

1 qualifications are presented to meet the experience or education
2 requirements of sections two or five of this article.

3 (2) "Private investigation business" means the business of
4 doing an investigation or investigations, for hire, reward or any
5 other type of remuneration, to obtain information about:

6 (A) A crime which is alleged to have occurred or is threatened
7 to occur;

8 (B) The habits, activities, conduct, movements, location,
9 associations, transactions, reputation or character of any person;

10 (C) The credibility of witnesses or other persons;

11 (D) The location or recovery of lost or stolen property;

12 (E) The causes or origins of any fire, accident or injury to
13 any property, real or personal, or to identify or locate any person
14 or persons responsible for any such fire, accident or injury;

15 (F) The truth or falsity of any statement or representation,
16 whether written or oral, or of any type of depiction;

17 (G) Any matters which constitute evidence or which may lead to
18 the discovery of evidence to be used before any judicial or
19 quasijudicial tribunal, including, but not limited to, civil or
20 criminal courts, administrative agencies, investigating committees,
21 or boards of award or arbitration;

22 (H) The whereabouts of any missing or kidnapped person;

23 (I) The affiliation, connection or relationship of any person
24 with any corporation or other business entity, union, organization,
25 society or association, or with any official, member or
26 representative thereof;

1 (J) Any person or persons seeking employment in the place of
2 any employee or employees who have quit work by reason of any
3 strike; or

4 (K) The conduct, honesty, efficiency, loyalty or activities of
5 employees, agents, contractors and subcontractors.

6 (3) "Firm license" means the license held by a person whom the
7 Secretary of State has authorized to operate a private detective
8 investigative firm or security guard firm after such person has
9 filed and completed an application pursuant to the application
10 requirements contained in sections three or six and has satisfied
11 the eligibility requirements contained in sections two or five.

12 (4) "Person" means a natural person, a group of persons or
13 individuals acting individually or as a group, a corporation,
14 company, partnership, association, society, firm or any business
15 organization or entity organized or existing under the laws of this
16 or any other state or country.

17 (5) (A) "Private detective" or "private investigator" means a
18 person who is licensed pursuant to the provisions of this article
19 to conduct a private investigation business, as defined in
20 subdivision (2) of this section, and who conducts such business
21 individually and independently from any private detective or
22 investigative firm;

23 (B) "Private detective" or "private investigator" does not
24 include:

25 (i) Any individual while acting as an adjuster for an
26 insurance company or companies;

1 (ii) Individuals employed exclusively and regularly by only
2 one employer in connection with the affairs of such employer only;

3 (iii) An officer or employee of the United States, or any law-
4 enforcement officer of this state or any political subdivision
5 thereof, while such officer or employee is engaged in the
6 performance of his or her official duties or while working for a
7 private employer in his or her off-duty hours;

8 (iv) Attorneys or counselors-at-law or any employee or
9 representative of such attorney or counselor;

10 (v) Any corporation duly authorized by this state to operate
11 central burglar or fire alarm protection business; or

12 (vi) Any investigator of crime appointed by a prosecuting
13 attorney of a county pursuant to the provisions of section two,
14 article four, chapter seven of this code.

15 (6) "Private detective or investigative firm" means any
16 private detective agency or business or any investigative agency or
17 business that is operated by a licensed private detective or
18 investigator and which employs one or more other persons who
19 actually conduct the private investigation business as defined in
20 subdivision (2) of this section.

21 (7) (A) "Security guard" means a person who is licensed
22 pursuant to the provisions of this article to conduct a security
23 guard business, as defined in subdivision (8) of this section, and
24 who conducts such business individually and independently from a
25 security guard firm.

26 (B) "Security guard" does not include a person who is employed

1 exclusively and regularly by only one employer in connection with
2 the affairs of such employer only including but not limited to
3 management companies exclusively supplying services to a
4 residential property owners' association, or a person who is
5 otherwise hereinafter excluded from the requirements of this
6 article.

7 (8) (A) "Security guard business" means the business of
8 furnishing, for hire, reward or other remuneration, watchmen,
9 guards, bodyguards, private patrolmen or other persons, to:

10 (i) Protect property, real or personal, or any person;

11 (ii) To prevent theft, unlawful taking, misappropriation or
12 concealment of goods, wares or merchandise, money, bonds, stocks,
13 notes or other valuable documents, papers and articles of value; or

14 (iii) To furnish for hire, guard dogs or armored motor vehicle
15 security services, in connection with the protection of persons or
16 property;

17 (B) "Security guard business" does not include any activities
18 or duties for which it is necessary to be trained and certified as
19 a law-enforcement officer in accordance with the provisions of
20 article twenty-nine, chapter thirty of this code.

21 (9) "Security guard firm" means any security guard agency or
22 business that is operated by a licensed security guard and which
23 employs one or more other persons who actually conduct a security
24 guard business as defined in subdivision (8) of this section.