

Testimony of the North Dakota Private Investigative and Security Board (NDPISB)
House Bill No. 1045
Senate Industry and Business Committee
February 17th, 2025

Chairman Barta and members of the Committee, thank you for the opportunity to comment on House Bill 1045. My name is John Shorey, Executive Director of the North Dakota Private Investigative and Security Board, otherwise known as the NDPISB. My public testimony today is advocating for passage of House Bill 1045 as proposed by the Board, and to answer any questions the Committee has on the bill.

COMMENTS ON BILL DRAFT

House Bill 1045 creates two new subsections to section 43-30-16 of the North Dakota Century Code. The first new subsection relates to application fees for a non-live remote or online classroom instruction course for apprentice security officers. The second new subsection relates to assessing a renewal and late fee for all nonlicensed officers and owners of at least a ten percent interest in a private security or detective agency.

The first new subsection: In response to the COVID-19 pandemic and at the request of industry, the Board promulgated administrative rules allowing for non-live remote or online training for apprentice security officers through an already Board-Certified security trainer. See N.D.A.C. 93-02-02.1-17. This administrative rule sets forth the criteria for the training and outlined an application process. This administrative rule went into effect October 1st, 2022. As of today's date, there have been no applications for the training, but the Board anticipates several applications coming in soon. As there will be Board staff time and expenses involved in processing and reviewing these applications, the Board believes there should be a fee for this application process. The fee proposed would be an initial application fee, which may not exceed \$60; with no renewal fee. If there were changes to an already approved training course that would necessitate a new application, with a new application fee of \$60.00 being paid.

The second new subsection: As part of the Board's licensing application process for security and detective agencies, all nonlicensed officers or owners of 10% or more of the agency are required to make application as a part of the agency application licensing process. This includes undergoing a fingerprint based criminal history records search and meeting other requirements as outlined in the Board's administrative rules. Starting in the year 2019, the Board required corporate officers to complete the renewal application with no fee attached to that renewal. Prior to this the Board emailed agencies when they submitted renewal applications, with a list of on-file corporate officers, asking if the corporate officers were still active. The Board found that this was not a very effective method of handling corporate officer renewals (in conjunction with agency renewal applications) nor did it capture pertinent information as far as if the corporate officer had any criminal convictions or pending criminal actions since they initially applied to the Board. These two reasons were

behind the rationale for the Board requiring corporate officers to submit a renewal application. The Board believes since they are processing these renewal applications currently, with no fees assessed to cover Board staff time and expenses, that it would be appropriate for a renewal application fee, which may not exceed \$60.00, to be required along with a \$20 late renewal fee.

As the Committee is likely aware, the Board does not receive annual appropriations to fund its operations. All funding is derived from the licensing and certification fees the Board assesses. This amendment reflects the increased costs of administrating the licensing and certification of private investigative and private security providers. Senate Bill 1045 would help address those costs and support continued Board administrative functions.

Thank you again for the opportunity to present this testimony. We, the North Dakota Private Investigative and Security Board, urge you to issue a do pass recommendation on House Bill 1045.

John Shorey,
Executive Director, North Dakota Private Investigative and Security Board.