – Business Occupations and Professions
8 Section 13–101(a), (f), and (l) and 13–301
9 Annotated Code of Maryland
10 (2010 Replacement Volume and 2014 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Business Occupations and Professions
13 Section 13–308
14 Annotated Code of Maryland
15 (2010 Replacement Volume and 2014 Supplement)

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

18 **Article – Business Occupations and Professions**

19 13–101.

20 (a) In this title the following words have the meanings indicated.

21 (f) “License” means, unless the context requires otherwise, a license issued by the
22 Secretary to conduct a business to provide private detective services.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (l) "Secretary" means the Secretary of State Police.

2 13-301.

3 (a) Except as otherwise provided in this title, a person shall be licensed by the
4 Secretary as a private detective agency before the person may:

5 (1) conduct a business that provides private detective services in the State;
6 and

7 (2) solicit to engage in a business that provides private detective services
8 in the State.

9 (b) An individual or a firm may qualify for a license as a private detective agency.

10 13-308.

11 (a) By regulation, the Secretary shall stagger the terms of the licenses.

12 (b) Unless a license is renewed for a [2-year] **3-YEAR** term as provided in this
13 section, the license expires on the day that the Secretary sets.

14 (c) At least 1 month before a license expires, the Secretary shall mail to the
15 licensee, at the last known address of the licensee:

16 (1) a renewal application form; and

17 (2) a notice that states:

18 (i) the date on which the current license expires;

19 (ii) that the Secretary must receive the renewal application and the
20 statements required under § 13-309 of this subtitle, at least 15 days before the license
21 expiration date, for the renewal to be issued and mailed before the license expires;

22 (iii) the amount of the renewal fee;

23 (iv) that, if the statements required under § 13-309 of this subtitle
24 are not received at least 15 days before the license expiration date, a fee of \$10 per day
25 shall be charged against the licensee until the statements are received; and

26 (v) that the submission of a false statement in the renewal
27 application or in the annual statements is cause for revocation of the license.

28 (d) A licensee periodically may renew the license for an additional [2-year]
29 **3-YEAR** term, if the licensee:

- 1 (1) otherwise is entitled to be licensed;
- 2 (2) pays to the Secretary:
- 3 (i) a renewal fee of:
- 4 1. \$200, if the licensee is an individual; or
- 5 2. \$400, if the licensee is a firm; and
- 6 (ii) any late fee required under § 13–309 of this subtitle; and
- 7 (3) submits to the Secretary:
- 8 (i) a renewal application on the form that the Secretary provides;
- 9 and
- 10 (ii) the statements required under § 13–309 of this subtitle.

11 (e) The Secretary shall renew the license of each licensee who meets the
12 requirements of this section.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2015.