

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 751

Session of 1973

INTRODUCED BY ARLENE, REIBMAN, SMITH, HANKINS, STAPLETON, MURPHY, COPPERSMITH, NOSZKA, MESSINGER, MAZZEI, O'PAKE, ROSS, LYNCH, NOLAN, DUFFIELD, MELLOW, LAMB, CIANFRANI, MURRAY, McCREESH AND ORLANDO, MAY 2, 1973

AS AMENDED ON THIRD CONSIDERATION, OCTOBER 23, 1973

AN ACT

1 Amending the act of August 21, 1953 (P.L.1273, No.361), entitled
2 "An act to regulate the business of private detectives,
3 investigators and watch, guard, or patrol agencies, and the
4 licensing thereof in each county; providing penalties,"
5 requiring certain licensees to successfully complete a
6 procedures training course and adding to the powers and
7 duties of the Commissioner of Pennsylvania State Police.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. The act of August 21, 1953 (P.L.1273, No.361),
11 known as "The Private Detective Act of 1953," is amended by
12 adding a section to read:

13 Section 6.1. Procedures Training Course.--The commissioner <—
14 COMMISSIONER OF THE PENNSYLVANIA STATE POLICE shall establish a <—
15 private detective procedures training course TO INSURE ADEQUATE <—
16 SKILL AND KNOWLEDGE IN THE USE OF FIREARMS AND IN THE LAWFUL USE
17 OF AUTHORITY. The administration thereof shall be the
18 responsibility of the Pennsylvania State Police. The powers and
19 duties of the commissioner in connection therewith shall be as

1 follows:

2 (1) To implement and administer the minimum courses of study
3 and training for private detectives, investigators, watchmen,
4 guards and patrolmen.

5 (2) To issue certificates of approval to schools approved by
6 the commissioner and to withdraw certificates of approval from
7 those schools disapproved by the commissioner.

8 (3) To certify instructors pursuant to the minimum
9 qualifications established by the commissioner.

10 (4) To implement and administer courses of study and in-
11 service training for private detectives, investigators,
12 watchmen, guards, and patrolmen, licensed before the effective
13 date of this act as established by the commissioner.

14 (5) To consult, and cooperate with, universities, colleges,
15 community colleges and institutes for the development of
16 specialized courses for private detectives, investigators,
17 watchmen, guards and patrolmen.

18 (6) To consult and cooperate with, departments and agencies
19 of this Commonwealth and other states and the Federal Government
20 concerned with similar training.

21 (7) To certify private detectives, investigators, watchmen,
22 guards, and patrolmen who have satisfactorily completed basic
23 educational and training requirements as established by the
24 commissioner and to issue appropriate certificates to such
25 persons.

26 (8) To visit and inspect approved schools at least once a
27 year.

28 (9) To make such rules and regulations and to perform such
29 other duties as may be reasonably necessary or appropriate to
30 implement the education and training program for private

1 detectives, investigators, watchmen, guards, and patrolmen.

2 Section 2. Subsection (a) of section 13 of the act is
3 amended to read:

4 Section 13. Employes.--(a) The holder of any license
5 certificate issued pursuant to this act may employ to assist him
6 in his work of private detective or investigator as described in
7 section 2 and in the conduct of such business as many persons as
8 he may deem necessary, and shall at all times during such
9 employment be legally responsible for the good conduct in the
10 business of each and every person so employed.

11 No holder of any unexpired license certificate issued
12 pursuant to this act shall knowingly employ OR CONTINUE IN ←
13 EMPLOYMENT in connection with his or its business, in any
14 capacity [whatsoever,] DESCRIBED IN SECTION 6.1(1) any person ←
15 who has not been certified as having successfully completed the
16 private detective procedures training course provided for in ←
17 this act or who has been convicted of a felony, or any of the
18 following offenses, and who has not, subsequent to such
19 conviction, received executive pardon therefor removing this
20 disability: (1) illegally using, carrying or possessing a pistol
21 or other dangerous weapon; (2) making or possessing burglar's
22 instruments; (3) buying or receiving stolen property; (4)
23 unlawful entry of a building; (5) aiding escape from prison; (6)
24 unlawfully possessing or distributing habit forming narcotic
25 drugs; (7) picking pockets or attempting to do so; (8)
26 soliciting any person to commit sodomy or other lewdness; or (9)
27 any person whose private detective or investigator's license was
28 revoked or application for such license was denied by the court
29 of quarter sessions or by the authorities of any other state or
30 territory because of conviction of any of the crimes or offenses

1 specified in this section.

2 Should the holder of an unexpired license certificate falsely
3 state or represent that a person is or has been in his employ,
4 such false statement or misrepresentation shall be sufficient
5 cause for the revocation of such license. Any person falsely
6 stating or representing that he is or has been a detective or
7 employed by a detective agency shall be guilty of a misdemeanor,
8 and, upon conviction thereof, shall be sentenced to pay a fine
9 of not more than five hundred dollars (\$500) or to undergo
10 imprisonment for not more than one (1) year, or both.

11 * * *

12 SECTION 3. ANY PERSON EMPLOYED PURSUANT TO THE PROVISIONS OF ←
13 THIS ACT PRIOR TO ITS EFFECTIVE DATE SHALL BE REQUIRED TO
14 CONFORM TO THE MANDATORY TRAINING COURSE PROVISIONS WITHIN ONE
15 YEAR OF THE EFFECTIVE DATE OF THIS ACT.