



March 26, 1999

ENGROSSED HOUSE BILL No. 1208

DIGEST OF HB1208 (Updated March 23, 1999 12:23 pm - DI 71)

Citations Affected: IC 25-30.

Synopsis: Accountant exception to private detective license. Exempts from the licensing requirements for private detectives a certified public accountant, to the extent that the person is engaged in an investigation incident to the practice of accountancy.

Effective: July 1, 1999.

Buell, Frenz, Weinzapfel

(SENATE SPONSORS — WEATHERWAX)

January 11, 1999, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.

January 20, 1999, reported favorably — Do Pass.

January 25, 1999, read second time, amended, ordered engrossed.

January 26, 1999, engrossed. Read third time, passed. Yeas 95, nays 0.

SENATE ACTION

February 22, 1999, read first time and referred to Committee on Public Policy.

March 25, 1999, reported favorably — Do Pass.

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EH 1208—LS 7214/DI 101+



March 26, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

ENGROSSED HOUSE BILL No. 1208

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 25-30-1-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. This chapter does not
3 require any of the following persons to be a licensee:
4 (1) A law enforcement officer of the United States, a state, or a
5 political subdivision of a state to the extent that the officer or
6 employee is engaged in the performance of the officer's or
7 employee's official duties.
8 (2) Any person to the extent that the person is engaged in the
9 business of furnishing and obtaining information concerning the
10 financial rating of other persons.
11 (3) A collection agency licensed by the secretary of state or its
12 employee acting within the scope of the employee's employment,
13 to the extent that the person is making an investigation incidental
14 to the business of the agency, including an investigation of the
15 location of a debtor or a debtor's assets in a property that the client
16 has an interest in or a lien upon.
17 (4) An armored service agency to the extent that the agency is

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1 engaged in the business of transporting property to prevent the
2 theft or unlawful taking of goods, wares, merchandise, or money.

3 (5) An attorney or employee of an attorney to the extent that the
4 person is engaged in investigative matters incident to the delivery
5 of professional services that constitute the practice of law.

6 (6) An insurance adjuster to the extent that the adjuster is
7 employed in the investigation and settlement of claims made
8 against insurance companies or persons insured by insurance
9 companies if the adjuster is a regular employee of the insurance
10 company and the insurance company is authorized to do business
11 in Indiana and is complying with the laws regulating insurance
12 companies in Indiana.

13 (7) Any employee to the extent that the employee is hired for the
14 purpose of guarding and protecting the properties of railroad
15 companies and is licensed as a railroad policeman under
16 IC 8-3-17.

17 (8) An owner of an industrial plant or an employee of the owner
18 to the extent that the person is hiring a plant security guard for the
19 owner's industrial plant.

20 (9) A person primarily engaged in the business of furnishing
21 information for:

22 (A) business decisions and transactions in connection with
23 credit, employment, or marketing; or

24 (B) insurance purposes;

25 including a consumer reporting agency as defined by the Fair
26 Credit Reporting Act (15 U.S.C. 1681 et seq.).

27 (10) A retail merchant or an employee of the retail merchant to
28 the extent that the person is hiring a security guard for the retail
29 merchant's retail establishment.

30 (11) A professional engineer registered under IC 25-31 or a
31 person acting under a registered professional engineer's
32 supervision, to the extent the professional engineer is engaged in
33 an investigation incident to the practice of engineering.

34 (12) An architect with a certificate of registration under IC 25-4,
35 to the extent the architect is engaged in an investigation incident
36 to the practice of architecture.

37 (13) A land surveyor with a certificate of registration under
38 IC 25-21.5, to the extent the land surveyor is engaged in an
39 investigation incident to the practice of land surveying.

40 **(14) A certified public accountant with a certificate under**
41 **IC 25-2.1-3, to the extent that the person is engaged in an**
42 **investigation incident to the practice of accountancy.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred House Bill 1208, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

KUZMAN, Chair

Committee Vote: yeas 12, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1208 be amended to read as follows:

Page 2, line 41, delete "**or an employee of a certified public accountant**".

(Reference is to HB1208 as printed January 21, 1999.)

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COMMITTEE REPORT

Mr. President: The Senate Committee on Public Policy, to which was referred House Bill No. 1208, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1208 as reprinted January 26, 1999.)

WYSS, Chairperson

Committee Vote: Yeas 8, Nays 0.

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