Missouri Law — RSMo §§324.1100–324.1170, Private Investigator Licensing

Official source: https://revisor.mo.gov/main/OneSection.aspx?section=324.1100
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Missouri Revised Statutes, Chapter 324 — sections 324.1100 to 324.1170 (private investigator and private fire investigator licensing). All sections in the range that exist on the official Revisor are reproduced in order; section 324.1140 appears as repealed in the official text. Sections above 324.1148 do not exist in the chapter.

Section 324.1100

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2026, 4 histories

324.1100. Definitions. — As used in sections 324.1100 to 324.1148, the following terms mean:

(1) "Board", the board of private investigators, private fire investigators, and professional surety bail bond agents established in section 324.1102;

(2) "Client", any person who engages the services of a private investigator or a private fire investigator;

(3) "Department", the department of commerce and insurance;

(4) "Director", the director of the division of professional registration;

(5) "Division", the division of professional registration;

(6) "Insurance adjuster", any person who receives any consideration, either directly or indirectly, for adjusting in the disposal of any claim under or in connection with a policy of insurance or engaging in soliciting insurance adjustment business;

(7) "Law enforcement officer", a law enforcement officer as defined in section 556.061;

(8) "Organization", a corporation, trust, estate, partnership, cooperative, or association;

(9) "Person", an individual or organization;

(10) "Principal place of business", the place where the licensee maintains a permanent office, which may be a residence or business address;

(11) "Private fire investigation", the furnishing of, making of, or agreeing to make any investigation of a fire to determine the origin or cause of such fire, or responsibility for such fire;

(12) "Private fire investigator", any person who receives any consideration, either directly or indirectly, for engaging in private fire investigation;

(13) "Private fire investigator agency", a person or firm that employees any person to engage in private fire investigations;

(14) "Private investigator", any person who receives any consideration, either directly or indirectly, for engaging in the private investigator business;

(15) "Private investigator agency", a person who regularly employs any other person, other than an organization, to engage in the private investigator business;

(16) "Private investigator business", the furnishing of, making of, or agreeing to make, any

investigation for the purpose of obtaining information pertaining to:

(a) Crimes or wrongs done or threatened against the United States or any state or territory of the United States;

(b) The identity, habits, conduct, business, occupation, honesty, integrity, credibility, knowledge, trustworthiness, efficiency, loyalty, activity, movement, whereabouts, affiliations, associations, transactions, acts, reputation, or character of any person;

(c) The location, disposition, or recovery of lost or stolen property;

(d) Securing evidence to be used before any court, board, officer, or investigating committee;

(e) Sale of personal identification information to the public; or

(f) The cause of responsibility for libel, losses, accident, or damage or injury to persons or property or protection of life or property.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2010 H.B. 2226, et al., A.L. 2011 H.B. 464, A.L. 2026 S.B. 1421)

Severability clause, see § 1.1010

(2012) Sections regulating the business of private investigator professional are not overbroad. Gurley v. Missouri Board of Private Investigator Examiners, 361 S.W.3d 406 (Mo.banc).

---- end of effective 28 Aug 2026 ----

Section 324.1102

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2026, 5 histories

324.1102. Board created, duties, members, qualifications, terms — fund created, use of moneys. — 1. The "Board of Private Investigators, Private Fire Investigators, and Professional Surety Bail Bond Agents" is hereby created within the division of professional registration. The board shall be a body corporate and may sue and be sued. The board shall guide, advise, and make recommendations to the division and fulfill all other responsibilities designated by sections 324.1100 to 324.1148 and sections 324.2100 to 324.2187. The duties and responsibilities of the board with regard to professional surety bail bond agents shall not take full force and effect until such time as the governor appoints the bail bond agent members and the appointments are confirmed by the senate. Members serving on the board of private investigator and private fire investigator examiners on August 28, 2026, shall continue to serve on the board, fulfill the term they were previously appointed for, and be eligible for reappointment.

2. Upon appointment by the governor and confirmation by the senate of the bail bond agent members, the board of private investigator and private fire investigator examiners is abolished and its duties and responsibilities shall merge into the board of private investigators, private fire investigators, and professional surety bail bond agents as established pursuant to this section. The board shall be a continuance of and shall carry out the powers, duties, and functions of the board of private investigator and private fire investigator examiners.

3. Every act performed in the exercise of such powers, duties, and authorities by or under the authority of the board of private investigators, private fire investigators, and professional surety bail bond agents shall be deemed to have the same force and effect as if performed by the

board of private investigator and private fire investigator examiners.

