45:19-8 to 19-27

LEGISLATIVE FACT SHEET

ON Private detective agencies--
Licensing.

N.J.R.S. 45:19-8 to 19-27

( Amendment)

LAWS OF 1939 CHAPTER 369 November 18

SENATE ASSEMBLY 185 (Committee Substitute for A185 4th OCR)

INTRODUCED February 13 BY Farley

| | | |
|---|---|---|
| STATEMENT | (YES) | NO |
| AMENDED DURING PASSAGE | (YES) | NO |
| HEARING | | |
| VETO | | |

The purpose of this act is to regulate the business of private detective and private detective agencies and to provide such regulations as will establish the business of private detectives on that high plane which will deserve the confidence and respect of the citizens of the State of New Jersey, and at the same time protect all persons engaged in the business of private detective against interlopers, racketeers and irresponsible persons who would use their business as private detective to cover up criminal activities and malicious impositions on the public.

7-22-68 L3/RSL

June 21, 1966

R.S. 45:19-12

LEGISLATIVE HISTORY OF R.S. 45:19-12
(Dectectives - Licenses, bonds, etc.)

COPY NO. 2

DEPOSITORY COPY

L. 1939, Chapter 369, § 5 - A185
Introduced February 13 by Mr. Farley.
Amended during passage.
Statement on bill. (copy of original bill and statement enclosed).

L. 1948, Chapter 152, § 1 - S163
Introduced February 16 by Mr. Barton.
Committee Substitute bill passed in lieu of original.
Statement on bill. (copy of original bill and statement enclosed).

Previous law, 45:19-4, was repealed by
L. 1939, Chapter 368, § 1 - A184
Introduced February 13 by Mr. Farley.
Statement on bill. (copy of bill and statement enclosed).

Sources for this previous law:

L. 1906, Chapter 288 - A231
Introduced February 19 by Mr. Hines.
Not amended during passage.
No statement on bill (copy of bill enclosed).

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NEW JERSEY
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Trenton, N. J.

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L. 1924, Chapter 214 - S219
Introduced January 28 by Mr. Blackwell.
Not amended during passage.
Statement on bill. (copy of bill and statement enclosed).

L. 1925, Chapter 42 - A179
Introduced February 3 by Miss Thropp.
Not amended during passage.
Statement on bill (copy of bill and statement enclosed).

L. 1931, Chapter 183 - S10
Introduced January 13 by Mr. Abell.
Not amended during passage.
Statement on bill (copy of bill and statement enclosed).

We could not find any reports, hearings or supplementary material on these laws.

K/PC

L. 1939, C. 369

# ASSEMBLY, No. 185

# STATE OF NEW JERSEY

INTRODUCED FEBRUARY 13, 1939

By Mr. FARLEY

Referred to Committee on Ways and Means

AN ACT to license and regulate the business of private detectives and private detective agencies, and providing penalties for violation of the provisions hereof.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. (a) Definitions: "Private detective business" shall mean and include the business of private detective, private detective business, the business of investigator or the business of watch, guard or patrol agency and shall also mean and include, separately or collectively, the making, for hire or reward, of any investigation or investigations for the purpose of obtaining information with reference to any of the following matters, notwithstanding the fact that other functions and services may also be performed for fee, hire or reward; crime or wrongs done or threatened against the government of the United States of America or any State or territory of the United States of America; the identity, habits, conduct, movements, whereabouts, affiliations, associations, transactions, reputation or character of any person, group of persons, association, organization, society, other groups of persons, firm or corporation; the credibility of witnesses or other persons; the whereabouts of missing persons; the location or recovery of lost or stolen property; the causes and origin of, or responsibility for fires, for libels, or losses, or accidents, or damage or injuries to real or personal prop-

erty; or the affiliation, connection or relation of any person, firm or corporation with any organization, society, association, or with any official, member or representative thereof; or with reference to the conduct, honesty, efficiency, loyalty or activities of employees, agents, contractors and subcontractors; or the securing of evidence to be used before any authorized investigating committee, board of award, board of arbitration, or in the trial of civil or criminal cases; or the furnishing, for hire or reward, of watchmen or guards or private patrolmen or other persons to protect persons or property or to prevent the theft or the unlawful taking of goods, wares and merchandise, or to prevent the misappropriation or concealment of goods, wares or merchandise, money, bonds, stocks, choses in action, notes or other valuable documents, papers and articles of value, or to procure the return thereof, or the performing of the service of such guard or other person for any of said purposes.

(b) The terms "the business of detective agency," the "business of investigator" and the "business of watch, guard or patrol agency" shall mean and include any person, firm or corporation engaged in the private detective business as defined in subdivision (a) of this section who employs one or more persons in conducting such business.

(c) The terms "private detective" or "investigator" shall mean and include any person who singly conducts a private detective agency without the assistance of any employee actually engaged in the private detective business.

2. No person, firm, company, partnership or corporation shall engage in the business of private detective or the business of investigator or the business of watch, guard or patrol agency for the purpose of furnishing guards or patrolmen or other persons as herein defined to protect persons or property or to prevent the theft or the unlawful taking of goods, wares and merchandise or to prevent the misappropriation or concealment of goods, wares, merchandise, money, bonds, stocks, documents and other articles of value, for hire or reward, or advertise his or their business to be that of de-

tective or of a detective agency or investigator, or watch, guard or patrol agency, notwithstanding the name or title used in describing such agency or notwithstanding the fact that other functions and services may also be performed for fee, hire or reward, without having first obtained from the Superintendent of State Police a license so to do, as hereinafter provided.

