

## LEGISLATIVE BILL 175

Approved by the Governor February 27, 1987

Introduced by Chizek, 31

AN ACT relating to private detectives; to amend section 71-3205, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to the licensing of private detectives; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 71-3205, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-3205. Any person desiring to engage in the private detective business in the State of Nebraska and desiring to be licensed under the provisions of sections 71-3201 to 71-3213 shall file with the secretary an application for a license. ~~The~~ ~~;~~ ~~and~~ ~~the~~ secretary shall issue to ~~such~~ ~~the~~ person if qualified therefor a nontransferable license to engage in the private detective business as a private detective, as a private detective agency, or as a plain clothes investigator in the State of Nebraska as follows:

(1) If the applicant is an individual, ~~such~~ ~~the~~ individual, ~~or~~ if the applicant is a corporation, each of its individual officers performing the duties of the president, the secretary, and the treasurer of ~~such~~ ~~the~~ corporation and the duties of the manager of the business of ~~such~~ ~~the~~ corporation in the State of Nebraska, or if the applicant is any person other than an individual or a corporation, each of the individual partners, members, managers, officers, or other individuals having a right to participate in the management of ~~such~~ ~~the~~ applicant's business in the State of Nebraska, before the license may be issued, shall be at least twenty-one years of age, ~~shall be~~ ~~and~~ of good moral character, temperate habits, and good reputation for truth, honesty, and integrity; and shall have such experience and competence in the detective business or otherwise as the secretary may determine to be reasonably necessary for ~~such~~ ~~the~~ individual to perform the duties of his or her position with ~~such~~ ~~the~~ applicant in a manner consistent with the public interest and welfare. No license issued under the provisions of sections 71-3201

to 71-3213 shall be issued or renewed to any person who in any manner engages in the business of debt collection in the State of Nebraska as licensee or employee of a licensee as provided in sections ~~81-8,158 to 81-8,183 45-601 to 45-622.~~ If any collection agency, or any person in the employ of such agency with knowledge of the owner or operator of such agency, engages in the business of a private detective or represents to others that he or she is engaged in such business, it shall be cause for revocation of such agency's license as a collection agency. Prior to the issuance of ~~such the~~ license, the secretary shall notify the ~~county attorney of the county wherein the applicant is domiciled~~ State Patrol, and the ~~county attorney~~ State Patrol shall investigate the character and reputation of the applicant respecting his or her fitness to engage in the business of a private detective. Upon completion of ~~such the~~ investigation, the ~~county attorney~~ State Patrol shall notify the secretary of the results of ~~this the~~ investigation within ninety days after the date of the application. The license shall be issued by the secretary unless he or she has received within ninety days after ~~such the~~ application is made for ~~such the~~ license a report of investigation from the ~~county attorney~~ State Patrol stating that the applicant is not of the proper character and reputation to engage in the business of a private detective; and -

(2) The applications shall be made on a suitable form prescribed by the secretary, shall be accompanied when filed by an application fee of fifty dollars for a license for a private detective, one hundred dollars for a license for a private detective agency, or twenty-five dollars for a license for a plain clothes investigator, shall be signed and verified by each individual connected with the applicant to whom the requirements of subdivision (1) of this section apply, and may contain such information, including specimens of fingerprints, as may be required by the secretary.

Sec. 2. That original section 71-3205, Reissue Revised Statutes of Nebraska, 1943, is repealed.