

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

April 23, 2013  
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB13-259 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 3, line 2, strike "Licensure" and substitute
- 2 "~~Licensure~~ REGISTRATION".
- 3 Page 3, line 8, strike "licensure" and substitute "~~licensure~~ REGISTRATION".
- 4 Page 3, line 9, strike "license" and substitute "~~license~~ REGISTRATION".
- 5 Page 3, strike lines 10 through 12 and substitute "IN THIS STATE."
- 6 Page 3, line 14, strike "(1), (4)," and substitute "(1), (5) (f)," and after
- 7 "(a);" insert "**repeal** (4);".
- 8 Page 3, line 18, after "renewal" insert "~~license~~" and strike "license OR
- 9 PRIVATE".
- 10 Page 3, line 19, strike "INVESTIGATOR APPRENTICE".
- 11 Page 3, strike lines 20 and 21 and substitute:
- 12 " (4) ~~"Licensed private investigator" means a private investigator~~
- 13 ~~licensed by the director pursuant to this article.~~
- 14 (5) "Private investigation" means an investigation for the purpose
- 15 of obtaining information pertaining to:
- 16 (f) The ~~causes and~~ origin AND CAUSE of, or responsibility for, a
- 17 ~~fire~~, libel, slander, a loss, an accident, damage, or an injury to a person or

- 1 to real or personal property;"
- 2 Page 3, strike line 26 and substitute "INVESTIGATORS OR WITH PERSONS  
3 EXEMPTED FROM THIS ARTICLE PURSUANT TO SECTION 12-58.5-104.5."
- 4 Page 4, line 3, strike "INVESTIGATOR APPRENTICE"" and substitute  
5 "INVESTIGATOR"".
- 6 Page 4, line 5, strike "12-58.5-105.5." and substitute "12-58.5-105."
- 7 Page 4, line 8, strike "**Licensure - registration**" and substitute  
8 "**Registration**".
- 9 Page 4, line 11, strike "license, as applicable," and substitute "~~license, as  
10 applicable,~~ REGISTRATION".
- 11 Page 4, line 12, strike "license" and substitute "~~license~~ REGISTRATION".
- 12 Page 4, line 14, strike ""licensed" and substitute ""~~licensed~~ REGISTERED".
- 13 Page 4, line 15, strike ""LICENSED" and substitute ""REGISTERED".
- 14 Page 4, line 18, strike "LICENSE" and substitute "REGISTRATION".
- 15 Page 4, like 24, strike "investigator" ON AND AFTER MARCH 1," and  
16 substitute "investigator".
- 17 Page 4, strike lines 25 through 27.
- 18 Page 5, strike lines 1 and 2.
- 19 Page 5, line 3, strike "(a)".
- 20 Page 5, line 6, strike ""LICENSED" and substitute ""REGISTERED" and  
21 strike ""licensed" and substitute ""~~licensed~~ REGISTERED".
- 22 Page 5, line 7, strike "license" and substitute "~~license~~ REGISTRATION".
- 23 Page 5, strike lines 12 through 22 and substitute:  
24 "**SECTION 5.** In Colorado Revised Statutes, **amend** 12-58.5-105  
25 as follows:".

- 1 Page 5, line 23, strike "license" and substitute "license registration".
- 2 Page 6, line 1, strike "license" and substitute "license REGISTRATION".
- 3 Page 6, strike lines 3 through 9 and substitute:  
4 "(a) Is at least twenty-one years of age;  
5 (b) Is lawfully present in the United States; AND"  
6 (c) ~~(F) Has at least four thousand hours of verifiable, applicable~~  
7 ~~experience, as determined by the director within the five years~~  
8 ~~immediately preceding the date of application; or~~  
9 ~~(H) Has at least two thousand hours of verifiable, applicable~~  
10 ~~experience, as determined by the director, within the five years~~  
11 ~~immediately preceding the date of application plus an amount of~~  
12 ~~postsecondary education determined by the director; and~~  
13 (d) Has knowledge and understanding of the statutes and rules  
14 affecting the ethics and activities of licensed REGISTERED private  
15 investigators in this state, ASEVIDENCED BY PASSAGE OF A JURISPRUDENCE  
16 EXAMINATION DEVELOPED AND APPROVED BY THE DIVISION.  
17 (2) In addition to the requirements of subsection (1) of this  
18 section, each license REGISTRATION applicant shall have his or her  
19 fingerprints taken by a local law enforcement agency for the purpose of  
20 obtaining a fingerprint-based criminal history record check. The applicant  
21 is required to submit payment by certified check or money order for the  
22 fingerprints and for the actual costs of the record check at the time the  
23 fingerprints are submitted to the Colorado bureau of investigation. Upon  
24 receipt of fingerprints and receipt of the payment for costs, the Colorado  
25 bureau of investigation shall conduct a state and national  
26 fingerprint-based criminal history record check utilizing records of the  
27 Colorado bureau of investigation and the federal bureau of investigation  
28 and shall forward the results of the criminal history record check to the  
29 director."
- 30 Page 6, line 11, strike "license" and substitute "license REGISTRATION".
- 31 Page 6, line 15, strike "licensure" and substitute "licensure  
32 REGISTRATION".
- 33 Page 6, line 16, strike "license," and substitute "license REGISTRATION,".
- 34 Page 6, line 18, strike "LICENSEE" and substitute "REGISTRANT" and strike  
35 "LICENSE" and substitute "REGISTRATION".

