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SYNOPSIS:

Under existing law, the Alabama Private Investigation Board is responsible for the licensing and regulation of private investigators in the state.

This bill would further establish education and work experience requirements for applicants in order to qualify for a private investigator license.

This bill would clarify those fees collected by the board that must be deposited into the Alabama Private Investigation Board Fund.

This bill would provide further for the qualifications for licensure as a private investigator.

This bill would provide further for criminal history background checks for applicants for licensure.

This bill would authorize the board to grant inactive status to licensees and to provide, by rule, for a procedure and fee to reinstate an inactive license.

This bill would provide for administrative penalties against any individual practicing without a license.

This bill would require licensees to report arrests to the board within 72 hours.

This bill would clarify that the number of hours of continuing education required to maintain licensure



29 is 16 hours during the two-year license period.

30 This bill would create a private investigator  
31 apprentice license that would allow apprentices to gain  
32 work experience through an internship.

33 This bill would authorize the board to issue a  
34 private investigator license to a licensed private  
35 investigator apprentice who successfully completes an  
36 internship in a specified time and passes an  
37 examination.

38 This bill would also require private  
39 investigation agencies that do business within the  
40 state to be licensed by the board and meet certain  
41 requirements.

42 Section 111.05 of the Constitution of Alabama of  
43 2022, prohibits a general law whose purpose or effect  
44 would be to require a new or increased expenditure of  
45 local funds from becoming effective with regard to a  
46 local governmental entity without enactment by a 2/3  
47 vote unless: it comes within one of a number of  
48 specified exceptions; it is approved by the affected  
49 entity; or the Legislature appropriates funds, or  
50 provides a local source of revenue, to the entity for  
51 the purpose.

52 The purpose or effect of this bill would be to  
53 require a new or increased expenditure of local funds  
54 within the meaning of the amendment. However, the bill  
55 does not require approval of a local governmental  
56 entity or enactment by a 2/3 vote to become effective



57 because it comes within one of the specified exceptions  
58 contained in the amendment.

59

60

61 A BILL

62 TO BE ENTITLED

63 AN ACT

64

65

66 Relating to the Alabama Private Investigation  
67 Regulatory Act; to designate as Article 1, Sections 34-25B-1  
68 to 34-25B-29, inclusive, Code of Alabama 1975; to amend  
69 Sections 34-25B-2, 34-25B-3, 34-25B-4, 34-25B-7, 34-25B-10,  
70 34-25B-11, 34-25B-12, 34-25B-13, 34-25B-14, 34-25B-17,  
71 34-25B-18, 34-25B-21, 34-25B-22, and 34-25B-26 of the Code of  
72 Alabama 1975, relating to the Alabama Private Investigation  
73 Board; to add Section 34-25B-12.1 and add a new Article 2,  
74 commencing with Section 34-25B-50 to Chapter 25B, Title 34 of  
75 the Code of Alabama 1975; to require applicants for private  
76 investigator licenses to complete education and work  
77 experience; to clarify those fees collected by the board that  
78 must be deposited into the Alabama Private Investigation Board  
79 Fund; to provide further for the qualifications for licensure  
80 as a private investigator; to provide further for criminal  
81 history background checks for applicants for licensure; to  
82 authorize the board to grant inactive status to licensees and  
83 to provide, by rule, for a procedure and fee to reinstate an  
84 inactive license; to provide for administrative penalties  
85 against any person practicing without a license; to require  
86 licensees to report arrests to the board within 72 hours; and  
87 to clarify that the number of hours of continuing education



88 required to maintain licensure is 16 hours during the two-year  
89 license period; to license private investigator apprentices  
90 and allow apprentices to gain work experience through an  
91 internship; to provide for licensure of apprentices as private  
92 investigators after completing certain requirements; and to  
93 provide for licensure of private investigation agencies that  
94 do business in the state; and in connection therewith would  
95 have as its purpose or effect the requirement of a new or  
96 increased expenditure of local funds within the meaning of  
97 Section 111.05 of the Constitution of Alabama of 2022.

98 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

99 Section 1. An article heading is added before Section  
100 34-25B-1 of the Code of Alabama 1975, to read as follows:

101 ARTICLE 1. Private Investigator Licenses, Private  
102 Investigator Apprentice Licenses, and Private Investigation  
103 Board.