Any person or persons, firm or corporation, who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and the violator shall be subject to a fine not to exceed one thousand dollars ($1,000.00) or imprisonment in the State prison for a term not to exceed three years, or both.

3. No person, firm, company, partnership or corporation shall engage in the business of furnishing or supplying for fee, hire or reward information as to the personal character of any person, firm, company, or corporation, society or association, or any person or group of persons, or as to the character or kind of the business and occupation of any person, firm, company or corporation, or own or conduct or maintain a bureau or agency for the above mentioned purposes, except exclusively as to the financial standing and credit responsibility of persons, firms, companies or corporations; *provided,* the business so exempted does not embrace other activities as described in section one, without having first obtained from the Superintendent of State Police, as hereafter provided, a license so to do for each such bureau or agency and for each and every subagency, office and branch office to be owned, conducted, managed or maintained by such person, firm, company, partnership or corporation for the conduct of such business.

Any person or persons, firm or corporation, who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and the violator shall be subject to a fine not to exceed one thousand dollars ($1,000.00) or imprisonment in the State prison for a term not to exceed three years, or both.

4. Any person, firm, partnership, company or corporation intending to conduct a private detective business, the business of investigator or the business of watch, guard or patrol agency, or the business of a detective

agency and any person, firm, partnership, company or corporation intending to conduct the business of furnishing or supplying information as to the personal character of any person or firm, or as to the character or kind of the business and occupation of any person, firm or corporation, society or association or any person or group of persons, or intending to own, conduct, manage or maintain a bureau or agency for the above mentioned purposes or intending to engage in any one or more of the activities set forth in section one except exclusively as to the financial rating of persons, firms or corporations, shall, for each such bureau or agency and for each and every subagency, office and branch office to be owned, conducted, managed or maintained by such person, firm, partnership or corporation for the conduct of such business, file in the office of the Superintendent of State Police a written application, duly signed and verified, as follows: If the applicant is a person he shall present to the Superintendent of State Police a written application for a license, which application shall be signed and verified and shall be approved by not less than five reputable citizens who shall be freeholders of the county where such applicant resides or of the county it is proposed to conduct such business, and in the case of a partnership it shall be approved by five reputable citizens for each of the members of the partnership, freeholders of the county where each member of the partnership resides, or of the county in which it is proposed to conduct such business and in the case of a corporation it shall be approved by five reputable citizens for each officer and director of the corporation and his successor, freeholders of the county where such director resides or of the county in which it is proposed to conduct such business, which approval shall be acknowledged by said citizens before an officer authorized to take acknowledgments of deeds of land. The application shall state the following: Name, age, residence, present and previous occupations of each person or individual so signing the same; that he is a citizen of the United States; the name of the city; town or village, stating the street and number, and otherwise such apt description as will reasonably indicate the location thereof where is to be lo-

cated the principal place of business of the bureau, agency, subagency, office or branch office for which the license is desired; and it shall set forth such other facts as may be required by the Superintendent of State Police as will tend to show the character, competency and integrity of each person or individual so signing such application.

Any person or persons, firm or corporation who shall knowingly state any fact in his or their application falsely shall be guilty of a misdemeanor, and the violator shall be subject to a fine not to exceed one thousand dollars or imprisonment in the State Prison for a term not to exceed three years, or both.

5. The Superintendent of State Police when satisfied from the examination of any application submitted to him as above and from such further inquiry and investigation as he shall deem proper as to the good character, competency and integrity of such applicant, or if the applicant be a partnership or corporation of the individual members or officers thereof, in his discretion may issue and deliver to any person or partnership or corporation applying as aforesaid, a license to conduct such business and to own, or conduct, or maintain a bureau, agency, subagency, office or branch office for the conduct of such business on the premises stated in such application, upon the applicants paying to the Superintendent of State Police for the State of New Jersey, to defray the cost of regulation, in the case of a person, a license fee of two hundred dollars ($200.00), and in the case of a copartnership or a corporation, a license fee of three hundred dollars ($300.00), and upon the applicant executing, delivering and filing with the said Superintendent of State Police, in the case of a person, a bond with one or more sufficient sureties in the sum of three thousand dollars ($3,000.00), and in the case of a copartnership or a corporation, a bond with one or more sufficient sureties, in the sum of five thousand dollars ($5,000.00), said bond being conditioned for the faithful and honest conduct of such business by such person, partnership or corporation, which bond, as to its form and kind of sufficiency of security thereon, must be approved by the said Superin-

tendent of State Police. Such bond shall be taken in the name of the people of the State of New Jersey and any person injured by the wilful, malicious and/or wrongful act of the person, partnership or corporation, may bring an action on said bond in his own name to recover damages suffered by such wilful, malicious and/or wrongful act. The license granted pursuant to this act shall be for a period of five years, but shall be revocable at all times by the Superintendent of State Police for cause shown, after a hearing; and in the event of such revocation or of any surrender of such license, no refund shall be made in respect of any license fee paid under the provisions of this act. The license certificate shall be in a form to be prescribed by the Superintendent of State Police and shall specify the full name of the applicant, the location of the principal office or place of business and the location of the bureau, agency, subagency, office or branch office, for which the license is issued; the date on which it is issued, the date on which it will expire and the names and residences of the person or persons filing the application required by section four upon which the license is issued and in the event of a change of any such person, address or residence, the Superintendent of State Police shall be duly notified in writing of such change within five days thereafter and failure to give such notification shall be sufficient cause for revocation of such license.

No such license shall be issued to a person under the age of twenty-five years. Nor shall a license be issued to any person, partnership or corporation, who has not had at least three years experience as an investigator or as a police officer with any organized police department of the State, county, city, town, or any enforcement agencies of the United States Government. In the case of a partnership or corporation, one such applicant must possess this qualification.

The Superintendent of State Police, or any member thereof, shall hold as confidential all information obtained as the result of the investigation of the applicant, and shall not divulge same except on an order to do so by a court of record.

6. Any person, partnership or corporation to whom a license certificate has been issued shall surrender said certificate to the Superintendent of State Police within five days after his or their license shall have expired, or shall have been revoked, suspended or surrendered, and no refund shall be made in respect to any payment of any license fee paid under the provisions of this act.

Failure to comply with any of the provisions of this section shall be a misdemeanor, and the violator shall be subject to a fine not to exceed one thousand dollars ($1,000.00) or imprisonment in the State Prison for a term not to exceed three years, or both.

7. In the event of the death, resignation or removal of any officer or director of a corporation, or the appointment or election of any successor due notice to that effect shall be filed in writing within five days thereafter with the Superintendent of State Police; in the event of the change of address of the principal office or of any bureau, agency, subagency, office or branch office, notice to that effect shall be filed in writing within five days thereafter with the Superintendent of State Police.

8. Immediately upon the receipt of the license certificate issued by the Superintendent of State Police, pursuant to this act, the licensee named therein shall cause such license certificate to be posted and at all times displayed in a conspicuous place in the bureau, agency, subagency, office or branch office for which it is issued, so that all persons visiting at the place may readily see the same. Such license certificate shall at all reasonable times be subject to inspection by the Superintendent of State Police or by any member of the Department of State Police or by any member of any county or municipal police department. It shall be a misdemeanor for any person, partnership or corporation holding such license certificate to post such certificate or to permit such certificate to be posted upon premises other than those described therein or to which it has been transferred pursuant to the provisions of this act or knowingly to alter, deface or destroy any such license certificate. In the event that any license certificate issued by

the Superintendent of State Police is lost or destroyed, a notice of said loss or destruction shall be given to the Superintendent of State Police forthwith, and he may in his discretion issue a duplicate thereof.

9. The holder of any license certificate issued under the provisions of this act may employ to assist him in his work as detective and in the conduct of such business, as many persons as he may deem necessary and shall at all times during such employment be accountable for the good conduct in the business, of each and every person so employed. Any person so in the employ of the holder of such a license certificate need not be the holder of a license certificate issued pursuant to the provisions of this act. Should the holder of a license certificate falsely state or represent that a person is or has been in his employ, such false statement or misrepresentation shall be sufficient cause for the revocation of such license. Any person falsely stating or representing that he is or has been a detective or employed by a detective agency shall be guilty of a misdemeanor, and the violator shall be subject to a fine not to exceed one thousand dollars ($1,000.00) or imprisonment in the State Prison for a term not to exceed three years, or both. Any person who is or has been an employee of a holder of a license shall not divulge to anyone other than his employer or, as his employer shall direct, except as he may be required by the provisions of this act, any information acquired by him during such employment in respect to any work to which he shall have been assigned by such employer. Any such employee violating the provisions of this section and any such employee who shall wilfully make a false report to his employer in respect of any of such work shall be guilty of a misdemeanor, and the violator shall be subject to a fine not to exceed one thousand dollars ($1,000.00) or imprisonment in the State Prison for a term not to exceed three years, or both. The employer of any employee believed to have violated this section shall without any liability whatsoever upon said employer supply the Superintendent of State Police or such officer or person in the Department of State Police as the Superintendent of State Police may designate, all

the known facts and circumstances in connection with the said employee's transaction or performance or action believed to be in violation of this section and the Superintendent of State Police or his authorized representative shall, should the facts and circumstances be deemed to warrant, conduct further investigation and submit the evidence thus acquired to the prosecutor of the county in which the violation occurred, for appropriate action.

10. Criminal action for violation of this act shall be prosecuted by the prosecutor, or his assistant, of the county in which the violation occurred, in the name of the State of New Jersey. The prosecutor shall, upon a conviction for a violation of any provision of this act and within ten days thereafter, make and file with the Superintendent of State Police a detailed report showing the date of such conviction, the name of the person convicted and the nature of the charge.

In any prosecution under this act any person, firm, company, partnership or corporation who performs or commits any of the acts set forth in sections one and two, shall be presumed to do so for a fee, compensation, valuable consideration or reward.

11. (a) For the purpose of personal identification in the conduct of the business of private detective or investigator, the Superintendent of State Police shall prescribe white 4¼" x 2½" identification cards, to be made up by the person, partnership or corporation licensed under the provisions of this act, according to the following description, and issued by the licensee to himself, copartner, corporation or to each such investigator who is employed solely, exclusively and regularly in his or their private detective business.

(b) If the bearer be a private detective:

Photograph one square inch

License No. .....

Date of Expiration .....