- 1 Page 6, line 20, strike "LICENSEE" and substitute "REGISTRANT".
- 2 Page 6, line 21, strike "license" and substitute "~~license~~ REGISTRATION".
- 3 Page 6, strike line 22 and substitute "~~license~~ REGISTRATION expires, and
- 4 the person shall not hold himself or herself out as a ~~licensed~~ REGISTERED
- 5 private investigator OR".
- 6 Page 6, line 23, strike "~~licensed private investigator~~".
- 7 Page 6, line 24, strike "license" and substitute "~~license~~ REGISTRATION".
- 8 Page 6, line 25, strike "LICENSE." and substitute "REGISTRATION." and
- 9 strike "LICENSE" and substitute "REGISTRATION".
- 10 Page 7, line 1, strike "12-58.5-105.5,".
- 11 Page 7, line 2, strike "12-58.5-106.5, and".
- 12 Page 7, line 12, after "An" insert "ATTORNEY LICENSED TO PRACTICE LAW
- 13 IN THIS STATE, AN" and strike "of," and substitute "of ~~an~~ A LICENSED
- 14 ATTORNEY,".
- 15 Page 7, line 13, strike "FOR, an attorney" and substitute "FOR A LICENSED
- 16 attorney;".
- 17 Page 7, strike line 14 and substitute "~~licensed to practice law in this~~
- 18 ~~state;~~".
- 19 Page 7, line 20, strike "title" and substitute "title, ~~and~~ AN EMPLOYEE OF A
- 20 CERTIFIED PUBLIC ACCOUNTANT, OR".
- 21 Page 7, line 21, strike "and".
- 22 Page 7, line 23, after "employed" insert "OR CONTRACTED".
- 23 Page 8, line 7, strike "OR".
- 24 Page 8, line 12, strike "QUALIFIED." and substitute "QUALIFIED;
- 25 (j) AN OWNER, EMPLOYEE, OR INDEPENDENT CONTRACTOR OF AN
- 26 AGENCY CONDUCTING AN INVESTIGATION TO DETERMINE THE ORIGIN AND

1 CAUSE OF A FIRE OR EXPLOSION; OR  
2 (k) AN OWNER, EMPLOYEE, OR INDEPENDENT CONTRACTOR OF AN  
3 AGENCY CONDUCTING AN INVESTIGATION FOR CAUSE ANALYSIS OR  
4 FAILURE ANALYSIS WHERE THE INVESTIGATION IS CONDUCTED BY AN  
5 ENGINEER LICENSED PURSUANT TO PART 1 OF ARTICLE 25 OF THIS TITLE  
6 ACTING WITHIN HIS OR HER AREA OF EXPERTISE WITHIN THE SCOPE OF THE  
7 PRACTICE OF ENGINEERING."