104 Section 2. Sections 34-25B-2, 34-25B-3, 34-25B-4,  
105 34-25B-7, 34-25B-10, 34-25B-11, 34-25B-12, 34-25B-13,  
106 34-25B-14, 34-25B-17, 34-25B-18, 34-25B-21, 34-25B-22, and  
107 34-25B-26 of the Code of Alabama 1975, are amended to read as  
108 follows:

109 "§34-25B-2

110 As used in this chapter, the following terms shall have  
111 the following meanings:

112 (1) BOARD. The Alabama Private Investigation Board.

113 ~~(1)~~ (2) FELONY. A criminal offense that is defined and  
114 punishable under the laws of this state, or an offense  
115 committed outside the State of Alabama, which if committed in  
116 this state, would constitute a felony under Alabama law; a



117 crime in any other state or a crime against the United States  
118 which is designated as a felony; or an offense in any other  
119 state, territory, or country punishable by imprisonment for a  
120 term exceeding one year.

121 ~~(2)~~ (3) PRIVATE INVESTIGATION. The compensated act of  
122 any individual or company engaging in the business of  
123 obtaining or furnishing information with reference to any of  
124 the following:

125 a. A crime committed or threatened against the United  
126 States or any state or territory of the United States.

127 b. The identity, habits, conduct, business, occupation,  
128 honesty, integrity, credibility, including, but not limited  
129 to, the credibility of ~~a person~~ an individual giving testimony  
130 in a criminal or civil proceeding, knowledge, trustworthiness,  
131 efficiency, loyalty, activity, movement, whereabouts,  
132 affiliations, associations, transactions, acts, reputations,  
133 or character of any ~~person~~ individual.

134 c. The location, disposition, or recovery of lost or  
135 stolen property.

136 d. The cause or responsibility for fires, losses,  
137 accidents, damages, or injuries to ~~persons~~ individuals or to  
138 property.

139 (4) PRIVATE INVESTIGATION AGENCY. A corporation, firm,  
140 partnership, or other business entity that, for compensation,  
141 practices private investigation in this state and employs  
142 licensed private investigators. The term includes a business  
143 entity that practices private investigation through licensed  
144 private investigators who are solely independent contractors



145 rather than employees.

146 ~~(3)~~ (5) PRIVATE INVESTIGATOR. a. ~~A person~~ An individual  
147 who, for compensation, performs one or more of the private  
148 investigation services defined and regulated by this chapter.

149 b. ~~A person~~ An individual who, for consideration,  
150 advertises as providing or performing private investigation.  
151 The term does not include an informant who, on a one time or  
152 limited basis, as a result of a unique expertise, ability, or  
153 vocation, and who provides information or services while under  
154 the direction and control of a licensee of the board, that  
155 would otherwise be included in the definition of private  
156 investigation.

157 c. ~~A person~~ An individual who is engaged in private  
158 investigation ~~as defined herein~~ and who is licensed in  
159 accordance with this ~~chapter~~ article.

160 (6) PRIVATE INVESTIGATOR APPRENTICE. An individual who  
161 is engaged in private investigation under the supervision of a  
162 licensed private investigator and who is licensed in  
163 accordance with this article."

164 "§34-25B-3

165 An individual may not ~~No person shall~~ practice private  
166 investigation or hold himself or herself out to the public as  
167 a private investigator or private investigator apprentice or  
168 use any term, title, or abbreviation that expresses, infers,  
169 or implies that the ~~person~~ individual is licensed as a private  
170 investigator or private investigator apprentice unless the  
171 ~~person~~ individual at the time holds a valid license to  
172 practice private investigation as provided in this ~~chapter~~



173 ~~article. All applicants shall pass a criminal background check~~  
174 ~~based on criteria established pursuant to Section 34-25B-4."~~

175 "§34-25B-4

176 (a) There is created the Alabama Private Investigation  
177 Board. The appointing authorities shall coordinate their  
178 appointments to assure the membership of the board ~~shall~~  
179 ~~reflect~~ is inclusive and reflects the racial, gender,  
180 geographic, urban ~~and,~~ rural, and economic diversity of the  
181 state.

182 (b) Private investigator members ~~provided for herein~~  
183 shall have had five years of experience as an investigator  
184 prior to his or her appointment. Beginning on August 1, 2018,  
185 each private investigator ~~members who are~~ member appointed to  
186 the board shall have been licensed pursuant to this chapter as  
187 a private investigator for a period of at least five years  
188 prior to his or her appointment.

