

SENATE BILL NO. 32—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF THE ATTORNEY GENERAL)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Commerce and Labor

SUMMARY—Exempts persons engaged exclusively in transporting persons between certain states for certain purposes from provisions governing private investigators and related professions. (BDR 54-420)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the Private Investigator’s Licensing Board; exempting persons engaged exclusively in transporting persons between certain states for the purposes of a temporary transfer of custody pursuant to the Agreement on Detainers or extradition pursuant to the Uniform Criminal Extradition Act from licensure and regulation by the Board; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides for the licensure and regulation of private investigators,
2 private patrol officers, process servers, repossessors, dog handlers, security
3 consultants and polygraphic examiners by the Private Investigator’s Licensing
4 Board. (Chapter 648 of NRS) Existing law further requires an employee of a person
5 licensed by the Board to be registered with the Board to perform any work
6 regulated by the Board. (NRS 648.060, 648.1493, 648.203)
7 Under existing law, Nevada has enacted the Agreement on Detainers, an
8 interstate agreement setting forth certain procedures for the temporary transfer of
9 custody of an incarcerated person from the state in which the person is incarcerated
10 to another state where the person is subject to pending criminal charges. (NRS
11 178.620) Existing law also sets forth the Uniform Criminal Extradition Act, which
12 establishes certain procedures governing the extradition to and from this State of a
13 person who has been charged with a crime or who has been alleged to have escaped
14 from confinement or broken the terms of the person’s bail, probation or parole.
15 (NRS 179.177-179.235) Because persons who transport persons from this State to
16 another state or from another state to this State are private patrol officers for the



17 purposes of existing law governing the licensure of private patrol officers by the
18 Private Investigator's Licensing Board, such persons are required to obtain a
19 license from the Board and employees of such persons are required to be registered
20 with the Board. (NRS 648.013, 648.060, 648.063, 648.1493, 648.203)

21 This bill exempts any person who is engaged exclusively in the business of
22 transporting persons from this State to another state or from another state to this
23 State for the purposes of a temporary transfer of custody pursuant to the Agreement
24 on Detainers or extradition pursuant to the Uniform Criminal Extradition Act, or
25 any employee of such a person, from the provisions of existing law governing the
26 licensure and regulation of private investigators and related professions by the
27 Private Investigator's Licensing Board.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 648.018 is hereby amended to read as follows:

2 648.018 Except as to polygraphic examiners and interns, this
3 chapter does not apply:

4 1. To any detective or officer belonging to the law enforcement
5 agencies of the State of Nevada or the United States, or of any
6 county or city of the State of Nevada, while the detective or officer
7 is engaged in the performance of his or her official duties.

8 2. To special police officers appointed by the police
9 department of any city, county, or city and county within the State
10 of Nevada while the officer is engaged in the performance of his or
11 her official duties.

12 3. To insurance adjusters licensed pursuant to the Nevada
13 Insurance Adjusters Law who are not otherwise engaged in the
14 business of private investigators.

15 4. To any private investigator, private patrol officer, process
16 server, dog handler or security consultant employed by an employer
17 regularly in connection with the affairs of that employer if a bona
18 fide employer-employee relationship exists, except as otherwise
19 provided in NRS 648.060, 648.140 and 648.203.

20 5. To a reposessor employed exclusively by one employer
21 regularly in connection with the affairs of that employer if a bona
22 fide employer-employee relationship exists, except as otherwise
23 provided in NRS 648.060, 648.140 and 648.203.

24 6. To a person engaged exclusively in the business of obtaining
25 and furnishing information as to the financial rating of persons.

26 7. To a charitable philanthropic society or association
27 incorporated under the laws of this State which is organized and
28 maintained for the public good and not for private profit.

29 8. To an attorney at law in performing his or her duties as such.

30 9. To a collection agency unless engaged in business as a
31 reposessor, licensed by the Commissioner of Financial Institutions,



1 or an employee thereof while acting within the scope of his or her
2 employment while making an investigation incidental to the
3 business of the agency, including an investigation of the location of
4 a debtor or his or her assets and of property which the client has an
5 interest in or lien upon.

6 10. To admitted insurers and agents and insurance brokers
7 licensed by the State, performing duties in connection with
8 insurance transacted by them.

9 11. To any bank organized pursuant to the laws of this State or
10 to any national bank engaged in banking in this State.

11 12. To any person employed to administer a program of
12 supervision for persons who are serving terms of residential
13 confinement.

14 13. To any commercial registered agent, as defined in NRS
15 77.040, who obtains copies of, examines or extracts information
16 from public records maintained by any foreign, federal, state or
17 local government, or any agency or political subdivision of any
18 foreign, federal, state or local government.

19 14. To any holder of a certificate of certified public accountant
20 issued by the Nevada State Board of Accountancy pursuant to
21 chapter 628 of NRS while performing his or her duties pursuant to
22 the certificate.

23 15. To a person performing the repair or maintenance of a
24 computer who performs a review or analysis of data contained on a
25 computer solely for the purposes of diagnosing a computer hardware
26 or software problem and who is not otherwise engaged in the
27 business of a private investigator.

28 16. To any person who for any consideration engages in
29 business or accepts employment to provide information security.

30 *17. To any person who is engaged exclusively in the business*
31 *of transporting persons from this State to another state or from*
32 *another state to this State for the purpose of a temporary transfer*
33 *of custody pursuant to NRS 178.620 or extradition pursuant to*
34 *NRS 179.177 to 179.235, inclusive, or any employee of such a*
35 *person.*