THIS IS TO CERTIFY THAT

.....

is licensed and bonded by the State of New Jersey as a PRIVATE DETECTIVE in pursuant to "An act to license and regulate the business of private detectives and private detective agencies, and providing penalties for violation of the provisions thereof," and is vested with all authorities allowed him by law.

.....

Signature of Private Detective.

(c) If the bearer be an investigator:

Photograph one square inch

License No. .....

Date of Expiration .....

THIS IS TO CERTIFY THAT

.....

Signature of Employee.

is employed as an INVESTIGATOR, by the undersigned, a duly licensed and bonded private detective agency, in pursuant to "An act to license and regulate the business of private detective and private detective agencies, and providing penalties for violation of the provisions thereof," and is vested with all authorities allowed him by law.

.....

Signature of employer.

(d) All persons to whom such identification cards shall have been issued shall be responsible for the safe keeping of the same and shall not loan, let or allow any other person to use or display such identification card, and any person so parting with such identification card or using or displaying the same without authority, or who shall use or display any identification card, purporting to authorize the holder or user thereof to act as a private detective or investigator unless the same shall have been duly issued pursuant to the provisions of this act, shall be guilty of a misdemeanor and the violator shall be subject to a fine not to exceed one thousand dollars ($1,000.00) or imprisonment in the State prison for a term not to exceed three years, or both.

12. No person, partnership or corporation licensed under the provisions of this act, or the officers, operatives or agents thereof, shall be allowed to wear, carry or exhibit a badge or shield in the conduct of his or their business. Any person, partnership or corporation licensed under the provisions of this act, or officers, operatives or agents in the employ of such licensed private detectives or private detective agency, violating the provisions of this act, shall be guilty of a misdemeanor, and the violator shall be subject to a fine not to exceed one thousand dollars ($1,000.00) or imprisonment in the State prison for a term not to exceed three years, or both.

13. Any person, partnership or corporation licensed under the provisions of this act shall, upon notice by the Superintendent of State Police, discontinue any advertising or the use of any advertisement, seal or card which in the opinion of the Superintendent of State Police, may tend to mislead the public. Failure to comply with the provisions of such notice shall be cause for revocation of license.

14. Any person, partnership or corporation licensed under the provisions of this act, who shall sell, issue, rent, loan, or distribute badges or membership cards, shall be guilty of a misdemeanor, and the violator shall be subject to a fine not to exceed one thousand dollars ($1,000.00) or imprisonment in the State prison for a term not to exceed three years, or both.

15. For the purpose of investigating the character, competency, integrity and methods of operation of the applicants or licensees hereunder or of the officers, operatives or agents thereof, the Superintendent of State Police shall have the power to issue subpœnas and compel the attendance of witnesses. All such subpœnas issued shall be under the hand of the Superintendent of State Police and the seal of the Department of State Police and upon service thereof the witnesses shall be tendered the fees to which they would be entitled were they subpœnaed in a court of record. If a person, duly subpœnaed, shall fail to obey such subpœna without reasonable cause, or shall, without such cause, refuse to be examined or to answer any perti-

nent questions as to the character, actions or qualifications of such applicant or licensee or any of his employees, he shall be guilty of a misdemeanor, and the violator shall be subject to a fine not to exceed one thousand *dollars* or imprisonment in the State prison for a term not to exceed three years, or both. The testimony of witnesses in any such proceeding shall be under oath. The Superintendent of State Police, or a subordinate of the Department of State Police, designated by the Superintendent of State Police, may administer the oath and wilfull false swearing in any such proceeding or inquiry shall be perjury.

16. (a) Nothing in this act shall apply to any detective or other officer belonging to a police force of the State or any county, city, town or village thereof, appointed or elected by due authority of law, nor to any person in the employ of any police force or police department of the State or of any county, city, town or village thereof while engaged in the performance of his official duties, nor to any person, firm, company, partnership, corporation, nor to any bureau or agency whose business is the furnishing of information exclusively as to the business, financial standing and credit responsibility of persons, firms or corporations, and whose business does not embrace the other activities described in section one of this act, nor to any investigator of any State board, State agency or State department. Nor shall anything in this act contained be construed to effect in any way attorneys or counsellors-at-law in the regular practice of their profession, but such exemption shall not enure to the benefit of any employee or representative of such attorney or counsellor-at-law who is not employed solely, exclusively and regularly by such attorney or counsellor-at-law. Nor shall anything contained in this act be construed to effect any investigator or investigators solely, exclusively and regularly employed by any insurance company or group of insurance companies of this State or of any other state or of the District of Columbia, duly licensed to do business in this State under and by virtue of the insurance laws hereof by the Commissioner of Banking and Insurance of this State, or so employed by any public utility company as defined in section 48:2-13 of

the Revised Statutes, and under the jurisdiction of the Board of Public Utilities of this State, in so far as their duties as such investigators are concerned.

(b) No person, firm, company, partnership, corporation, or any bureau or agency excepted hereunder from the application of this article shall perform any manner of detective service as described in section one hereof, for any other person, firm, company, partnership, corporation, bureau or agency whether for fee, hire, reward, other compensation, remuneration or consideration or as an accommodation without fee or reward or remuneration or by a reciprocal arrangement whereby such services are exchanged on request of party thereto.

(c) Justices of the peace, special police officers and constables before conducting private investigations for fee, hire or reward, shall comply with the provisions of this act.