189 (c) The following members shall be appointed to the  
190 board:

191 (1) Three ~~persons~~ individuals appointed by the  
192 Governor, two of whom shall be private investigators ~~in this~~  
193 ~~state~~ and one of whom shall be a consumer who will represent  
194 the public at large. ~~The Governor shall appoint the three~~  
195 ~~members to initial terms of three years. Thereafter, successor~~  
196 ~~members shall be appointed for terms of four years each.~~

197 (2) One ~~person~~ individual appointed by the Lieutenant  
198 Governor, who ~~must~~ shall be a private investigator. ~~The~~  
199 ~~Lieutenant Governor shall appoint the member for an initial~~  
200 ~~term of two years. Thereafter, successor members shall be~~



201 ~~appointed for terms of four years.~~

202 (3) One ~~person~~ individual appointed by the Speaker of  
203 the House of Representatives who ~~must~~ shall be a private  
204 investigator. ~~The Speaker of the House of Representatives~~  
205 ~~shall appoint the member for an initial term of two years.~~  
206 ~~Thereafter, successor members shall be appointed for terms of~~  
207 ~~four years.~~

208 (4) One ~~person~~ individual appointed by the Attorney  
209 General who ~~must~~ shall be a private investigator. ~~The Attorney~~  
210 ~~General shall appoint the member for an initial term of two~~  
211 ~~years. Thereafter, successor members shall be appointed for~~  
212 ~~terms of four years.~~

213 (5) One ~~person~~ individual appointed by the Alabama  
214 State Bar Association who ~~must~~ shall be a member in good  
215 standing ~~for an initial term of four years. Thereafter,~~  
216 ~~successor members shall be appointed for terms of four years~~  
217 ~~of the bar.~~

218 (6) One ~~person~~ individual appointed by the Alabama  
219 Private Investigators Association who ~~must~~ shall be a private  
220 investigator. ~~The association shall appoint the member for an~~  
221 ~~initial term of four years. Thereafter, successor members~~  
222 ~~shall be appointed for terms of four years.~~

223 (d) ~~Following the initial appointments, all successor~~  
224 All members of the board shall be appointed for a term of four  
225 years and shall serve until their successors are appointed and  
226 qualified by subscribing to the constitutional oath of office, ~~7~~  
227 ~~which shall be filed with the Secretary of State.~~

228 (e) Any vacancy occurring on the board shall be filled





229 by the appointing authority of the vacating member for the  
230 unexpired term.

231 (f) No member may be appointed to succeed himself or  
232 herself for more than ~~one full term~~ three consecutive full  
233 terms.

234 (g) The appointing authority may remove a member of the  
235 board for misconduct, incompetency, or willful neglect of  
236 duty. The board may recommend to the appointing authority  
237 suggested administrative actions that may be taken against a  
238 board member for missing an excessive ~~amount~~ number of  
239 meetings.

240 ~~(h) Each member of the board shall receive a~~  
241 ~~certificate of appointment from the Governor before entering~~  
242 ~~upon the discharge of the duties of office."~~

243 "§34-25B-7

244 (a) There is ~~hereby~~ created in the State Treasury for  
245 the use of the ~~Alabama Private Investigation Board~~ board a  
246 fund to be known as the Alabama Private Investigation Board  
247 Fund. All application and license fees, penalties, fines, and  
248 any other funds collected by the board ~~under the provisions of~~  
249 ~~this chapter are to~~ related to private investigators, private  
250 investigator apprentices, private investigation agencies, and  
251 the implementation of this chapter, shall be deposited in this  
252 fund and used only to carry out the operations of the board.  
253 The fees that the board may charge, collect, and deposit into  
254 the fund shall include, but not be limited to, all of the  
255 following:

256 (1) An application fee for an original license and for



257 an inactive status certificate.

258 (2) A renewal fee for a license and for an inactive  
259 status certificate.

260 (3) A reinstatement application fee.

261 (4) A late renewal fee.

262 (5) A change of information fee.

263 (6) A replacement license fee.

264 (7) An inactive license fee.

265 (8) An issuance fee for a private investigator license,  
266 a private investigator apprentice license, or a private  
267 investigation agency license.

268 (9) Reasonable and necessary administrative fees that  
269 reflect the actual cost of services provided.

