

AMENDED IN ASSEMBLY APRIL 20, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 921**

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**Introduced by Assembly Member Jones**

February 26, 2015

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An act to add Section 7519.1 to the Business and Professions Code, relating to private investigators.

LEGISLATIVE COUNSEL'S DIGEST

AB 921, as amended, Jones. Private investigators: Disciplinary Review Committee.

The Private Investigator Act provides for the licensure and regulation of private investigators by the Bureau of Security and Investigative Services within the Department of Consumer Affairs and requires the Director of Consumer Affairs to administer and enforce the act. The act authorizes the director to deny, suspend, or revoke a license if the director determines, among other things, that any provision of the act was violated by the licensee. The act also authorizes the director to impose a civil penalty of no greater than \$500 instead of suspending or revoking a license issued under the act for the violation of specified provisions if the director determines that the imposition of the civil penalty better serves the purposes of the act.

This bill would require the Governor to appoint a Private Investigator Disciplinary Review Committee, and ~~authorizes~~ *would authorize* the Governor to remove any member of the committee for misconduct, incompetency, or neglect of duty. The bill would require the committee to consist of 3 members actively engaged in the business of a licensed private investigator and 2 public members, as specified, and would require members to be appointed for a term of 4 years. The bill would

require the committee to meet 60 days or more or less frequently as may be required, and would require that the members be paid per diem, as specified, and be reimbursed for actual travel expenses. The bill would authorize a person licensed under the act to appeal the assessment of an administrative fine to the committee, and would authorize a person denied a license under the act to appeal that denial to the committee, except as specified, if the appeal is in writing and made within 30 days of the assessment of the fine or denial of the license. The committee is required to notify the appellant in writing, by regular mail, of the committee’s decision within 30 days of that decision. The bill would also authorize the appellant to request a hearing, as specified, if the appellant disagrees with the committee’s decision regarding the appeal.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 7519.1 is added to the Business and  
 2 Professions Code, immediately following Section 7519, to read:  
 3 7519.1. (a) The Governor shall appoint a Private Investigator  
 4 Disciplinary Review Committee, and may remove any member of  
 5 the committee for misconduct, incompetency, or neglect of duty.  
 6 (b) The committee shall consist of three members actively  
 7 engaged in the business of a licensed private investigator and two  
 8 public members. The public members shall not be licensees or  
 9 registrants, or engage in any business ~~of~~ or profession in which  
 10 any part of the fees, compensation, or revenue thereof, is derived  
 11 from any licensee.  
 12 (c) The committee shall meet every 60 days or more or less  
 13 frequently as may be required. The members shall be paid per diem  
 14 pursuant to Section 103 and shall be reimbursed for actual travel  
 15 expenses. The members shall be appointed for a term of four years.  
 16 (d) A person licensed with the department under this chapter  
 17 may appeal the assessment of an administrative fine to the  
 18 committee. A person denied a license under ~~the~~ *this* chapter may  
 19 appeal the denial of a license to the committee, unless the denial  
 20 of a license is ordered by the director in accordance with Chapter  
 21 5 (commencing with Section 11500) of Part 1 of Division 3 of  
 22 Title 2 of the Government Code.

1 (e) A request for an appeal to the committee shall be made in a  
2 written notice to the department within 30 days of the assessment  
3 of an administrative fine or denial of a license.

4 (f) Following review by the committee of the appeal, the  
5 appellant shall be notified in writing, by regular mail, within 30  
6 days of the committee's decision on the appeal.

7 (g) If the appellant disagrees with the decision made by the  
8 committee, the appellant may request a hearing in accordance with  
9 Chapter 5 (commencing with Section 11500) of Part 1 of Division  
10 3 of Title 2 of the Government Code. A request for such a hearing  
11 shall be made by written notice to the department within 30 days  
12 following notice of the committee's decision.

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