

APA-1

TRANSMITTAL SHEET FOR NOTICE  
OF INTENDED ACTION

Control: 741

Department or Agency: Alabama Private Investigation Board

Rule No.: 741-X-4-.03

Rule Title: Renewal Of License

Intended Action Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? Yes

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Claire H. Austin

Claire Hannah Austin

Date

Tuesday, November 7, 2023

REC'D & FILED  
NOV 8, 2023

LEGISLATIVE SVC AGENCY

ALABAMA PRIVATE INVESTIGATION BOARD

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Private Investigation Board

RULE NO. & TITLE: 741-X-4-.03 Renewal Of License

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Alabama Private Investigation Board proposes to amend its scope to allow a person to become inactive in the industry.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written comments, views, or arguments will be received by the Alabama Private Investigation Board through 4:00 pm on January 4, 2024

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Claire H. Austin  
Executive Director  
60 Commerce Street - Suite 1440  
Montgomery, AL 36104  
334-657-9440

*Claire H. Austin*

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Claire Hannah Austin

(Signature of officer authorized  
to promulgate and adopt  
rules or his or her deputy)

**Renewal Of License.**

(1) Licensure periods: The private investigator license shall be valid for two years. The continuing education earning period is a two-year period of time in which at least sixteen (16) contact hours shall be accrued (eight (8) hours in each calendar year). This is the time period of the current license.

(2) The renewal of license shall be accomplished prior to expiration of the current license.

(3) Failure to renew prior to the expiration date of the current license will result in an additional late fee. Licenses may be renewed up to thirty (30) days after expiration date. Private investigators will not be permitted to work as a private investigator if their license has expired.

(4) Renewal notices may be mailed or transmitted electronically. Notice shall be sent to the applicant's address of record sixty (60) days prior to the renewal date.

(5) To be eligible for renewal, the applicant shall:

(a) Hold a valid, active Alabama license;

(b) Submit a completed and signed renewal application and required fee(s);

(c) Meet continuing education requirements;

(d) Pass a review of criminal history for criminal convictions and civil fraud findings.

(6) The applicant is responsible ~~to supply~~for supplying current mailing address records to the Board.

(7) Failure to receive the renewal application or notice shall not relieve the licensee of the responsibility of renewing the license by the expiration date.

(8) Any license not renewed within thirty (30) days following the expiration date shall lapse. Any individual who practices with a lapsed license shall be subject to penalties established under Chapter 741-X-6 - Disciplinary Actions.

(9) Renewal of License or Inactive Status: A licensee of the Board, in writing, may request for the Board to place his or her license on inactive status. During the time that the license is placed on inactive status, the licensee cannot engage in the activities of a licensed investigator. While the licensee is

inactive, they must continue to complete all continuing education and complete that continuing education by the expiration date of the licensee. A licensee must submit in writing to the board a request to place his or her license as active.

Author: The Alabama Private Investigation Board

Statutory Authority: Code of Ala 1975, 34-25B-17 the Rule

History: Amended the Rule - Filed November 7, 2023, effective December 15, 2023

**Author:** The Alabama Private Investigation Board

**Statutory Authority:** Code of Ala. 1975, §§34-25B-1 through 34-25B-29.

**History: New Rule:** Filed March 7, 2014; effective April 11, 2014. **Amended:** Filed June 21, 2017; effective August 5, 2017.

**Amended (Rule Number Only):** Filed May 11, 2018; effective June 25, 2018.

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**ECONOMIC IMPACT STATEMENT  
FOR APA RULE  
(Section 41-22-23(f))**

Control No: 741

Department or Agency: Alabama Private Investigation Board

Rule No: 741-X-4-.03

Rule Title: Renewal Of License

Intended Action: Amend

           This rule has no economic impact.

Yes This rule has an economic impact, as explained below:

**1. NEED/EXPECTED BENEFIT OF RULE:**

To allow a person the option to put their career on hold and come back in good standing. Flexibility in the industry.

**2. COSTS/BENEFITS OF RULE AND WHY RULES IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE:**

The rule will allow activity duty military on inactive status during the call of duty.

**3. EFFECT OF THIS RULE ON COMPETITION:**

None

**4. EFFECT OF THIS RULE ON COST-OF-LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:**

None

**5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:**

In the State of Alabama

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**6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:**

No cost

**7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON EFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:**

No cost to the military licensee or spouse

**8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:**

None

**9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:**

None

**10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:**

None

Signature of certifying officer

Claire H. Austin

Claire Hannah Austin

Date

Tuesday, November 7, 2023