4. All rules and regulations of the board of private investigator and private fire investigator examiners and all rules promulgated under sections 374.695 to 374.789* shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the board of private investigators, private fire investigators, and professional surety bail bond agents until revised, amended, or repealed by the board. The board shall review such rules and regulations and shall adopt new rules and regulations as required for the administration of sections 324.1100 to 324.1148 and sections 324.2100 to 324.2187.

5. Any person licensed under sections 374.695 to 374.789* prior to the appointment by the governor and confirmation by the senate of the professional surety bail bond members of the board shall be considered licensed by the board.

6. The board shall be composed of ten members, three members who have been actively engaged in the private investigator business for the previous five years, two members who have been actively engaged in private fire investigation for the previous five years, three members who have been actively engaged in the general bail bond business or surety recovery for the previous five years, and two public members, appointed by the governor with the advice and consent of the senate. Each member of the board shall be a citizen of the United States, a resident of Missouri for at least one year, and a registered voter. No more than one private investigator, private fire investigator, or professional surety bail bond board member may be employed by, or affiliated with, the same private investigator agency, private fire investigator agency, or bail bond business. The initial professional surety bail bond board members shall not be required to be licensed but shall obtain a license within one hundred eighty days after the effective date of the rules regarding the licensure of professional surety bail bond agents. The public members shall each be a person who is not and never was a member of any profession licensed or regulated under sections 324.1100 to 324.1148 or sections 324.2100 to 324.2187 or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by sections 324.1100 to 324.1148 or sections 324.2100 to 324.2187, or an activity or organization directly related to any profession licensed or regulated under sections 324.1100 to 324.1148 or sections 324.2100 to 324.2187.

7. The members shall be appointed for terms of five years, except of the first two members appointed who are fire investigators, one member shall be appointed for a term of five years and one member shall be appointed for a term of three years. Any vacancy on the board shall be filled for the unexpired term of the member.

8. The members of the board may receive compensation, as determined by the director for their services, if appropriate, and shall be reimbursed for actual and necessary expenses incurred in performing their official duties on the board.

9. All money held in the board of private investigator and private fire investigator examiners fund shall be transferred to the "Board of Private Investigators, Private Fire Investigators, and Professional Surety Bail Bond Agents Fund" which is hereby created. The board of private investigators, private fire investigators, and professional surety bail bond agents fund shall consist of money collected under sections 324.1100 to 324.1148 and sections 324.2100 to 324.2187. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with the provisions of sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of sections 324.1100 to 324.1148 and sections 324.2100 to 324.2187. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of

the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year.

(L. 2007 H.B. 780 and S.B. 308, A.L. 2010 H.B. 2226, et al., A.L. 2011 H.B. 464, A.L. 2026 S.B. 1421)

*Sections 374.695 to 374.789 were transferred to sections 324.2100 to 324.2187 by S.B. 1421, 2026.

Severability clause, see § 1.1010

---- end of effective 28 Aug 2026 ----

Section 324.1103

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2026, 3 histories

324.1103. Duties of division. — For the purposes of sections 324.1100 to 324.1148 and sections 324.2100 to 324.2187, the division shall:

(1) Employ board personnel, within the limits of the appropriations for that purpose as established in sections 324.1100 to 324.1148 and sections 324.2100 to 324.2187;

(2) Exercise all administrative functions;

(3) Deposit all fees collected under sections 324.1100 to 324.1148 and sections 324.2100 to 324.2187 by transmitting such funds to the department of revenue for deposit in the state treasury to the credit of the board of private investigators, private fire investigators, and professional surety bail bond agents fund.

(L. 2010 H.B. 2226, et al., A.L. 2011 H.B. 464, A.L. 2026 S.B. 1421)

Severability clause, see § 1.1010

---- end of effective 28 Aug 2026 ----

Section 324.1104

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2011, 2 histories

324.1104. Prohibited acts. — Unless expressly exempted from the provisions of sections 324.1100 to 324.1148:

(1) It shall be unlawful for any person to engage in the private investigator business or carry out a private fire investigation in this state unless such person is licensed as a private investigator or private fire investigator under sections 324.1100 to 324.1148;

(2) It shall be unlawful for any person to engage in business in this state as a private investigator agency or private fire investigator agency unless such person is licensed under

sections 324.1100 to 324.1148.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2011 H.B. 464)

---- end of effective 28 Aug 2011 ----

Section 324.1105

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2026, 2 histories

324.1105. Criminal background check, fingerprint submission. — 1. The board of private investigators, private fire investigators, and professional surety bail bond agents may require that fingerprint submissions be made as part of an application seeking licensure as a private investigator or private fire investigator or as an employee of a private investigator agency or private fire investigator agency, as such terms are defined in section 324.1100.