270 (b) No monies shall be withdrawn or expended from the  
271 fund for any purpose unless the monies have been appropriated  
272 by the Legislature and allocated pursuant to this chapter. Any  
273 monies appropriated shall be budgeted and allotted pursuant to  
274 the Budget Management Act in accordance with Article 4,  
275 ~~+commencing with Section 41-4-80+~~, of Chapter 4 of Title 41,  
276 and only in the amounts provided by the Legislature in the  
277 general appropriations act or other appropriations act. ~~There~~  
278 ~~is hereby appropriated to the Alabama Private Investigation~~  
279 ~~Board the sum of all monies collected and deposited into the~~  
280 ~~Alabama Private Investigation Board Fund for each of the~~  
281 ~~fiscal years ending September 30, 2013, and September 30,~~  
282 ~~2014, to be used for the operations of the board.~~

283 (c) All expenses incurred by the board in implementing  
284 and administering this chapter shall be paid out of the fund,



285 provided that the expenses of the board shall not exceed the  
286 amount of monies in the fund."

287 "§34-25B-10

288 (a) Except as otherwise provided in this chapter, it  
289 shall be unlawful for any ~~person~~ individual to act as a  
290 private investigator or private investigator apprentice  
291 without first obtaining a license from the board. For  
292 prosecution purposes, a violation of this chapter is  
293 classified as a Class A misdemeanor, punishable by a fine of  
294 not more than six thousand dollars (\$6,000) and imprisonment  
295 for up to one year.

296 (b) Each ~~person~~ individual licensed in accordance with  
297 this ~~chapter~~ article shall designate to the board a physical  
298 address where his or her records are to be kept."

299 "§34-25B-11

300 (a) Except as provided in subsection (b), an An  
301 application and all information on an application for  
302 licensure as a private investigator, private investigator  
303 apprentice, or private investigation agency shall be treated  
304 as confidential and shall be filed with the board on forms  
305 prescribed by the board. The application shall include all of  
306 the following information of the applicant:

307 (1) His or her full name.

308 (2) His or her date and place of birth.

309 (3) All residences during the immediate past five  
310 years.

311 (4) All employment or occupations engaged in during the  
312 immediate past five years.



313 (5) Three sets of classifiable fingerprints or  
314 electronic fingerprints or criminal history background  
315 information, or both, as approved by the board for initial  
316 licensure.

317 (6) A list of convictions and pending charges involving  
318 a felony or misdemeanor in any jurisdiction.

319 (b) The board may publish the name of a licensee and  
320 his or her license number, date of licensure, and license  
321 status on the website of the board and in any licensee  
322 directory printed or distributed by the board. Additionally,  
323 with written permission of the licensee, the board may release  
324 or publish contact information for a licensee, including his  
325 or her email address, website, telephone number, and address."

326 "§34-25B-12

327 ~~(a)~~ Each individual applicant for a license as a  
328 private investigator shall meet all of the following criteria  
329 ~~that he or she:~~

330 (1) Is at least 21 years of age.

331 (2) Has successfully completed a criminal history  
332 background check based on criteria established by the board.

333 ~~(2)~~ (3) Has not been declared by any court of competent  
334 jurisdiction incompetent by reason of mental defect or disease  
335 unless a court of competent jurisdiction has subsequently  
336 declared the applicant competent.

337 ~~(3)~~ (4) Has not been convicted of a crime of moral  
338 turpitude, with the board having the final determination on  
339 the interpretation of moral turpitude.

340 ~~(4)~~ (5) Has not been convicted of a felony crime.



341 ~~(5)~~ (6) Has passed an examination ~~to be~~ administered  
342 ~~twice annually~~ by the board designed to measure knowledge and  
343 competence in the investigation field and in state civil and  
344 criminal privacy laws.

345 ~~(b) A study guide shall be provided to any applicant~~  
346 ~~seeking to obtain an initial or renewal license under this~~  
347 ~~chapter.~~

348 ~~(c) Any investigator currently holding a business~~  
349 ~~license in the State of Alabama shall not have to meet the~~  
350 ~~initial application requirements of this chapter, but shall be~~  
351 ~~issued a license pursuant to this chapter upon application.~~

352 (7) Has a minimum of two years' experience, education,  
353 or training, or a combination thereof, including 120 hours of  
354 practical field experience directly related to private  
355 investigation, in any of the following areas:

356 a. Special investigations, consisting of special  
357 investigative experience in insurance, fire or arson, banking,  
358 legal, or similar setting, or other special investigatory  
359 experience as determined suitable by the board.

360 b. Law enforcement, consisting of experience as a sworn  
361 law enforcement officer, investigative experience as a  
362 detective or investigator at the federal, state, or local  
363 level, or other investigative experience as determined  
364 suitable by the board.

365 c. Education, consisting of a minimum of a two-year  
366 degree in a field of study directly related to private  
367 investigation including, but not limited to, criminal justice,  
368 political science, criminology, or law enforcement.



