

House Bill 2459

Sponsored by Representative MAURER

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Board on Public Safety Standards and Training to adopt rules prescribing procedures for reinstatement of investigator whose license has expired.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to private investigators; creating new provisions; amending ORS 703.445; and declaring an
3 emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 703.445 is amended to read:

6 703.445. (1) An investigator who desires to continue to practice in this state must apply for re-
7 newal and:

8 (a) Pay the renewal fee [*as prescribed by rule of the Board on Public Safety Standards and*
9 *Training*] to the Department of Public Safety Standards and Training on or before the renewal date
10 of the license[.]; **or** [*Any person who fails to pay the renewal fee by the renewal date may,*]

11 (b) [*Within the following 30 days,*] Pay the renewal fee plus a penalty **to the department no**
12 **later than 30 days after the renewal date** [*in an amount to be prescribed by board rule, not to*
13 *exceed twice the amount of the renewal fee*].

14 (2) Any person who fails to [*pay the renewal fee, with accrued penalties, for a period of 30 days*
15 *after the renewal date*] **renew a license under subsection (1) of this section shall:**

16 (a) **Apply for reinstatement in accordance with the rules adopted under subsection (5)**
17 **of this section; or**

18 (b) [*forfeits*] **Forfeit** the right to work as an investigator in this state. [*and*] **A person who**
19 **forfeits the right to work as an investigator in this state** may be reinstated only upon compli-
20 ance with the initial application procedures.

21 [(2)] (3) Prior to renewing a license, the Department of Public Safety Standards and Training
22 may request that the Department of State Police conduct criminal records checks as provided in
23 ORS 181.534. Any act that is grounds for denying an initial application for a license is grounds for
24 refusing to renew a license.

25 [(3)] (4) An investigator may request the Department of Public Safety Standards and Training
26 to place the investigator on inactive status at any time during the licensing period. Upon payment
27 of the inactive license fee as prescribed by rule of the board, the department shall place the inves-
28 tigator on inactive status. An investigator on inactive status may not work as an investigator.

29 (5) **The Board on Public Safety Standards and Training shall adopt rules prescribing:**

30 (a) **The amount of the renewal fee and the penalty that are described in subsection (1)**
31 **of this section. The penalty may not exceed twice the amount of the renewal fee.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 **(b) Procedures by which a person who fails to comply with subsection (1) of this section**
2 **may apply for reinstatement without complying with the initial application procedures.**

3 **SECTION 2. (1) The amendments to ORS 703.445 by section 1 of this 2009 Act become**
4 **operative on January 1, 2010.**

5 **(2) Notwithstanding subsection (1) of this section, the Board on Public Safety Standards**
6 **and Training may adopt rules or take any other action before the operative date specified in**
7 **subsection (1) of this section that is necessary to enable the board to exercise, on or after**
8 **the operative date specified in subsection (1) of this section, all the duties, functions and**
9 **powers conferred on the board by the amendments to ORS 703.445 by section 1 of this 2009**
10 **Act.**

11 **SECTION 3. This 2009 Act being necessary for the immediate preservation of the public**
12 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
13 **on its passage.**

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