2. If the board of private investigators, private fire investigators, and professional surety bail bond agents requires that fingerprint submissions be made as part of such application, the board of private investigators, private fire investigators, and professional surety bail bond agents shall require applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the board of private investigators, private fire investigators, and professional surety bail bond agents of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the board of private investigators, private fire investigators, and professional surety bail bond agents.

(L. 2025 S.B. 71 merged with S.B. 81 & 174, A.L. 2026 S.B. 1421)

Severability clause, see § 1.1010

---- end of effective 28 Aug 2026 ----

Section 324.1106

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2011, 4 histories

324.1106. Persons deemed not to be engaging in private investigation business. — The following persons shall not be deemed to be engaging in the private investigator business:

(1) A person employed exclusively and regularly by one employer in connection only with the affairs of such employer and where there exists an employer-employee relationship;

(2) Any officer or employee of the United States, or of this state or a political subdivision

thereof while engaged in the performance of the officer's or employee's official duties;

(3) Any employee, agent, or independent contractor employed by any government agency, division, or department of the state whose work relationship is established by a written contract while working within the scope of employment established under such contract;

(4) An attorney performing duties as an attorney, or an attorney's paralegal or employee retained by such attorney assisting in the performance of such duties or investigation on behalf of such attorney;

(5) A certified public accountant performing duties as a certified public accountant who holds an active license issued by any state and the employees of such certified public accountant or certified public accounting firm assisting in the performance of duties or investigation on behalf of such certified public accountant or certified public accounting firm;

(6) A collection agency or an employee thereof while acting within the scope of employment, while making an investigation incidental to the business of the agency, including an investigation of the location of a debtor or a debtor's property where the contract with an assignor creditor is for the collection of claims owed or due, or asserted to be owed or due, or the equivalent thereof;

(7) Insurers and insurance producers licensed by the state, performing duties in connection with insurance transacted by them;

(8) Any bank subject to the jurisdiction of the director of the division of finance of the state of Missouri or the comptroller of currency of the United States;

(9) An insurance adjuster;

(10) Any private fire investigator whose primary purpose of employment is the determination of the origin, nature, cause, or calculation of losses relevant to a fire;

(11) Employees of an organization, whether for-profit or not-for-profit, or its affiliate or subsidiary, whether for-profit or not-for-profit, whose investigatory activities are limited to making and processing requests for criminal history records and other background information from state, federal, or local databases, including requests for employee background check information under section 192.2495;

(12) Any real estate broker, real estate salesperson, or real estate appraiser acting within the scope of his or her license;

(13) Expert witnesses who have been certified or accredited by a national or state association associated with the expert's scope of expertise;

(14) Any person who does not hold themselves out to the public as a private investigator and is exclusively employed by or under exclusive contract with a state agency or political subdivision;

(15) Any person performing duties or activities relating to serving legal process when such person's duties or activities are incidental to the serving of legal process; or

(16) A consumer reporting agency as defined in 15 U.S.C. Section 1681a and its contract and salaried employees.

(L. 2007 H.B. 780 and S.B. 308, A.L. 2010 H.B. 2226, et al., A.L. 2011 H.B. 464)

---- end of effective 28 Aug 2011 ----

Section 324.1107

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2011

324.1107. Private fire investigation, deemed not engaging in, when. — The following persons or organizations shall not be deemed to be engaging in private fire investigation:

(1) Any officer or employee of the United States, this state, or a political subdivision of this state, or an entity organized under section 320.300 while engaged in the performance of the officer's or employee's official duties;

(2) An attorney performing duties as an attorney;

(3) An investigator who is an employee of an insurance company;

(4) Insurers and insurance producers licensed by the state, performing duties in connection with insurance transacted by them;

(5) An insurance adjuster;

(6) An investigator employed by and under the supervision of a licensed attorney while acting within the scope of employment who does not represent himself or herself to be a licensed private fire investigator; or

(7) An individual certified by the division of fire safety as a fire instructor while providing instruction, except if the individual conducts an on-site investigation within the course of instruction.

(L. 2011 H.B. 464)

---- end of effective 28 Aug 2011 ----

Section 324.1108

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2018, 3 histories

324.1108. Application for licensure, contents — qualifications. — 1. Every person desiring to be licensed in this state as a private investigator, private investigator agency, private fire investigator, or private fire investigator agency shall make application therefor to the board. An application for a license under the provisions of sections 324.1100 to 324.1148 shall be on a form prescribed by the board and accompanied by the required application fee. An application shall be verified and shall include:

(1) The full name and business address of the applicant;

(2) The name under which the applicant intends to conduct business;

(3) A statement as to the general nature of the business in which the applicant intends to engage;

(4) A statement as to the classification or classifications under which the applicant desires to be qualified;

(5) Two recent photographs of the applicant, of a type prescribed by the board, and two classifiable sets of the applicant's fingerprints processed in a manner approved by the Missouri state highway patrol, central repository, under section 43.543;

(6) A verified statement of the applicant's experience qualifications; and

(7) Such other information, evidence, statements, or documents as may be required by the board.