369 d. Internship, consisting of successful completion of a  
370 private investigator apprenticeship pursuant to Section  
371 34-25B-12.1."

372 "§34-25B-13

373 (a) Upon receipt of an application for a license as a  
374 private investigator pursuant to this chapter, nonrefundable,  
375 nonprorateable application fees shall be submitted to the  
376 board by the applicant for all of the following services:

377 (1) A request that the Alabama ~~Bureau of Investigation~~  
378 ~~compare~~ State Law Enforcement Agency perform a state criminal  
379 history background check on the fingerprints submitted with  
380 the application ~~to fingerprints filed with the Alabama Bureau~~  
381 ~~of Investigation~~. On subsequent applications, the Alabama  
382 ~~Bureau of Investigation~~ State Law Enforcement Agency, at the  
383 request of the board, shall review its criminal history files  
384 based upon the name, date of birth, sex, race, and Social  
385 Security number of an applicant whose fingerprints have  
386 previously been submitted to the bureau for any new  
387 information since the date of the initial fingerprint  
388 ~~comparison~~ submission, and shall furnish any information  
389 thereby derived to the board.

390 (2) A request to submit the fingerprints to the Federal  
391 Bureau of Investigation for ~~a search of its files to determine~~  
392 ~~whether an individual fingerprinted has any recorded~~  
393 ~~convictions~~ completion of a national criminal history  
394 background check.

395 (b) After the approval of the application by the board,  
396 the board shall issue a license in a form prescribed by the



397 board to each qualified applicant upon its receipt of a  
398 nonrefundable, nonprorateable private investigator license fee  
399 as set by the board.

400 (c) (1) If an application for a license is denied, the  
401 board shall notify the applicant in writing and specify the  
402 grounds for denial. If the grounds are subject to correction  
403 by the applicant, the notice shall so state and specify a  
404 reasonable period of time within which the applicant shall  
405 make the required correction.

406 (2) The applicant may submit an application for  
407 reconsideration to the board within 30 days from the date of  
408 receipt of the denial.

409 (d) The board shall issue a license to all licensees  
410 that shall be at least 8" x 10" in size and shall be displayed  
411 on a wall of the workplace of the licensee. ~~This license~~ All  
412 licenses and identification cards issued by the board shall be  
413 deemed property of the State of Alabama and subject to  
414 forfeiture to the state upon revocation."

415 "§34-25B-14

416 (a) The board shall issue to every private investigator  
417 licensee and private investigator apprentice licensee an  
418 identification card, which shall be issued in credit card  
419 size, be permanently laminated, and contain all of the  
420 following information of the licensee:

421 (1) Name.

422 (2) Photograph.

423 (3) Physical characteristics.

424 (4) Private investigator's license number.



425 (5) Expiration date of license.

426 (b) The identification card shall be carried on the  
427 person of the licensee when engaged in the activities of the  
428 licensee.

429 (c) A private investigator licensee shall include his  
430 or her license number on all advertisements, brochures,  
431 stationary, letterhead, case reports, and business cards  
432 distributed or used by the private investigator."

433 "§34-25B-17

434 (a) All licenses issued or renewed under this ~~chapter~~  
435 article shall be valid for a period of two years from the ~~date~~  
436 month of issuance. The board shall ~~provide mail to~~ each  
437 licensee ~~with a renewal application,~~ at his or her address of  
438 record, a notice of renewal at least 60 days prior to the  
439 expiration of ~~the~~ his or her license. An application for  
440 renewal shall be available for download by the licensee on the  
441 website of the board. A licensee shall report any change of  
442 address to the board.

443 (b) Each application for renewal shall be reviewed for  
444 criminal convictions and civil fraud findings.

445 (c) An administrative late fee not exceeding two  
446 hundred dollars (\$200), as prescribed by the board, shall be  
447 assessed on any renewal application postmarked after the  
448 expiration date of the license.

449 (d) ~~No~~ A renewal application may not be accepted by the  
450 board more than 30 days after the expiration date of the  
451 license. This subsection may be waived by the board for good  
452 cause.





453           (e) A licensee may request, in writing, for the board  
454 to place his or her license on inactive status. The fees for  
455 issuing and renewing an inactive status certificate shall be  
456 established by rule of the board. The board shall also  
457 provide, by rule, for the activities an inactive status  
458 certificate holder may engage in, and for the procedure and  
459 fees required to reinstate an inactive status license. Any  
460 holder of an inactive status certificate who violates the  
461 limitations of the certificate shall be subject to fines and  
462 disciplinary action established by rule of the board."