17. Any person, firm, company, partnership or corporation, incorporated or licensed under the laws of any other state, and intending to conduct the business of detective or detective agency within this State, shall, for each bureau or agency and for each and every sub-agency, office and branch office to be owned, conducted, managed or maintained by such person, firm, company, partnership or corporation from which such business is conducted within this State, file in the office of the Superintendent of State Police a written application, duly signed and verified and obtain a license as hereinbefore provided, and shall be subject to all the provisions of this act.

18. Licenses issued prior to the passage of this act shall continue in force until the expiration of said license, but, however, such licensees shall be subject to all of the provisions of this act.

19. The Superintendent of State Police is hereby authorized to use such members of the Department of State Police as he may deem necessary to enable him to carry out the provisions of this act and to enforce compliance therewith.

A185(1939)
c L 1939, c 369



20. A violation of this act or any part thereof shall be cause for revocation of any license issued hereunder and the Superintendent of State Police shall have power to revoke any license issued under the provisions of this act for cause shown, after a hearing has been granted.

21. Should any section or provision of this act be held to be invalid by any court of competent jurisdiction, the same shall not affect the validity of the act as a whole or any part thereof other than the portion so held to be invalid.

22. This act shall take effect July first, one thousand nine hundred and thirty-nine.

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STATEMENT

The purpose of this act is to regulate the business of private detective and private detective agencies and to provide such regulations as will establish the business of private detectives on that high plane which will deserve the confidence and respect of the citizens of the State of New Jersey, and at the same time protect all persons engaged in the business of private detective against interlopers, racketeers and irresponsible persons who would use their business as private detective to cover up criminal activities and malicious impositions on the public.

1948

# SENATE, No. 163

# STATE OF NEW JERSEY

INTRODUCED FEBRUARY 16, 1948

By Mr. BARTON

Referred to Committee on Public Safety

AN ACT to amend "An act to license and regulate the business of private detectives and private detective agencies, and providing penalties for violation of its provisions," approved November eighteenth, one thousand nine hundred and thirty-nine (P. L. 1939, c. 369).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section five of the act of which this act is amendatory is amended to read as follows:

5. The superintendent, when satisfied from the examination of any application and such further inquiry and investigations as he shall deem proper as to the good character, competency and integrity of the applicant and the persons named in the application, shall issue and deliver to the applicant a license to conduct such business, and to own, conduct or maintain one or more bureaus, agencies, subagencies, offices or branch offices for the conduct of such business at the location stated in said application, together with as many copies of said license as there are to be offices, bureaus, agencies, subagencies, offices or branch offices, upon the payment by the applicant to the superintendent of a license fee which in the case of an individual shall be two hundred dollars ($200.00), and in the case of a firm, association or corporation shall be three hundred dollars ($300.00), and upon the applicant executing and delivering to the superintendent a bond, with a surety com-

pany authorized to be surety in the State of New Jersey, as surety, and approved as to form, manner of execution and sufficiency by the superintendent of the State Police, running to the State of New Jersey and which shall be for the benefit of any person injured by willful, malicious or wrongful act of the applicant, with one or more sufficient sureties, which in the case of an individual shall be three thousand dollars ($3,000.00), and in the case of a firm, association or corporation five thousand dollars ($5,000.00), which said bond shall be conditioned for the faithful and honest conduct of such business by the applicant. The license so granted by the superintendent shall be valid for a period of five years but shall be revocable by the superintendent after hearing for cause. In case of revocation or surrender of any license, no refund shall be made of any license fee paid under the provisions hereof. The license shall be in a form to be prescribed by the superintendent and shall set forth the full name of the applicant, the location of the principal office or place of business, and the location of each bureau, agency, subagency, office or branch office for which the license is issued, date on which it is issued, the date on which it will expire, and the name or names of the persons named in the application, and their respective addresses. In the event of any change in the membership of the firm or in the officers or directors of any association or corporation or any change in the address of any office or location of such business the superintendent shall be notified in writing of such change within five days thereafter, and failure to give such notification shall be sufficient cause for revocation of such license.

No license shall be issued to a person under the age of twenty-five years, nor to any person, firm, association or corporation unless such person or at least one member of the firm and one officer or director of the association or corporation has had at least [three] five years' experience as an investigator or as a police officer with an organized police department of the State or a county or municipality thereof, or with an investigative agency of the United States of America or any State, county or municipality thereof.

The superintendent and all members of the State Police shall hold as confidential all information obtained as a result of any investigation of any applicant or officer, assistant, or employee of any holder of any license issued under the provisions of this act, and the same shall not be divulged except by an order so to do by a court of record of this State.

2. Section eight of the act of which this act is amendatory is amended to read as follows:

8. The holder of any license issued under the provisions of this act may employ to assist him in his work and in the conduct of his business as many persons as he may deem necessary, and he shall at all times during such employment be accountable for the good conduct in the business of each and every person so employed. No such employee need be the holder of a license issued under this act, but his employer shall be responsible for his actions and conduct in connection with such employer's business. Should the holder of a license falsely state or represent that any person is or has been in his employ, such false statement or misrepresentation shall be sufficient cause for the revocation of such license. Any person falsely stating or representing that he is or has been a detective employed by a private detective business licensed under this act shall be guilty of a misdemeanor. Any person who may be or has been employed by the holder of a license under this act shall not divulge to anyone other than his employer, or in such manner and to such person as his employer shall direct, any information acquired by him during such employment in respect to any work to which he shall have been assigned by such employer, except as such disclosure may be required by the provisions of this act or in connection with any investigation of a licensee by the superintendent. Any person violating any of the provisions of this section, and any employee of a licensed private detective business who shall willfully make a false report or statement to his employer in respect to any matter or thing connected with his employment shall be guilty of a misdemeanor. The holder of any license issued under the provisions of this act shall furnish the name, age, residence, pres-

S165(1948)
L. 1948, c. 152



ent and previous occupation, and place of birth of his or its officers, assistants and employees, and such other facts as may be required by the superintendent as will tend to show their character, competency and integrity.