8 Page 8, strike lines 13 through 27.

9 Strike pages 9 and 10.

10 Page 11, strike lines 1 through 23.

11 Page 11, line 24, strike "LICENSED" and substitute "REGISTERED PRIVATE  
12 INVESTIGATOR".

13 Page 11, strike line 25.

14 Page 11, line 26, strike "APPRENTICE".

15 Page 11, strike line 27 and substitute "UNLESS THE REGISTERED PRIVATE  
16 INVESTIGATOR".

17 Page 12, line 1, strike "INVESTIGATOR APPRENTICE".

18 Page 12, line 5, strike "(1) (f), (1) (g), and (1)" and substitute "and (1)  
19 (f)".

20 Page 12, line 6, strike "(h)".

21 Page 12, line 8, strike "LICENSE OR".

22 Page 12, line 9, strike "APPLICANT, LICENSEE," and substitute  
23 "APPLICANT".

24 Page 12, line 11, strike "APPLICANT, LICENSEE," and substitute  
25 "APPLICANT".

26 Page 12, line 12, strike "applicant, LICENSEE," and substitute "applicant".

- 1 Page 12, line 13, strike "OR".
- 2 Page 12, line 14, strike "12-58.5-105.5".
- 3 Page 12, line 15, strike "license OR" and substitute "license".
- 4 Page 12, line 18, strike "license OR" and substitute "license".
- 5 Page 12, line 23, after "INVESTIGATIONS;" insert "OR".
- 6 Page 12, line 25, strike "12-58.5-106.7;" and substitute "12-58.5-106.7".
- 7 Page 12, strike lines 26 and 27.
- 8 Page 13, strike lines 1 through 7.
- 9 Page 13, line 9, strike "licensee OR" and substitute "licensee".
- 10 Page 13, line 12, strike "licensee OR" and substitute "licensee".
- 11 Page 13, line 15, strike "licensee OR" and substitute "licensee".
- 12 Page 13, line 16, strike "licensee OR" and substitute "licensee".
- 13 Page 13, line 20, strike "licensee OR" and substitute "licensee".
- 14 Page 13, line 23, strike "witness, or licensee, OR" and substitute "witness  
15 or licensee".
- 16 Page 13, line 25, strike "person, or licensee, OR" and substitute "person  
17 or licensee".
- 18 Page 13, line 27, strike "person, or licensee, OR" and substitute "person  
19 or licensee".
- 20 Page 14, line 1, strike "person, or licensee, OR" and substitute "person or  
21 licensee" and strike "person, or" and substitute "person or".
- 22 Page 14, line 2, strike "licensee, OR" and substitute "licensee".
- 23 Page 14, line 5, strike "person, or licensee, OR" and substitute "person or

- 1 licensee".
- 2 Page 14, line 6, strike "person, or licensee, OR" and substitute "person or
- 3 licensee".
- 4 Page 14, line 9, strike "licensee OR" and substitute "licensee".
- 5 Page 14, strike line 13 and substitute "investigator" OR "PRIVATE
- 6 DETECTIVE".
- 7 Page 14, line 14, strike "APPRENTICE", and strike "license OR
- 8 REGISTRATION, AS" and substitute "license REGISTRATION,".
- 9 Page 14, line 15, strike "APPLICABLE,".
- 10 Page 14, line 18, strike "unregistered" and substitute "unregistered".
- 11 Page 14, line 19, strike "UNLICENSED OR UNREGISTERED".
- 12 Page 14, line 25, strike "unregistered UNLICENSED OR" and substitute
- 13 "unregistered".
- 14 Page 14, line 26, strike "UNREGISTERED".
- 15 Page 15, line 2, strike "LICENSE OR".
- 16 Page 15, line 5, strike "UNLICENSED OR".
- 17 Page 15, line 9, strike "LICENSEE OR".
- 18 Page 15, line 12, strike "licensed" and substitute "licensed REGISTERED".
- 19 Page 15, strike line 13 and substitute "private investigator,".
- 20 Page 15, line 14, strike "LICENSEE OR".
- 21 Page 15, line 19, strike "licensed" and substitute "licensed REGISTERED"
- 22 and strike "OR REGISTERED PRIVATE".
- 23 Page 15, line 20, strike "INVESTIGATOR APPRENTICE".

- 1 Page 15, line 26, strike "licensed" and substitute "~~licensed~~ REGISTERED".
- 2 Page 15, strike line 27 and substitute "private investigator".
- 3 Page 16, line 2, strike "LICENSEE OR".
- 4 Page 16, line 6, strike "license OR" and substitute "~~license~~".
- 5 Page 16, line 7, strike "license OR" and substitute "~~license~~".
- 6 Page 16, line 9, strike "license OR" and substitute "~~license~~".
- 7 Page 16, line 11, strike "license OR" and substitute "~~license~~".
- 8 Page 16, line 12, strike "license OR" and substitute "~~license~~".
- 9 Page 16, line 18, strike "licensure" and substitute "~~licensure~~  
10 REGISTRATION".
- 11 Page 16, line 19, strike "AND THE REGISTRATION OF PRIVATE".
- 12 Page 16, line 20, strike "INVESTIGATOR APPRENTICES".
- 13 Page 17, line 9, strike "LICENSING" and substitute "REGISTERING" and  
14 strike "AND THE".
- 15 Page 17, strike line 10 and substitute "BY THE DIRECTOR".
- 16 Page 17, strike lines 13 through 22.
- 17 Renumber succeeding section accordingly.
- 18 Page 18, strike line 7 and substitute "registration submitted on or".

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