

Rulemaking Hearing Rules

Department of Commerce and Insurance
Division of Regulatory Boards
Tennessee Private Investigation and Polygraph Commission

Amendments

Chapter 1175-1
Private Investigation Commission

1. Rule 1175-1-.03 Finger Printing is amended by adding a new paragraph (3) which shall read:

(3) In the event that the fingerprint card submitted by an applicant is rejected or otherwise unable to be processed by the Tennessee Bureau of Investigation (TBI) and/or the Federal Bureau of Investigation (FBI), the applicant shall submit a new fingerprint card together with any additional fee(s) charged by the TBI and/or FBI for processing the new fingerprint card.

Authority: T.C.A. 62-26-303 and 62-26-208.

2. Rule 1175-1-.11 License Fees is amended by adding a new paragraph (3) immediately following paragraph (2) which shall read:

(3) The fees for retirement and activation of a private investigators license are as follows:
Retirement of a private investigator's license.....\$100.00
Reactivation of retired private investigator's license.....\$100.00

Authority: T.C.A. §§ 62-26-204(e), 62-26-208 and 62-26-303.

Chapter 1175-2
Continuing Professional Education

1. Rule 1175-2-.02 Purpose is amended by deleting the text of the rule in its entirety and substituting in its place the following language so that, as amended, the rule shall read:

The Private Investigators Licensing and Regulatory Act, as amended, requires each licensed private investigator to receive twelve (12) hours of continuing

professional education during each two (2) year period prior to renewal as a prerequisite for keeping the license valid. The purposes of this chapter are to prescribe the basic continuing education requirements for present and future licensees; to establish standards by which continuing education will be evaluated for the awarding of credit; and to ensure compliance with the Act.

Authority: T.C.A. § 62-26-225(a) and (c) and § 62-26-303.

2. Paragraph (8) of Rule 1175-2-.03 Qualifying Programs is amended by deleting the text of the paragraph in its entirety and substituting in its place the following language so that, as amended, paragraph (8) of Rule 1175-2-.03 shall read as follows:

- (8) No carryover of hours from renewal period to the next renewal period is permitted.

Authority: T.C.A. § 62-26-225(c) and § 62-26-303.

3. Rule 1175-2-.09 Reactivation of Retired Licenses is amended by deleting the text of the rule in its entirety and substituting in its place the following language so that, as amended, the rule shall read as follows:

A private investigator who wishes to reactivate a retired license pursuant to T.C.A. § 62-26-204(e)(2) must first complete the continuing professional education requirements set forth in T.C.A. § 62-26-225 for the renewal period in which the retiree wishes to reactivate.

Authority: T.C.A. §§ 62-26-204 and 62-26-303.

Legal Contact and/or party who will approve final copy: Stacey L. Grooms
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Signature of the agency officer or officers directly responsible for proposing and/or
drafting these rules:

Stacey L. Grooms
Staff Attorney for Private Investigation & Polygraph Commission
Department of Commerce and Insurance

The roll-call vote by the Private Investigation and Polygraph Commission on these rulemaking hearing rules was as follows:

	Aye	No	Abstain
Robert K. Dawson, Chair	<u> X </u>	<u> </u>	<u> </u>
Jasmin A. Rivera-Chambers	<u> X </u>	<u> </u>	<u> </u>
Charles C. Cope, Jr.	<u> X </u>	<u> </u>	<u> </u>
Janice D. Holt	<u> </u>	<u> </u>	<u> (Absent) </u>
Boyd W. Jackson	<u> X </u>	<u> </u>	<u> </u>
Minnie Ann Lane	<u> X </u>	<u> </u>	<u> </u>
John Chris White	<u> X </u>	<u> </u>	<u> </u>
Kendall W. Shull	<u> </u>	<u> </u>	<u> (Absent) </u>

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Private Investigation and Polygraph Commission on the 16th day of December, 2005.

Further, I certify that the provisions of Tenn. Code Ann. §4-5-222 have been fully complied with and that these rules are properly presented for filing, a notice of rulemaking hearing having been filed in the Department of State on the 31st day of October, 2005, such notice of rulemaking hearing having been published in the November, 2005 issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the 16th day of December, 2005.

Stacey L. Grooms
Staff Attorney for Private Investigation & Polygraph Commission
Department of Commerce and Insurance

Subscribed and sworn to before me this the _____ day of _____, 2006.

Notary Public

My commission expires on the _____ day of _____, _____

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Paul G. Summers
Attorney General and Reporter

The rulemaking hearing rules set out herein were properly filed in the Department of State on the _____ day of _____, 2006 and will become effective on the _____ day of _____, 2006.

Riley C. Darnell
Secretary of State

By: _____