3. This act shall take effect immediately.

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STATEMENT

The object of this bill is to strengthen the private detective law by making it necessary for an applicant for a license to file a surety bond approved by the Superintendent of the State Police and making it possible for the Superintendent of the State Police to investigate the character, competency and integrity of the officers, assistants and employees of license holders.

L. 1948, C. 152

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COMMITTEE SUBSTITUTE FOR

# SENATE, No. 163

# STATE OF NEW JERSEY

ADOPTED MARCH 15, 1948

AN ACT to amend "An act to license and regulate the business of private detectives and private detective agencies, and providing penalties for violation of its provisions," approved November eighteenth, one thousand nine hundred and thirty-nine (P. L. 1939, c. 369).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section five of the act of which this act is amendatory is amended to read as follows:

5. The superintendent, when satisfied from the examination of any application and such further inquiry and investigations as he shall deem proper as to the good character, competency and integrity of the applicant and the persons named in the application, shall issue and deliver to the applicant a license to conduct such business, and to own, conduct or maintain one or more bureaus, agencies, subagencies, offices or branch offices for the conduct of such business at the location stated in said application, together with as many copies of said license as there are to be offices, bureaus, agencies, subagencies, offices or branch offices, upon the payment by the applicant to the superintendent of a license fee which in the case of an individual shall be two hundred dollars ($200.00), and in the case of a firm, association or corporation shall be three hundred dollars ($300.00), and upon the applicant executing and delivering to the superintendent a bond with a surety company authorized to be surety in the State of New Jersey, as surety, and approved as to form, manner of execution and sufficiency by the superintendent of the State Police, running to the State of New Jersey and which shall be for the benefit of any person injured by willful, malicious or wrong-

ful act of the applicant (with a sufficient surety bond), which in the case of an individual shall be three thousand dollars ($3,000.00), and in the case of a firm, association or corporation five thousand dollars ($5,000.00), which said bond shall be conditioned for the faithful and honest conduct of such business by the applicant. The license so granted by the superintendent shall be valid for a period of five years but shall be revocable by the superintendent after hearing for cause. In case of revocation or surrender of any license, no refund shall be made of any license fee paid under the provisions hereof. The license shall be in a form to be prescribed by the superintendent and shall set forth the full name of the applicant, the location of the principal office or place of business, and the location of each bureau, agency, subagency, office or branch office for which the license is issued, date on which it is issued, the date on which it will expire, and the name or names of the persons named in the application, and their respective addresses. In the event of any change in the membership of the firm or in the officers or directors of any association or corporation or any change in the address of any office or location of such business the superintendent shall be notified in writing of such change within five days thereafter, and failure to give such notification shall be sufficient cause for revocation of such license.

No license shall be issued to a person under the age of twenty-five years, nor to any person, firm, association or corporation unless such person or at least one member of the firm and one officer or director of the association or corporation has had at least five years' experience as an investigator or as a police officer with an organized police department of the State or a county or municipality thereof, or with an investigative agency of the United States of America or any State, county or municipality thereof.

The superintendent and all members of the State Police shall hold as confidential all information obtained as a result of any investigation of any applicant or officer, assistant, or employee of any holder of any license issued under the provisions of this act, and the same shall not be divulged except by an order so to do by a court of record of this State.

2. Section eight of the act of which this act is amendatory is amended to read as follows:

8. The holder of any license issued under the provisions of this act may employ to assist him in his work and in the conduct of his business as many persons as he may deem necessary, and he shall at all times during such employment be accountable for the good conduct in the business of each and every person so employed. No such employee need be the holder of a license issued under this act, but his employer shall be responsible for his actions and conduct in connection with such employer's business. Should the holder of a license falsely state or represent that any person is or has been in his employ, such false statement or misrepresentation shall be sufficient cause for the revocation of such license. Any person falsely stating or representing that he is or has been a detective employed by a private detective business licensed under this act shall be guilty of a misdemeanor. Any person who may be or has been employed by the holder of a license under this act shall not divulge to anyone other than his employer, or in such manner and to such person as his employer shall direct, any information acquired by him during such employment in respect to any work to which he shall have been assigned by such employer, except as such disclosure may be required by the provisions of this act or in connection with any investigation of a licensee by the superintendent. Any person violating any of the provisions of this section, and any employee of a licensed private detective business who shall willfully make a false report or statement to his employer in respect to any matter or thing connected with his employment shall be guilty of a misdemeanor.

The prosecutor of the pleas of the county in which any conviction for a violation of any provision of this act shall, within ten days thereafter, make and file with the superintendent a report showing the date of such conviction, the name of the person convicted and the nature of the charge.