2. Before an application for a license may be granted, the applicant shall:

(1) Be a citizen of the United States;

(2) Provide proof of liability insurance with amount to be no less than two hundred fifty thousand dollars in coverage and proof of workers' compensation insurance if required under chapter 287. The board shall have the authority to raise the requirements as deemed necessary; and

(3) Comply with such other qualifications as the board adopts by rules and regulations.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2011 H.B. 464, A.L. 2018 H.B. 1719)

---- end of effective 28 Aug 2018 ----

Section 324.1109

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2011

324.1109. Private fire investigators, owner seeking agency license must have investigator license, requirements. — 1. The owner of a company seeking any fire investigator agency license shall be licensed as a private fire investigator. The fire investigator agency may hire individuals to work for the agency who shall conduct investigations for such fire investigator agency only. Such individuals shall make application for a license as determined by the board and shall meet all requirements set forth by the board by rule. These individuals shall not be required to meet any experience requirements and shall be allowed to begin work immediately upon approval of the application by the board. Employees shall attend an approved training program within a time to be determined by the board and shall be under the direct supervision of a licensed private fire investigator until all requirements are met.

2. A licensee shall at all times be legally responsible for the good conduct of each of the licensee's employees or agents while engaged in the business of the licensee. A licensee is legally responsible for any acts committed by the licensee and the licensee's employees or agents which are in violation of section 324.1100 to 324.1148. A person receiving an agency license shall directly manage the agency and employees.

3. Each licensee shall maintain a record containing such information relative to the licensee's employees as may be prescribed by the board by rule. Such licensee shall file with the board the complete address of the licensee's principal place of business, including the name and number of the street. The board may require the filing of other information for the purpose of identifying such principal place of business.

(L. 2011 H.B. 464)

---- end of effective 28 Aug 2011 ----

Section 324.1110

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2018, 4 histories

324.1110. Licensure requirements. — 1. (1) The board shall require as a condition of licensure as a private investigator that the applicant pass a written examination as evidence of knowledge of investigator rules and regulations.

(2) In the event requirements have been met so that testing has been waived, qualification shall be dependent on a showing of, for the two previous years:

(a) Registration and good standing as a business in this state; and

(b) Two hundred fifty thousand dollars in business general liability insurance.

2. The board shall require as a condition of licensure as a private fire investigator that the applicant:

(1) Provide evidence of active certification as a fire investigator issued by the division of fire safety; and

(2) Provide proof of liability insurance with coverage of at least one million dollars.

3. The board shall conduct a complete investigation of the background of each applicant for licensure as a private investigator or private fire investigator to determine whether the applicant is qualified for licensure under sections 324.1100 to 324.1148. The board shall outline basic qualification requirements for licensing as a private investigator, private investigator agency, private fire investigator, and private fire investigator agency.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2010 H.B. 2226, et al., A.L. 2011 H.B. 464, A.L. 2018 S.B. 840)

---- end of effective 28 Aug 2018 ----

Section 324.1112

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2020, 4 histories

324.1112. Denial of a request for licensure, when. — 1. The board may deny a request for a license if the applicant:

(1) Has committed any act which, if committed by a licensee, would be grounds for the suspension or revocation of a license under the provisions of sections 324.1100 to 324.1148;

(2) Has been convicted of or entered a plea of guilty or nolo contendere in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not a sentence has been imposed;

(3) Has been refused a license under sections 324.1100 to 324.1148 or had a license revoked or denied in this state or any other state;

(4) Has falsified or willfully misrepresented information in an employment application, records of evidence, or in testimony under oath;

(5) Has been dependent on or abused alcohol or drugs; or

(6) Has used, possessed, or trafficked in any illegal substance;

(7) While unlicensed, committed or aided and abetted the commission of any act for which a license is required by sections 324.1100 to 324.1148 after August 28, 2007; or

(8) Knowingly made any false statement in the application to the board.

2. The board shall consider any evidence of the applicant's rehabilitation when considering a request for licensure.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2010 H.B. 2226, et al., A.L. 2011 H.B. 464, A.L. 2020 H.B. 2046)

---- end of effective 28 Aug 2020 ----

Section 324.1114

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2011, 3 histories

324.1114. Fee required — license for individuals only, agency license must be applied for separately. — 1. Every application submitted under the provisions of sections 324.1100 to 324.1148 shall be accompanied by a fee as determined by the board.

