

Proposed Amendment Concerning Ownership and Control of Private Investigative Agencies and Security Agencies, and Increasing Weapons Fees by Ten Dollars.

93-02-02.1-03. Licensing of detective agencies. Any individual or entity hiring another person to perform private investigative services must obtain a detective agency license. An individual who applies for an agency license must be currently licensed in this state to provide private investigative services. An entity that applies for an agency license must have at least one ~~owner, member, or partner who is licensed to provide private investigative services~~ individual who serves as the qualifying agent for that entity, and who will be responsible for all agency personnel providing those services. The qualifying agent must be an individual who is an officer, director, partner, proprietor or manager of the agency who exercises material authority in the conduct of the agency's business by making substantive technical and administrative decisions relating to the work performed for which a license is required and who is not involved in any other employment or activity which conflicts with these duties and responsibilities to ensure the agency's performance of work regulated under this chapter complies with applicable laws and does not jeopardize the public health, safety, and welfare. ~~All~~ The qualifying agent and all nonlicensed officers and owners of at least a ten percent interest in the entity must be listed on the application and meet the qualifications in section 93-02-01.1-01.

History: Effective May 1, 2000. Amended effective (6 months after adopted).

General Authority: NDCC 43-30-04

Law Implemented: NDCC 43-30-04, 43-30-09

93-02-02.1-03. Licensing of private security agencies. Any individual or entity hiring another person to perform private security services must obtain a private security agency license. An individual who applies for a private security agency license must be currently licensed in this state to provide private security services. An entity that applies for an agency license must have at least one ~~owner, member, or partner who is licensed to provide private investigative services~~ individual who serves as the qualifying agent for that entity, and who will

be responsible for all agency personnel providing those services. The qualifying agent must be an individual who is an officer, director, partner, proprietor or manager of the agency who exercises material authority in the conduct of the agency's business by making substantive technical and administrative decisions relating to the work performed for which a license is required and who is not involved in any other employment or activity which conflicts with these duties and responsibilities to ensure the agency's performance of work regulated under this chapter complies with applicable laws and does not jeopardize the public health, safety, and welfare. ~~All~~ The qualifying agent and all nonlicensed officers and owners of at least a ten percent interest in the entity must be listed on the application and meet the qualifications in section 93-02-02.1-01.

History: Effective May 1, 2000. Amended effective (6 months after adopted).

General Authority: NDCC 43-30-04

Law Implemented: NDCC 43-30-04

93-02-03-06. Fees - Amount - Late fees. In addition to statutory fees, the board charges the following fees:

1. An individual must pay a fee of one hundred dollars to take the examination to become licensed to provide investigative or private security services.
2. An individual must pay a fee of one hundred thirty dollars to receive an initial license or renew the individual's license to provide private investigative or private security services. In addition, a late fee of fifty dollars must be paid for each month the renewal is late, up to a maximum cumulative late fee of one hundred dollars for a late renewal.
3. An individual or entity must pay a fee of one hundred dollars to apply for a license to operate a private security or detective agency.
4. An individual or entity must pay a fee of two hundred fifty dollars to receive an initial license or renew a license to operate a private security or detective agency.
5. An individual must pay a fee of twenty dollars to receive a private security training certificate.

6. An individual must pay an annual fee of ~~twenty~~ thirty dollars to receive an armed private security certificate. Armed private security certificates expire on September thirtieth of each year.
7. An individual or entity must pay a fee of ten dollars to obtain a duplicate license.
8. An individual must pay a fee of twenty-five dollars to obtain an initial registration to provide private investigative or private security services. An individual must pay twenty-five dollars for renewing registration to provide private investigative or private security services. A late fee of ten dollars must also be paid for each month the renewal is late.

History: Effective May 1, 2000; amended effective May 1, 2005; July 1, 2010;_____.

General Authority: NDCC 43-30-04

Law Implemented: NDCC 43-30-16