3. Section nine of the act of which this act is amendatory is amended to read as follows:

No holder of any unexpired license issued pursuant to this act shall knowingly employ in connection with his or its business in any capacity whatsoever, any person who has been convicted of a high misdemeanor or any of the following misdemeanors, or offenses, and who has not subsequent to such conviction received executive pardon therefor removing any civil disabilities incurred thereby, to wit: (a) illegally using, carrying or possessing a pistol or other dangerous weapon; (b) making or possessing burglar's instruments; (c) buying or receiving stolen property; (d) unlawful entry of a building; (e) aiding escape from prison; (f) unlawfully possessing or distributing habit-forming narcotic drugs; (g) any person whose private detective or investigator's license was revoked or application for such license was denied by the superintendent or by the authorities of any other State or territory because of conviction of any of the crimes or offenses specified in this section. Should the holder of an unexpired license falsely state or represent that a person is or has been in his employ, such false statement or misrepresentation shall be sufficient cause for the revocation of such license.

No person shall be employed by any holder of a license until he shall have executed and furnished to such license holder a verified statement, to be known as "employee's statement," setting forth:

(a) His full name, age, residence address, and place of and date of birth.

(b) The country of which he is a citizen.

(c) The business or occupation engaged in for the five years immediately preceding the date of the filing of the statement, setting forth the place or places where such business or occupation was engaged in, and the name or names of employers, if any.

(d) That he has not been convicted of a high misdemeanor or of any offense involving moral turpitude or of any of the misdemeanors or offenses described in this section.

(e) Such further information as the superintendent may by rule require to show the good character, competency, and integrity of the person executing the statement.

Immediately upon the verification of an employee's statement, the holder of a license by whom such person has been or is to be employed shall cause three sets of fingerprints of the two hands of such person to be recorded in such manner as the superintendent may by rule prescribe. The holder of a license shall immediately stamp in indelible ink the employee's statement and each set of fingerprints with the name, year and license number of such holder and a number, which number shall be determined by the number of such statements furnished to such holder and shall be in numerical sequence.

The holder of a license shall affix one set of such fingerprints to the employee's statement in such manner that the prints can be examined without disclosing the contents of the employee's statement and shall retain such statement and prints so long as he shall be licensed under this act.

The holder of a license shall file the other two sets of fingerprints with the superintendent by forwarding the same by registered mail to the office of the superintendent, Trenton, New Jersey, within forty-eight hours of such employment.

Within five days after the filing of such fingerprints the superintendent shall cause such fingerprints to be compared with fingerprints filed with the State bureau of identification and, if he finds any record affecting such prints, he shall immediately notify the holder of such license and shall also refer the matter to the prosecutor of the pleas of the county in which the employee resides. The superintendent may also from time to time cause such fingerprints to be checked against the fingerprints filed with the State bureau of identification or of other official fingerprint files within or without this State, and if he finds that such person has been convicted of a high misdemeanor or any other offense specified in this section he shall immediately notify the holder of such license and shall also refer the matter to

the prosecutor of the pleas of the county in which the employee resides. The superintendent shall at all times be given access to and may from time to time examine the fingerprints retained by the holder of a license as provided in this section.

If any holder of a license shall file with the superintendent the fingerprints of a person other than the person so employed, he shall be guilty of a misdemeanor.

4. This act shall take effect immediately.

L. 1939, c. 568

# ASSEMBLY, No. 184

# STATE OF NEW JERSEY

INTRODUCED FEBRUARY 13, 1939

By Mr. FARLEY

Referred to Committee on Ways and Means

AN ACT concerning county detectives, and repealing chapter nineteen of Title 45 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Sections 45:19–1 to 45:19–7, inclusive, of the Revised Statutes are hereby repealed.

2. This act shall take effect July first, one thousand nine hundred and thirty-nine.

## STATEMENT

The purpose of this act is to repeal all acts concerning private detectives and to enact a law concerning private detectives which shall be the only law on the subject. A bill for that purpose is being introduced as a companion bill to this repealer act.

L. 1906, C. 288

# ASSEMBLY, No. 231.

# STATE OF NEW JERSEY.

INTRODUCED FEBRUARY 19, 1906,

By Mr. HINES.

Referred to Committee on Judiciary.

AN ACT to license and regulate the business of private detectives and detective agencies.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. No person or co-partnership shall engage in the business of private detective for hire or reward, or advertise such business to be that of detective, or as conducting a detective agency, without having first obtained a license so to do as hereinafter provided from the comptroller of the State of New Jersey, and no person or co-partnership or corporation shall engage in the business for hire and reward of furnishing or supplying information as to the personal character of any person or firm, or as to the character or kind of the business and occupation of any person, firm or corporation, or own or conduct a bureau or agency for the above-mentioned purposes, except as to the financial rating of persons, firms or corporations, without having first obtained a license so to do as hereinafter provided from the comptroller of the State of New Jersey.

