

Enrolled
Senate Bill 1549

Sponsored by Senator BURDICK (at the request of Oregon Society of Certified Public Accountants)
(Presession filed.)

CHAPTER

AN ACT

Relating to the regulation of investigators; amending ORS 703.411; and declaring an emergency.

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

SECTION 1. ORS 703.411 is amended to read:

703.411. ORS 703.401 to 703.490, 703.993 and 703.995 do not apply to:

- (1) A person employed exclusively by one employer in connection with the affairs of that employer only;
- (2) An officer or employee of the United States, or of this state, or a political subdivision of either, while the officer or employee is engaged in the performance of official duties;
- (3) A person acting as a private security professional as defined in ORS 181.870;
- (4) A person who is employed full-time as a peace officer, as defined in ORS 161.015, who receives compensation for private employment as an investigator, provided that services are performed for no more than one person or one client;
- (5) A person that provides secured transportation and protection, from one place or point to another place or point, of money, currency, coins, bullion, securities, bonds, jewelry or other valuables;
- (6) A person that places, leases, rents or sells an animal for the purpose of protecting property, or any person that is contracted to train an animal for the purpose of protecting property;
- (7) A person engaged in the business of obtaining and furnishing information regarding the financial rating of persons;
- (8) An attorney admitted to practice law in this state performing the attorney's duties as an attorney;
- (9) A legal assistant or paralegal engaged in activity for which the person is employed by an attorney admitted to practice law in this state;
- (10) Insurers, insurance adjusters and insurance producers licensed in this state and performing duties in connection with insurance transacted by them;
- (11) Any secured creditor engaged in the repossession of the creditor's collateral and any lessor engaged in the repossession of leased property in which it claims an interest;
- (12) An employee of a cattle association who is engaged in inspection of brands of livestock under the authority granted to that cattle association by the Packers and Stockyards Division of the United States Department of Agriculture;
- (13) Common carriers by rail engaged in interstate commerce and regulated by state and federal authorities and transporting commodities essential to the national defense or to the general welfare and safety of the community;

(14) Any news media and the employees thereof when engaged in obtaining information for the purpose of disseminating news to the public;

(15) A legal process service company attempting to serve legal process;

(16) A landlord or an agent of a landlord performing duties in connection with rental property transactions; [or]

(17) An engineer **while the engineer is performing duties as an engineer** or **an** employee of an engineer while the [engineer or] employee is performing duties [as an engineer or] on behalf of an engineer. As used in this subsection, “engineer” has the meaning given that term in ORS 672.002[.]; **or**

(18) **An accountant while the accountant is engaged in the practice of public accountancy or an employee of an accountant while the employee is performing duties on behalf of an accountant. As used in this subsection, “accountant” means an individual holding an active permit under ORS 673.150 or an individual holding an active license described in ORS 673.153.**

SECTION 2. This 2014 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2014 Act takes effect on its passage.

Passed by Senate February 14, 2014

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House February 25, 2014

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Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2014

Approved:

.....M.,....., 2014

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2014

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Kate Brown, Secretary of State