

STATE OF NORTH DAKOTA

PRIVATE INVESTIGATIVE AND SECURITY BOARD

Proposed Rule

May 19, 2020

NDPISB

CHAPTER 93-02-03

93-02-03-06. Fees - Amount - Late fees.

In addition to statutory fees, the board charges the following fees:

1. An individual must pay a fee of one hundred dollars to take the examination to become licensed to provide investigative or private security services.
2. An individual must pay a fee of one hundred ~~thirty-five~~ fifty dollars to receive an initial license or renew the individual's license to provide private investigative or private security services. In addition, a late fee of fifty dollars must be paid for each month the renewal is late, up to a maximum cumulative late fee of one hundred dollars for a late renewal. After this two-month time frame, a new application, including criminal history background checks, fees, and testing, is required.
3. An individual or entity must pay a fee of one hundred dollars to apply for a license to operate a private security or detective agency.
4. An individual or entity must pay a fee of ~~two hundred fifty~~ three hundred dollars to receive an initial license or renew a license to operate a private security or detective agency. A late fee of one hundred dollars must also be paid for each month the renewal fee is late.
5. An individual must pay a fee of twenty-five dollars to receive a private security training certificate. There is no expiration date for these certifications.
6. An individual must pay an annual fee of twenty-five dollars to receive an armed private security certificate. Armed private security certificates expire on September thirtieth of each year. A late fee of ten dollars must also be paid for each month the renewal fee is late.
7. An individual or entity must pay a fee of ~~ten~~ twenty dollars to obtain a duplicate license or registration.
8. An individual must pay a fee of twenty-five dollars to obtain an initial registration to provide private investigative or private security services. The registration shall be

submitted by the licensed agency. An individual must pay twenty-five dollars for renewing registration to provide private investigative or private security services. A late fee of ten dollars must also be paid for each month the renewal is late.

History: Effective May 1, 2000; amended effective May 1, 2005; July 1, 2010; October 1, 2013; July 1, 2018; October 1, 2020.

General Authority: NDCC 43-30-04

Law Implemented: NDCC 43-30-16

STATE OF NORTH DAKOTA

PRIVATE INVESTIGATIVE AND SECURITY BOARD

Statements on Regulatory Analysis, Small Entity Analysis, and Takings Assessment

07/28/2020

NDPISB

The proposed rule consists of amendment of Section 93-02-03-06 to the North Dakota Private Investigative and Security Board's rules concerning the Board's fee schedule for private investigative and private security licensure to increase fees to the maximum amount permitted under statute.

These changes will have a financial impact, in total, on regulated industry in the estimated range of \$7,500.00 annually. These changes should not have any negative impact, financial or otherwise, on consumers, other stakeholders, the Board, or the public.

Fees – Amount – Late Fees – N.D. Admin. Code Section 93-02-03-06

Changes the fees for an individual to receive a license or renew the individual license for private investigative or private security work from one hundred thirty dollars (\$130) to one hundred fifty dollars (\$150). Changes the fees for an individual or entity receiving an initial license or renew a license to operate a private security or detective agency from two hundred and fifty dollars (\$250) to three hundred dollars (\$300) and adds a late fee of one hundred dollars (\$100) to be paid for each month the renewal fee is late. Changes the individual private security training certificate fee from twenty dollars (\$20) to twenty-five dollars (\$25). Changes the armed private security certificate fee to add a late fee of ten dollars (\$10) to be paid each month the renewal fee is late. Changes the fee for a duplicate license or registration from ten dollars (\$10) to twenty dollars (\$20).

Statement on Small Entity Analysis and Economic Impact

The North Dakota Private Investigative and Security Board has prepared the following statement on the economic impact statement and small entity analysis pursuant to Section 28-32-08.1:

- a. The small entities subject to the proposed rule include any person or entity seeking licensure with the North Dakota Private Investigative and Security Board.
- b. There is no expected increase in administrative costs associated with the rule.
- c. The rule itself increases the fee schedule up the maximum fees permitted by statute to be assessed by the North Dakota Private Investigative and Security Board, and the additional costs to be assessed range from five dollars (\$5) to fifty dollars (\$50) depending on the license, certification, or service sought. Additional late fees may be imposed up to one hundred dollars (\$100) for failure to timely provide payment when due.
- d. The expected rule will increase state revenue collected from fees assessed by the North Dakota Private Investigative and Security Board by an estimated \$7,500.00 annually.
- e. As the North Dakota Private Investigative and Security Board's intention in this rule is to assess fees up to the statutory limit set by the North Dakota Legislature, no other less intrusive or less costly alternative methods of achieving this purpose exist.

Statement on Regulatory Analysis and Takings Assessment

Since the proposal will not impact the regulated community by more than \$50,000, and no one has requested a regulatory analysis, none is being prepared at this time for the proposed rule change.

Since the proposed rule does not constitute a taking of private real property, no Takings Assessment is being prepared.

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FISCAL NOTE

07/28/2020

NDPISB

Adoption of the proposed rule is expected to increase state revenues by an estimated \$7,500.00 annually based on current licensing and certifications issued in 2019 and expected licensure and certification applications in 2020: