

Notice  
of  
Rulemaking Hearing

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

There will be a hearing before the Tennessee Private Investigation and Polygraph Commission to consider the promulgation of amendments to rules and pursuant to T.C.A. §62-27-105. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tenn. Code Ann. §4-5-204, and will take place in Room 160, Davy Crockett Tower, 500 James Robertson Parkway, Nashville, Tennessee 37243 at 9:00 a.m.(CST) on the 16th day of December, 2005.

Any individuals with disabilities who wish to participate in these proceedings (or review these filings) should contact the Department of Commerce and Insurance to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (or the date the party intends to review such filings) to allow time for the department to determine how it may reasonably provide such aid or service. Initial contact may be made with Don Coleman, ADA Coordinator, Department of Commerce and Insurance, 500 James Robertson Parkway, Nashville, Tennessee 37243, at (615) 741-0481.

For a copy of this notice of rulemaking hearing, contact: Donna Hancock, Executive Director, Tennessee Private Investigation and Polygraph Commission, 500 James Robertson Parkway, 2<sup>nd</sup> Floor, Nashville, Tennessee 37243, telephone (615) 532-9160.

Substance of Proposed Rules

Chapter 1175-1  
Private Investigation and Polygraph Commission

Amendments

Rule 1175-1-.03 Fingerprinting is amended by adding a new paragraph (3) immediately following paragraph (2) which shall read as follows:

- (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 fee(s) charged by the TBI and/or FBI for processing fingerprints.

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

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

- (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. §§ 62-26-208, 62-26-204(e) and 62-26-303.

## Chapter 1175-2

### Continuing Professional Education

#### Amendments

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 as follows:

1175-2-.02 Purpose.

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.

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.

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:

1175-2-.09 Reactivation of Retired Licenses.

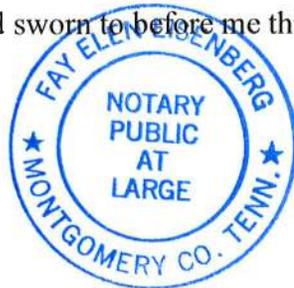
A private investigator who wishes to reactivate a retired license pursuant to T.C.A. § 62-26-204(e)(2) must first complete the continuing professional education requirements set forth in T.C.A. § 62-26-225 for the renewal period in which the retiree wishes to reactivate.

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

I certify that this is an accurate and complete representation of the intent and scope of rulemaking proposed by the Tennessee Private Investigation and Polygraph Commission.

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

Subscribed and sworn to before me this 31st day of October, 2005.



Fay Eisenberg  
Notary Public

My commission expires on the 15th day of March, 2008.

The notice of rulemaking set out herein was properly filed in the Department of State on

The 31 day of Oct, 2005.

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SECRETARY OF STATE  
PUBLICATIONS

Riley C. Darnell  
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