

329A.040 Board's duties upon receipt of application -- Approval -- License and identification card -- Individual license.

- (1) Upon receipt of a license application, accompanied by a nonrefundable, nonproratable fee of not less than one hundred dollars (\$100) and not more than four hundred dollars (\$400), as established by the board by promulgation of administrative regulations, the board shall:
 - (a) Conduct an investigation to determine whether the statements made in the application are true; and
 - (b) Submit the application, including fingerprints as appropriate, to the Department of Kentucky State Police and the Administrative Office of the Courts for a state criminal history background check. The Department of Kentucky State Police may submit fingerprints of any applicant to the Federal Bureau of Investigation for a national criminal history background check. The board may by administrative regulation impose additional qualifications to meet the requirements of Pub. L. No. 92-544. The applicant for licensure shall bear the additional cost, in an amount not to exceed the actual cost, incurred for the criminal background check.
- (2) Following the investigation process, the board shall either deny or approve the application.
 - (a) If the application for a license is denied, the board:
 1. Shall notify the applicant in writing and set forth the grounds for denial. If the grounds are subject to correction by the applicant, the notice of denial shall so state and specify a reasonable period of time within which the applicant must make the correction; and
 2. Shall grant a hearing to the denied applicant in accordance with the provisions of KRS Chapter 13B.
 - (b) If the application for a license is approved, the board shall issue:
 1. A license to be posted conspicuously in the licensee's principal place of business; and
 2. A wallet-sized laminated identification card to each individual licensee to be carried while engaged in private investigation. Information on the card shall include the expiration date of the license and the licensee's:
 - a. Name;
 - b. Photograph;
 - c. Physical characteristics; and
 - d. License number.
- (3) A license or identification card issued under subsection (2) of this section is not assignable and is personal to the licensee.
- (4) For purposes of this section and KRS 329A.035, any company whose workforce is comprised of no more than one (1) private investigator shall only be required to have an individual private investigator's license. If at any time the workforce of such a company increases, the company shall notify the board of the workforce increase

and shall seek a company license in addition to the individual private investigator's license.

Effective: June 26, 2007

History: Amended 2007 Ky. Acts ch. 85, sec. 300, effective June 26, 2007. -- Amended 2004 Ky. Acts ch. 186, sec. 4, effective April 21, 2004. -- Created 2002 Ky. Acts ch. 269, sec. 7, effective July 15, 2002.