2. The board shall set fees as authorized by sections 324.1100 to 324.1148 at a level to produce revenue which will not substantially exceed the cost and expense of administering sections 324.1100 to 324.1148.

3. The fees prescribed by sections 324.1100 to 324.1148 shall be exclusive and notwithstanding any other provision of law. No municipality may require any person licensed under sections 324.1100 to 324.1148 to furnish any bond, pass any examination, or pay any license fee or occupational tax relative to practicing the person's profession.

4. A license issued under sections 324.1100 to 324.1148 shall allow only the individual licensed by the state of Missouri to conduct investigations as designated by the licensure classification. An agency license shall be applied for separately and held by a person who is licensed as a private investigator or private fire investigator. The agency may hire individuals to work for the agency conducting investigations for the agency only. Persons hired shall make application as determined by the board and meet all requirements set forth by the board except that they shall not be required to meet any experience requirements and shall be allowed to begin working immediately upon approval of the application by the board.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2010 H.B. 2226, et al., A.L. 2011 H.B. 464)

---- end of effective 28 Aug 2011 ----

Section 324.1116

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2026, 3 histories

324.1116. Agency hiring criteria. — A private investigator agency or private fire investigator agency shall not hire any individual as an employee unless the individual:

(1) Is at least twenty-one years of age;

(2) Provides two recent photographs of themselves, of a type prescribed by the board;

(3) Has been fingerprinted in a manner approved by the Missouri state highway patrol, central repository, under section 43.543; and

(4) Complies with any other qualifications and requirements the board adopts by rule.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2011 H.B. 464, A.L. 2026 S.B. 1421)

Severability clause, see § 1.1010

---- end of effective 28 Aug 2026 ----

Section 324.1118

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2020, 5 histories

324.1118. Licensure required — prohibited acts. — A private investigator agency or private fire investigator agency shall not hire an individual, who is not licensed as a private investigator or private fire investigator, as an employee if the individual:

(1) Has committed any act which, if committed by a licensee, would be grounds for the suspension or revocation of a license under the provisions of sections 324.1100 to 324.1148;

(2) Within two years prior to the application date:

(a) Has been convicted of or entered a plea of guilty or nolo contendere in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not a sentence has been imposed;

(b) Has falsified or willfully misrepresented information in an employment application, records of evidence, or in testimony under oath;

(c) Has been dependent on or abused alcohol or drugs; or

(d) Has used, possessed, or trafficked in any illegal substance;

(3) Has been refused a license under the provisions of sections 324.1100 to 324.1148 or had a license revoked, denied, or refused in this state or in any other state;

(4) While unlicensed, committed or aided and abetted the commission of any act for which a license is required by sections 324.1100 to 324.1148 after August 28, 2007; or

(5) Knowingly made any false statement in the application.

(L. 2007 H.B. 780 and S.B. 308, A.L. 2010 H.B. 2226, et al., A.L. 2011 H.B. 464, A.L. 2020 H.B. 2046)

---- end of effective 28 Aug 2020 ----

Section 324.1120

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2011, 2 histories

324.1120. Supervision of agency employees required, when. — An individual, who is not licensed as a private investigator or private fire investigator, hired as an employee by a private investigator agency or private fire investigator agency shall work only under the direct supervision of the agency whose identification number appears on their application and shall work only for one agency at any one time.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2011 H.B. 464)

---- end of effective 28 Aug 2011 ----

Section 324.1122

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2011, 2 histories

324.1122. Continuing education requirements. — A licensee shall successfully complete sixteen hours of continuing education units biennially. An individual not licensed as a private investigator or private fire investigator who is hired as an employee by a private investigator agency or private fire investigator agency shall successfully complete eight hours of continuing education units biennially. Such continuing education shall be relevant to the private investigator or private fire investigator business and shall be approved by the board as such.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2011 H.B. 464)

---- end of effective 28 Aug 2011 ----

Section 324.1124

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2011, 3 histories

324.1124. Form of license, contents — posting requirements. — 1. The division shall determine the form of the license.

2. The license shall be posted at all times in a conspicuous place in the principal place of business of the licensee. Upon the issuance of a license, a pocket card of such size, design, and content as determined by the division shall be issued without charge to each licensee. Such card shall be evidence that the licensee is licensed under sections 324.1100 to 324.1148. When any person to whom a card is issued terminates such person's position, office, or association with the licensee, the card shall be surrendered to the licensee and within five days thereafter shall be mailed or delivered by the licensee to the board for cancellation. Within thirty days after any change of address, a licensee shall notify the board of the address change. The principal place of business may be at a residence or at a business address, but it shall be the place at which the licensee maintains a permanent office.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2010 H.B. 2226, et al., A.L. 2011 H.B. 464)