463           "§34-25B-18

464           (a) The board may suspend, revoke, or refuse to issue  
465 or renew any private investigator license issued by ~~it~~ the  
466 board upon finding that the holder or applicant has committed  
467 any of the following acts:

468           (1) A violation of this chapter or any rule ~~promulgated~~  
469 adopted pursuant to this chapter.

470           (2) Fraud, deceit, or misrepresentation regarding an  
471 application or license.

472           (3) Knowingly and willfully making a material  
473 misstatement in connection with an application for a license  
474 or renewal.

475           (4) A conviction by a court of competent jurisdiction  
476 of a felony.

477           (5) A conviction by a court of competent jurisdiction  
478 of a Class A misdemeanor, if the board finds that the  
479 conviction reflects unfavorably on the fitness of the ~~person~~  
480 individual for the license.



481 (6) The commission of any act which would have been  
482 cause for refusal to issue the license or identification card  
483 had it existed and been known to the board at the time of  
484 issuance.

485 (b) In addition to, or in lieu of, any other lawful  
486 disciplinary action under this section, the board may assess a  
487 civil penalty not exceeding two thousand dollars (\$2,000) for  
488 each violation.

489 (c) A license may be suspended for the remaining  
490 license period and renewed during any period in which the  
491 license was suspended.

492 (d) Any entity or individual who operates, provides  
493 services, or advertises the provision of private investigator  
494 services without a license as required by this chapter shall  
495 be subject to an administrative fine of up to one thousand  
496 dollars (\$1,000) per day that those services are provided or  
497 advertised and may be administratively enjoined by the board  
498 from providing services or advertising until in compliance  
499 with this chapter."

500 "§34-25B-21

501 The board shall ~~provide~~ routinely publish and update a  
502 copy of this chapter and any rules ~~promulgated~~ adopted under  
503 this chapter ~~to the following:~~ on the website of the board.

504 ~~(1) Each licensee, upon issuance of an original~~  
505 ~~license, and every two years thereafter upon license renewal.~~

506 ~~(2) Any other person, upon request, for a reasonable~~  
507 ~~fee established by the board."~~

508 "§34-25B-22



509 (a) The following acts when committed by an individual  
510 licensed as a private investigator ~~in Alabama~~ or a private  
511 investigator apprentice, or employed by or contracting with a  
512 private investigation agency, shall constitute a violation  
513 punishable as a Class A misdemeanor:

514 (1) To knowingly make a material misrepresentation as  
515 to the ability of the individual to perform the investigation  
516 required by a potential client in order to obtain employment.

517 (2) To make unsubstantiated monetary charges to a  
518 client for services not rendered or transportation not  
519 utilized.

520 (3) To knowingly make a false report to a client in  
521 relation to the investigation performed for a client.

522 (4) To continue an investigation for a client when it  
523 becomes obvious to the investigator that a successful  
524 completion of an investigation is unlikely without first  
525 advising the client and obtaining the approval of the client  
526 for continuation of the investigation.

527 (5) To reveal information obtained for a client during  
528 an investigation to another individual except as required by  
529 law.

530 (b) ~~Persons~~ Individuals licensed pursuant to this  
531 chapter shall report any suspected instances of child abuse or  
532 neglect to a local law enforcement agency or the Department of  
533 Human Resources, or both."

534 "§34-25B-26

535 (a) Each private investigator licensee shall complete  
536 ~~eight~~ 16 hours of continuing professional education, including



537 two hours of ethics instruction, acceptable to the board in  
538 each ~~calendar year~~ two-year renewable licensing period.

539 ~~(b) The board shall make every effort to ensue at least~~  
540 ~~one seminar per year will be held in each congressional~~  
541 ~~district of the state providing an opportunity to fulfill the~~  
542 ~~continuing professional education requirements of this~~  
543 ~~section, which shall include at least one hour per year on~~  
544 ~~ethics.~~

545 ~~(c)~~ (b) The board shall ~~promulgate~~ adopt rules as  
546 necessary to ~~carry out~~ implement this section."

547 Section 3. Section 34-25B-12.1 is added to the Code of  
548 Alabama 1975, to read as follows:

549 §34-25B-12.1

550 (a) An individual may obtain a license as a private  
551 investigator apprentice and work under the supervision of a  
552 private investigator.

553 (b) An applicant for a private investigator apprentice  
554 license shall meet all of the following criteria to obtain a  
555 license:

556 (1) Be at least 18 years of age.

