

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1165

Page 1, line 1, after "to" insert "create and enact a new section to chapter 43-30 of the North Dakota Century Code, relating to exceptions to private investigative services licensing; to

Page 1, line 3, after "service" insert "; and to provide a penalty"

Page 1, line 10, replace "to be in an employer-employee relationship in which the" with "an employee under a contract of employment as defined in chapter 34-01, and not an independent contractor as defined by the "common law" test."

Page 1, remove lines 11 through 14

Page 2, line 15, replace "apprehension" with "location"

Page 4, after line 13, insert:

"10. A person providing mystery or secret shopping services, or providing a similar service, used for evaluating customer service, products, services, pricing, locations, or consumer issues so long as the evaluation is not for purposes of litigation or discovering violations of law.

**SECTION 3.** A new section to chapter 43-30 of the North Dakota Century Code is created and enacted as follows:

**Fair housing law compliance - Exception - Penalty.** This chapter does not apply to a person testing for fair housing law compliance who is employed by or volunteers with an organization recognized for this purpose under federal or state law and who meets the requirements, except for actual registration, of a registered private investigator established by the board. These requirements include a state and nationwide criminal history background check conducted by the bureau of criminal investigation and the federal bureau of investigation. The results of the state and nationwide criminal history background check must be on file with the organization. The board, at its request, may review the criminal history background check and other information related to any person conducting the compliance test. Any person who knowingly violates the requirements for an exception under this section is guilty of a class B misdemeanor.

Renumber accordingly