---- end of effective 28 Aug 2011 ----

Section 324.1126

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2010, 2 histories

324.1126. Expiration of license, when — renewal — licensee responsible for good conduct of employees. — 1. Any license issued under sections 324.1100 to 324.1148 shall be valid for two years. An application for renewal of such license shall be mailed to every person to whom a license was issued or renewed during the current licensing period. The applicant shall complete the application and return it to the board by the renewal date with a renewal fee in an amount to be set by the board and with evidence of continuing education under section 324.1122. Any licensee who practices during the time the license has expired shall be considered to be engaged in prohibited acts under section 324.1104 and shall be subject to the penalties provided for violation of the provisions of sections 324.1100 to 324.1148. If a person is otherwise eligible to renew the person's certification or license, the person may renew an expired certification or license within two years from the date of expiration. To renew such expired certification or license, the person shall submit an application for renewal, pay the renewal fee, pay a delinquent renewal fee as established by the board, and present evidence, in the form prescribed by the board, of having completed the continuing education requirements for renewal specified in section 324.1122. Upon a finding of extenuating circumstances, the commission may waive the payment of the delinquent fee. If a person has failed to renew the person's license within two years of its expiration, the license shall be void. A new photograph shall be submitted with the application for renewal only if the photograph on file with the board has been on file for more than two years.

2. A licensee shall at all times be legally responsible for the good conduct of each of the licensee's employees or agents while engaged in the business of the licensee and the licensee is legally responsible for any acts committed by such licensee's employees or agents which are in violation of sections 324.1100 to 324.1148. A person receiving an agency license shall directly manage the agency and employees.

3. A license issued under sections 324.1100 to 324.1148 shall not be assignable.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2010 H.B. 2226, et al.)

---- end of effective 28 Aug 2010 ----

Section 324.1128

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2011, 3 histories

324.1128. Information regarding criminal offenses, licensee to divulge as required by law — prohibited acts. — 1. Any licensee may divulge to the board, any law enforcement officer, prosecuting attorney, or such person's representative any information such person may acquire about any criminal offense. The licensee shall not divulge to any other person, except as required by law, any other information acquired by the licensee at the direction of his or her employer or client for whom the information was obtained. A licensee may instruct his or her

client to divulge any information to the board, any law enforcement officer, prosecuting attorney, or other such person's representative related to a criminal offense if the client is the victim of the criminal offense.

2. No licensee officer, director, partner, associate, or employee thereof shall:

(1) Knowingly make any false report to his or her employer or client for whom information was being obtained;

(2) Cause any written report to be submitted to a client except by the licensee, and the person submitting the report shall exercise diligence in ascertaining whether or not the facts and information in such report are true and correct;

(3) Use a title, wear a uniform, use an insignia or an identification card, or make any statement with the intent to give an impression that such person is connected in any way with the federal government, a state government, or any political subdivision of a state government;

(4) Appear as an assignee party in any proceeding involving claim and delivery, replevin or other possessory action, action to foreclose a chattel mortgage, mechanic's lien, materialman's lien, or any other lien;

(5) Manufacture false evidence;

(6) Allow anyone other than the individual licensed pursuant to the provisions of sections 324.1100 to 324.1148 or otherwise authorized by such sections to conduct an investigation;

(7) Assign or transfer a license issued pursuant to section 324.1100 to 324.1148; or

(8) Create any video recording of an individual in their domicile without the individual's permission. Furthermore, if such video recording is made, it shall not be admissible as evidence in any civil proceeding, except in a proceeding against such licensee officer, director, partner, associate, or employee.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2010 H.B. 2226, et al., A.L. 2011 H.B. 464)

---- end of effective 28 Aug 2011 ----

Section 324.1130

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2011, 2 histories

324.1130. Records to be maintained — required filings. — Each licensee shall maintain a record containing such information relative to the licensee's employees as may be prescribed by the board. Such licensee shall file with the board the complete address of the location of the licensee's principal place of business. The board may require the filing of other information for the purpose of identifying such principal place of business.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2011 H.B. 464)

---- end of effective 28 Aug 2011 ----

Section 324.1132

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2011, 3 histories

324.1132. Advertising requirements. — Every advertisement by a licensee soliciting or advertising business shall contain the licensee's name, city, and state as it appears in the records of the board. No individual or business can advertise as a private investigator, private detective, private investigator agency, private fire investigator, or private fire investigator agency without including their individual or agency license number in the advertisement. A licensee shall not advertise or conduct business from any Missouri address other than that shown on the records of the board as the licensee's principal place of business unless the licensee has received an additional agency license for such location after compliance with the provisions of sections 324.1100 to 324.1148 and such additional requirements necessary for the protection of the public as the board may prescribe by regulation. A licensee shall notify the board in writing within ten days after closing or changing the location of a branch office. The fee for the additional license shall be determined by the board.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2010 H.B. 2226, et al., A.L. 2011 H.B. 464)