557 (2) Be a high school graduate, have earned a GED  
558 certification, or have completed other equivalent education as  
559 determined suitable by the board.

560 (3) Meet the requirements of subdivisions (2) to (5),  
561 inclusive, of Section 34-25B-12.

562 (c) An individual issued a private investigator  
563 apprentice license shall successfully pass an examination  
564 required by the board, which shall be taken during a time



565 period designated by rule of the board, not sooner than 45  
566 days after initial licensure. Before taking the examination, a  
567 private investigator apprentice licensee may begin working as  
568 an intern. If the examination is not successfully passed by  
569 the deadline set by rule of the board, the private  
570 investigator apprentice license may be suspended until such  
571 time that a passing grade has been achieved.

572 (d) (1) A private investigator apprentice shall be  
573 trained under the supervision of a sponsor private  
574 investigator who has at least two years' experience as a  
575 licensed private investigator in this state and who is  
576 certified by the board as a sponsor. The board may charge a  
577 one-time certification fee per sponsor, not exceeding fifty  
578 dollars (\$50), and may, by rule, establish standards for  
579 certification, refusing certification, reporting of  
580 apprentices sponsored, and documentation required for  
581 sponsorships.

582 (2) Supervision of a private investigator apprentice  
583 may be in person, by telephone, or by other form of electronic  
584 communication and oversight. A sponsor may not act as a  
585 sponsor for more than five private investigator apprentices at  
586 one time. A sponsor shall maintain records of training  
587 activities as required by the board, by rule, and shall make  
588 those records available to the board upon request. Failure of  
589 a sponsor to maintain adequate records may result in the  
590 revocation of his or her sponsor certification.

591 (e) A private investigator apprentice shall have three  
592 years to complete his or her internship. An internship shall



593 consist of both of the following:

594 (1) The successful completion of a minimum number of  
595 hours of experience in the field and classroom training, not  
596 exceeding 300 hours, as established by board rule. Classroom  
597 instruction shall be provided by a certified trainer and shall  
598 include instruction in administrative functions, including  
599 report writing and research.

600 (2) The successful completion of a minimum of eight  
601 hours per year of continuing education credit, as administered  
602 by the Alabama Private Investigators Association, or other  
603 certified provider of continuing education approved by the  
604 board. The coursework shall include instruction in  
605 investigations and a minimum of two hours of ethics training  
606 annually, and may include business operations training.

607 (f) To qualify for a license as a private investigator,  
608 a private investigator apprentice licensee shall submit proof  
609 of successful completion of an internship pursuant to this  
610 section and shall pay the applicable license fee to the board.

611 (g) A private investigator apprentice licensee who does  
612 not complete an internship within three years after being  
613 issued a private investigator apprentice license shall be  
614 required to reapply for a new private investigator apprentice  
615 license. A private investigator apprentice license shall be  
616 renewed annually during an internship. Any education and  
617 training experience completed during a previous internship  
618 shall be credited toward completing a new internship. A  
619 private investigator apprentice licensee may obtain a copy of  
620 his or her training records from the sponsoring private



621 investigator. A sponsor who fails to provide training records,  
622 as requested, may have his or her sponsor certification  
623 revoked or be fined by the board, or both.

624 (h) A private investigator apprentice licensee may only  
625 perform work under the supervision of a certified sponsor and  
626 may not advertise or perform any private investigation  
627 services for the general public outside of that supervision.

628 (i) If a private investigator apprentice is instructed  
629 by a sponsor to perform any action that violates this chapter,  
630 both the private investigator apprentice and the sponsor may  
631 be held responsible by the board. The private investigator  
632 apprentice licensee shall be responsible for identifying any  
633 conflicts of interest on assigned case work and notifying the  
634 sponsor of any conflict.

635 Section 4. Article 2, commencing with Section  
636 34-25B-50, is added to Chapter 25B of Title 34 of the Code of  
637 Alabama 1975, to read as follows:

638 ARTICLE 2. Private Investigation Agencies.

639 §34-25B-50

640 (a) (1) A business entity and its agents, officers, and  
641 employees, whether domiciled within or outside of this state,  
642 which employ or subcontract with private investigators, may  
643 not practice, advertise, or hold themselves out to the public  
644 as a private investigation agency without first being licensed  
645 by the board. A violation of this subsection by an applicant  
646 or a licensee shall be punishable as a Class A misdemeanor.

