

HOUSE BILL No. 5196

October 18, 1989, Introduced by Rep. Hickner and referred to the Committee on State Affairs.

A bill to amend section 4 of Act No. 285 of the Public Acts of 1965, entitled
"Private detective license act of 1965,"
being section 338.824 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 4 of Act No. 285 of the Public Acts of
2 1965, being section 338.824 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 4. This act ~~shall~~ DOES not apply to ANY OF THE
5 FOLLOWING:

6 (a) A person employed exclusively and regularly ~~by an~~
7 ~~employer~~ in connection with the affairs of ~~the~~ AN employer
8 only ~~and~~ IF there exists ~~a bona fide~~ AN employer-employee
9 relationship ~~,~~ for which the employee is reimbursed on a salary
10 basis.

1 (b) An officer or employee of the United States, ~~or of~~
2 this state, or A political subdivision ~~thereof~~ OF THIS STATE,
3 while ~~such officer or employee~~ HE OR SHE is engaged in the per-
4 formance of his OR HER official duties.

5 (c) The business of obtaining and furnishing information as
6 to the financial standing, rating, and credit responsibility of
7 ~~persons~~ A PERSON or as to the personal habits and financial
8 responsibility of ~~applicants~~ AN APPLICANT for insurance, indem-
9 nity bonds, or commercial credit.

10 (d) A charitable philanthropic society or association ~~duly~~
11 incorporated under the laws of this state which is organized and
12 maintained for the public good and not for private profit.

13 (e) An attorney at law ~~in~~ WHILE performing his OR HER
14 duties as ~~such~~ AN attorney at law.

15 (f) A collection agency or finance company licensed OR
16 AUTHORIZED to do business ~~under the laws of~~ IN this state, or
17 ~~any employee thereof~~ ITS EMPLOYEES while acting within the
18 scope of ~~his~~ employment when making an investigation incidental
19 to the business of the agency OR FINANCE COMPANY, including an
20 investigation of the location of ~~the~~ A debtor or his OR HER
21 assets, ~~and of~~ property IN which ~~the~~ A client has an
22 interest, ~~in~~ or PROPERTY UPON WHICH A CLIENT HAS a lien.
23 ~~upon.~~

24 (g) An insurance adjuster. ~~who is employed on a salary~~
25 ~~basis by an insurance company; a person, firm, partnership, com-~~
26 ~~pany or corporation who acts for an insurance company solely in~~
27 ~~the capacity of claim adjuster. A person, firm, partnership,~~

~~1 company or corporation engaged in the business of public adjuster~~
~~2 acting for claimants in securing adjustments of claims against~~
~~3 insurance companies and who does not perform investigative serv-~~
~~4 ices including, but not limited to, surveillance activities.~~

5 (H) A PERSON, FIRM, PARTNERSHIP, COMPANY, CORPORATION, OR
6 OTHER LEGAL ENTITY ENGAGED IN THE BUSINESS OF, ACCEPTING EMPLOY-
7 MENT FOR THE PURPOSE OF, SUBCONTRACTING FOR THE PURPOSE OF, OR
8 AGREEING TO MAKE OR MAKING AN INVESTIGATION FOR THE PURPOSE OF
9 OBTAINING OR FURNISHING INFORMATION REGARDING THE LOCATION OF
10 REAL OR PERSONAL PROPERTY THAT IS IN THE POSSESSION OF OR UNDER
11 THE CONTROL OF AN AGENCY, BOARD, BUREAU, COMMISSION, DIVISION,
12 OFFICE, OR POLITICAL SUBDIVISION OF A STATE OR OF THE FEDERAL
13 GOVERNMENT.