---- end of effective 28 Aug 2011 ----

Section 324.1134

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2026, 4 histories

324.1134. Licensure sanctions permitted, procedure — complaint may be filed with administrative hearing commission — disciplinary action authorized, when. — 1. The board may suspend or refuse to issue or renew any certificate of registration or authority, permit or license required under sections 324.1100 to 324.1148 for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the suspension or refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621. As an alternative to a refusal to issue or renew any certificate, registration or authority, the board may, at its discretion, issue a license which is subject to probation, restriction or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation, limitation or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by sections 324.1100 to 324.1148 or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Making any false statement or giving any false information or given any false information in

connection with an application for a license or a renewal or reinstatement thereof;

(2) Violating any provision of sections 324.1100 to 324.1148;

(3) Violating any rule of the board adopted under the authority contained in sections 324.1100 to 324.1148;

(4) Impersonating, or permitting or aiding and abetting an employee to impersonate, a law enforcement officer, fire safety officer, or employee of the United States of America, or of any state or political subdivision thereof;

(5) Committing, or permitting any employee to commit any act, while the license was expired, which would be cause for the suspension or revocation of a license, or grounds for the denial of an application for a license;

(6) Knowingly violating, or advising, encouraging, or assisting the violation of, any court order or injunction in the course of business as a licensee;

(7) Using any letterhead, advertisement, or other printed matter, or in any manner whatever represented that such person is an instrumentality of the federal government, a state, or any political subdivision thereof;

(8) Using a name different from that under which such person is currently licensed in any advertisement, solicitation, or contract for business;

(9) Violating or assisting or enabling any person to violate any provision of this chapter or any lawful rule or regulation adopted pursuant to the authority granted in this chapter; or

(10) Committing any act which is grounds for denial of an application for a license under section 324.1112.

3. The record of conviction, or a certified copy thereof, shall be conclusive evidence of such conviction, and a plea or verdict of guilty is deemed to be a conviction within the meaning thereof.

4. The agency may continue under the direction of another employee if the licensee's license is suspended or revoked by the board. The board shall establish a time frame in which the agency shall identify an acceptable person who is qualified to assume control of the agency, as required by the board.

5. After the filing of a complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds in subsection 2 of this section for disciplinary action are met, the board may singly or in combination censure or place the person named in the complaint on probation under such terms and conditions as the board deems appropriate for a period not to exceed five years, may suspend for a period not to exceed three years, or revoke the license.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2010 H.B. 2226, et al., A.L. 2011 H.B. 464, A.L. 2026 S.B. 1421)

Severability clause, see § 1.1010

---- end of effective 28 Aug 2026 ----

Section 324.1136

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2011, 3 histories

324.1136. Record-keeping requirements — investigatory powers of the board. — 1. Each licensee operating under the provisions of sections 324.1100 to 324.1148 shall be required to keep a complete record of the business transactions of such investigator or investigator agency for a period of seven years. Upon the service of a court order issued by a court of competent jurisdiction or upon the service of a subpoena issued by the board that is based on a complaint supported by oath or affirmation, which particularly describes the records and reports, any licensee who is the owner, partner, director, corporate officer, or custodian of business records shall provide an opportunity for the inspection of the same and to inspect reports made. Any information obtained by the board shall be kept confidential, except as may be necessary to commence and prosecute any legal proceedings. The board shall not personally enter a licensee's place of business to inspect records, but shall utilize an employee of the division of professional registration to act as a gatherer of information and facts to present to the board regarding any complaint or inspection under investigation.

2. For the purpose of enforcing the provisions of sections 324.1100 to 324.1148, and in making investigations relating to any violation thereof, the board shall have the power to subpoena and bring before the board any person in this state and require the production of any books, records, or papers which the board deems relevant to the inquiry. The board also may administer an oath to and take the testimony of any person, or cause such person's deposition to be taken, except that any applicant or licensee or officer, director, partner, or associate thereof shall not be entitled to any fees or mileage. A subpoena issued under this section shall be governed by the Missouri rules of civil procedure and shall comply with any confidentiality standards or legal limitations imposed by privacy or open records acts, fair credit reporting acts, polygraph acts, driver privacy protection acts, judicially recognized privileged communications, and the bill of rights of both the United States and Missouri Constitutions. Any person duly subpoenaed who fails to obey such subpoena without reasonable cause, or without such cause refuses to be examined or to answer any legal or pertinent question as to the character or qualification of such applicant or licensee or such applicant's alleged unlawful or deceptive practices or methods, shall be guilty of a class A misdemeanor. The testimony of witnesses in any investigative proceeding shall be under oath.

