

2008 -- S 2873 SUBSTITUTE A

=====
LC02467/SUB A
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2008

—————
A N A C T

RELATING TO BUSINESSES AND PROFESSIONS – PRIVATE DETECTIVE ACT

Introduced By: Senator Walter S. Felag

Date Introduced: March 13, 2008

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 5-5-2 and 5-5-20 of the General Laws in Chapter 55 entitled
2 "Private Detective Act" are hereby amended to read as follows:

3 **5-5-2. Definitions.** -- As used in this chapter:

4 (1) "Applicant" means any person who has applied for permission to engage in any act or
5 activity that is regulated pursuant to the provisions of this chapter.

6 (2) "License" means any license required by this chapter.

7 (3) "License fee" means any moneys required by law to be paid for the issuance or
8 renewal of any license required by the regulations.

9 (4) "Local licensing authority" means the town councils of license boards of the several
10 towns, the mayor and city council or license bureau of a city.

11 (5) "Private detective" means a person who is hired for the purpose of conducting
12 investigations involving:

13 (i) Inquiries into unsolved crimes;

14 (ii) Clandestine surveillance;

15 (iii) The search for missing persons; and

16 (iv) The search for lost or stolen property.

17 (6) Words in the singular include the plural and the plural includes the singular.

18 (7) "Computer forensic specialist" means a person who holds a professional certification
19 as a computer examiner and who interprets, evaluates, tests, or analyzes pre-existing data from

1 [computers, computer systems, networks or other electronic media, provided to them by another](#)
2 [person who owns, controls or possesses said computer, computer system, network or other](#)
3 [electronic media.](#)

4 **5-5-20. Exemptions.** -- (a) Nothing in this chapter includes the activities of any person
5 employed by any federal or state agency or any city or town as an investigator. Nothing in this
6 chapter shall be construed to require a detective's license in order to interview parties and/or
7 witnesses in legal matters.

8 (b) Nothing in this chapter shall be construed to require a detective's license of any of the
9 following:

10 (1) An agent, employee, or assistant to a licensed "detective" whose duties are in
11 connection with the regular and customary business of his or her contracting agency;

12 (2) A person engaged in earning his or her livelihood by genealogical work and the
13 compilation of family history while so engaged;

14 (3) An insurance investigator; or

15 (4) A credit reporting bureau or agency whose business is principally the furnishing of
16 information as to business and financial standing and credit responsibility.

17 [\(5\) An individual employed as a computer forensic specialist who holds professional](#)
18 [certification as a computer examiner.](#)

19 SECTION 2. This act shall take effect upon passage.

=====
LC02467/SUB A
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO BUSINESSES AND PROFESSIONS – PRIVATE DETECTIVE ACT

- 1 This act would add a definition of computer forensic specialist to the chapter and exempts
- 2 a computer forensic specialist from the requirement of obtaining a detective's license.
- 3 This act would take effect upon passage.

=====
LC02467/SUB A
=====