647 (2) This subsection does not prevent a business entity  
648 domiciled outside of this state from contracting with a



649 private investigation agency domiciled within this state, but  
650 requires any private investigator doing contract work for a  
651 business entity domiciled outside of this state, that is not  
652 licensed in this state, to register as a private investigation  
653 agency.

654 (b) Commencing on January 1, 2024, no business entity  
655 that conducts private investigations for compensation in this  
656 state, and employs private investigators in this state, may  
657 operate without a license.

658 §34-25B-51

659 (a) Application for a license as a private  
660 investigation agency shall be made in writing to the board, on  
661 forms prescribed by the board, and shall include all of the  
662 following information:

663 (1) The name of the applicant.

664 (2) The business name and physical and email address of  
665 the applicant.

666 (3) A telephone number and other contact information  
667 for the applicant.

668 (4) If the applicant is not a domestic business entity  
669 in the state, the name and contact information for the  
670 registered agent of the applicant for service of process.

671 (5) The name, address, and contact information of a  
672 principal contact for the applicant.

673 (6) The name, address, and contact information for at  
674 least one officer or principal of the company who holds a  
675 valid private investigator license in this state.

676 (7) An irrevocable uniform consent to service of





677 process.

678 (8) A designated physical address where the records of  
679 the applicant shall be kept.

680 (9) Any other information required by the board and  
681 reasonably necessary to grant licensure, as established by  
682 rule of the board.

683 (b) Upon receipt of a properly completed application  
684 and payment of a license fee as provided in this subsection,  
685 the board shall issue the applicant a private investigation  
686 agency license.

687 (1) For a private investigation agency domiciled within  
688 this state, the license fee and renewal fee shall be in an  
689 amount determined by the board, not exceeding fifty dollars  
690 (\$50) for a private investigation agency that employs or  
691 contracts with not more than two licensed private  
692 investigators, and not exceeding two hundred dollars (\$200)  
693 for a private investigation agency that employs or contracts  
694 with three or more licensed private investigators.

695 (2) For a private investigation agency domiciled  
696 outside of this state, the license fee shall be in an amount  
697 determined by the board, not exceeding five hundred dollars  
698 (\$500).

699 (c) A private investigation agency license shall be  
700 valid for two years from the month of issuance and may be  
701 renewed upon payment of the license fee provided in subsection  
702 (b) and the satisfaction of any other reasonable requirement  
703 established by rule by the board.

704 §34-25B-52



705 (a) The board shall issue to each private investigation  
706 agency licensee a certification, which shall be at least 8" x  
707 10" in size and shall contain the following information:

708 (1) The name of the private investigation agency.

709 (2) The physical address of the private investigation  
710 agency.

711 (3) The license number.

712 (4) The expiration date of the license.

713 (b) The certification card shall be posted in a  
714 conspicuous area at the physical address of the private  
715 investigation agency.

716 (c) The private investigation agency shall display the  
717 agency license number on all advertisements, brochures,  
718 stationary, letterhead, case reports, and business cards,  
719 distributed or used by the private investigation agency. Any  
720 invoice generated for professional services performed by the  
721 private investigation agency or a private investigator  
722 licensee, contractor, or employee of the private investigation  
723 agency shall include the license number for each licensee  
724 whose services are being compensated for by a consumer and the  
725 time being charged by the private investigator licensee,  
726 contractor, or employee of the private investigation agency.

727 §34-25B-53

728 (a) The board shall mail to each private investigation  
729 agency licensee a notice of renewal at least 60 days prior to  
730 the expiration of the license. An application for renewal  
731 shall be available for download by the licensee on the website  
732 of the board. A licensee shall report any change of address to



733 the board.

734 (b) An administrative late fee, not exceeding two  
735 hundred dollars (\$200) as prescribed by rule of the board,  
736 shall be assessed on any renewal application postmarked after  
737 the expiration date of the license.

738 (c) A renewal application may not be accepted by the  
739 board more than 30 days after the expiration date of the  
740 license. This subsection may be waived by the board for good  
741 cause.

742 §34-25B-54

743 The board shall adopt rules as necessary to implement  
744 this article.

745 Section 5. Although this bill would have as its purpose  
746 or effect the requirement of a new or increased expenditure of  
747 local funds, the bill is excluded from further requirements  
748 and application under Section 111.05 of the Constitution of  
749 Alabama of 2022, because the bill defines a new crime or  
750 amends the definition of an existing crime.

751 Section 6. This act shall become effective on the first  
752 day of the third month following its passage and approval by  
753 the Governor, or its otherwise becoming law.