3. Any licensee who is required by fully executed written contract or court order to destroy, seal, or return to a party to a lawsuit, or to the court, records related to work performed under that contract or court order shall maintain in his or her files a fully executed copy of the contract or court order requiring destruction, sealing, or return of the records. Maintenance of the contract or court order shall fulfill the requirements of this section.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2010 H.B. 2226, et al., A.L. 2011 H.B. 464)

---- end of effective 28 Aug 2011 ----

Section 324.1138

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2011, 2 histories

324.1138. Rulemaking authority. — 1. The board shall adopt such rules and regulations as may be

necessary to carry out the provisions of sections 324.1100 to 324.1148.

2. The board may establish by rule requirements for a dual license to be issued to individuals who qualify separately for both a private investigator and private fire investigator licensure.

3. The board may establish by rule a code of conduct.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 324.1100 to 324.1148 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2011 H.B. 464)

---- end of effective 28 Aug 2011 ----

Section 324.1140

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2011, 3 histories, see footnote (history)

324.1140. (Repealed L. 2011 H.B. 464 § A)

---- end of effective 28 Aug 2011 ----

Section 324.1142

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 01 Jan 2017, 2 histories, see footnote

324.1142. Falsification of required information, penalties. — Any person who knowingly falsifies the fingerprints or photographs or other information required to be submitted under sections 324.1100 to 324.1148 is guilty of a class E felony; and any person who violates any of the other provisions of sections 324.1100 to 324.1148 is guilty of a class A misdemeanor.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2014 S.B. 491)

Effective 1-01-17

---- end of effective 01 Jan 2017 ----

Section 324.1144

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2011, 2 histories

324.1144. Reciprocity. — The board may negotiate and enter into reciprocal agreements with appropriate officials in other states to permit licensed private investigators, fire

investigators, private investigator agencies, and private fire investigator agencies who meet or exceed the qualifications established in sections 324.1100 to 324.1148 to operate across state lines under mutually acceptable terms.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2011 H.B. 464)

---- end of effective 28 Aug 2011 ----

Section 324.1146

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2007

324.1146. Licensure of law enforcement officers, qualifications. — Law enforcement officers who perform private investigations shall be licensed under this chapter subject to the following qualifications and limitations:

(1) The board may waive testing for law enforcement officers currently certified under existing peace officer standards and training requirements under chapter 590;

(2) Law enforcement officers shall pay the appropriate licensing fees;

(3) Law enforcement officers shall assume individual liability for their actions while performing private investigations, complying with any insurance or bonding requirements imposed under sections 324.1100 to 324.1148;

(4) Law enforcement officers shall not utilize their official capacity in the course of a private investigation, including but not limited to:

(a) Accessing information intended only for police officials. Law enforcement officers shall comply with the legal limits on access to the information of private citizens;

(b) Utilizing any official item, such as a uniform, badge, or vehicle, while performing a private investigation. Law enforcement officers shall provide their own equipment;

(c) Utilizing law enforcement officer arrest and use of force standards. Law enforcement officers shall use private citizen arrest and use of force standards while operating as a private investigator;

(5) Law enforcement officers shall produce evidence of training and experience concerning the legal limits imposed on private investigations or pass a test on such subject produced by the board; and

(6) The provisions of sections 324.1100 to 324.1148 shall not apply to law enforcement officers who provide only private security services and not private investigator services.

(L. 2007 H.B. 780 merged with S.B. 308)

---- end of effective 28 Aug 2007 ----

Section 324.1147

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 28 Aug 2010

205.490. Members shall elect officers, adopt bylaws — quorum. — The provisions of sections 324.1100 to 324.1148 shall not be construed to release any person from civil liability or criminal prosecution under any other law of this state.

(L. 2010 H.B. 2226, et al.)

---- end of effective 28 Aug 2010 ----

Section 324.1148

Title XXII OCCUPATIONS AND PROFESSIONS — Chapter 324 — Effective - 01 Jan 2017, 2 histories, see footnote

324.1148. Violations, penalty. — Any person who violates sections 324.1100 to 324.1148 is guilty of a class A misdemeanor. Any second or subsequent violation of sections 324.1100 to 324.1148 is a class E felony.

(L. 2007 H.B. 780 merged with S.B. 308, A.L. 2014 S.B. 491)

Effective 1-01-17

---- end of effective 01 Jan 2017 ----