2. Any person intending to conduct the business of detective or detective agency, and any person intending to conduct the business of furnishing or supplying information as to the personal character of any person or firm, or as to the character or kind of business and occupation of any person, firm or corporation, or own or manage a bureau or agency for the above-mentioned purposes except as to financial rating of persons, firms or corporations, shall present to the Comptroller of

the State and file in his office a written application duly signed and verified by such person and approved by not less than five reputable citizens, freeholders of the county where such applicant resides or where it is proposed to conduct such business, which approval shall be signed by such freeholders and acknowledged by them before an officer authorized to take acknowledgments of deeds. Such application shall state the age, residence, present and previous occupation of such applicant, and the name of the city, town or village where the principal place of business is to be located, and such further facts as will tend to show the good character, competency and integrity of such applicant. The comptroller, when satisfied from an examination of such application, and such further inquiry and investigation as he shall deem proper, of the good character, competency and integrity of such applicant shall issue and deliver to such applicant a license to conduct such business upon the applicant's paying to the Comptroller for the use of the State a license fee of one hundred dollars, and upon his executing, delivering and filing in the office of said Comptroller a bond to be executed by such applicant, with one or more sureties in the sum of two thousand dollars, conditioned for the faithful and honest conduct of such business by such applicant, which bond, as to its form, manner of execution and sufficiency of the security, must be approved by the said Comptroller. The license granted pursuant to this act shall last for the period of five years, but shall be revocable at all times by the Comptroller for cause shown. Such bond shall be given to the State of New Jersey, and any person injured by the wilful, malicious and wrongful acts of the principal may bring an action on said bond in his own name to recover damages suffered by reason of such wilful, malicious and wrongful act.

3. In case two or more persons composing or intending to compose a co-partnership wish to carry on such business, such application must be signed and verified by all the individuals composing or intending to compose such co-partnership, and must be approved by five freeholders as provided hereinafter, and in case the comptroller shall grant the application, a license shall be issued to such co-partnership upon the payment of a license fee of one hundred and fifty dollars and upon

the execution, delivery, approval and filing of the bond provided for in the foregoing section, which bond, however, shall be in the sum of three thousand dollars.

4. Nothing in this act shall apply to employes of such duly licensed private detective or detective agencies, for whose good conduct in the business, however, the employers shall be responsible, or to any detective or officer belonging to the police force of the State, or any county, city, town or village thereof appointed or elected by due authority of law, nor shall anything in this act be construed to affect in any way attorneys or counsellors at law in the regular practice of their profession.

5. Nothing herein contained shall impair or annul any vested rights, privileges or powers heretofore obtained and used under authority of an act entitled "An act to authorize the formation of pursuing and detective companies, approved March twenty-ninth, one thousand eight hundred and seventy-eight," and the several supplements thereto and all said pursuing and detective companies which have heretofore availed themselves of the provisions of said acts may continue to enjoy the rights and advantages which they now enjoy and exercise by virtue thereof.

6. Any person violating any of the provisions of this act shall be guilty of a misdemeanor.

7. This act shall take effect immediately.

L 1925, C. 42

# ASSEMBLY, No. 179

(*P. L. 1924, Chapter 214.*)

# STATE OF NEW JERSEY

INTRODUCED FEBRUARY 3, 1925.

By Miss THROPP.

Referred to Committee on Bill Revision.

AN ACT to amend an act entitled "An act to license and regulate the business of private detectives and detective agencies, and to provide that the violation of any provision hereof shall be a misdemeanor," approved March twelfth, one thousand nine hundred and twenty-four.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section three of the act of which this act is an amendment is hereby amended so as to read as follows:

3. The Comptroller of the Treasury of this State when satisfied, from an examination of any application submitted to him as above and from such further inquiry and investigation as he shall deem proper, as to the good character, competency and integrity of any applicant hereunder, [may] in his discretion, may issue and deliver to any person, copartnership or corporation applying, as aforesaid, a license to conduct the business or businesses described in section two of this act, upon the applicant's paying to the Comptroller, for the State to defray the cost of regulation, in the case of a person, a license fee of one hundred dollars, and in the case of a copartnership or a corporation, a license fee of one hundred and fifty dollars, and upon the applicant's executing, delivering and filing with the said Comptroller, in the case of a person, a bond, with one or more sufficient sureties, in the sum of two thousand dollars, and in the case of a copartnership or a corporation a bond, with one or more sufficient sureties, in the sum of three thousand dollars, said bonds being conditioned for the faithful and honest conduct of such business by such person, copartnership or

A174(1925)
L1925, c42



corporation, which bond, as to its form and kind and sufficiency of security thereon, must be approved by the said Comptroller of the Treasury. A license granted pursuant to this act shall be for a period of five years, but shall be revocable by the Comptroller at all times for cause shown; and in the event of such revocation, or in the event of a surrender or other termination of such license, no refund shall be made in respect of any license fee paid. Such bond shall be given to the State of New Jersey, and any person injured by any act in the conduct of said business for which the license is legally answerable may bring an action on said bond in his own name to recover any damages sustained by reason of such unlawful act.

2. This act shall take effect immediately.

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STATEMENT.

The object of this amendment is to insert in the statute the phrase "as to the good character, competency and integrity of any applicant hereunder" which phrase was inadvertently omitted from the draft of the act as enacted into law in the year 1924.

L. 1924, C. 214.

# SENATE, NO. 219

*(P. L. 1906, p. 640.)*

# STATE OF NEW JERSEY

INTRODUCED JANUARY 28, 1924.

By Mr. BLACKWELL.

Referred to Committee on Finance.

AN ACT to amend an act entitled "An act to license and regulate the business of private detectives and detective agencies," approved May twenty-second, one thousand nine hundred and six, and to amend the title of said act so as to declare a violation of any of the provisions of the act to be a misdemeanor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The title of an act entitled "An act to license and regulate the business of private detectives and detective agencies," approved May twenty-second, one thousand nine hundred and six, is hereby amended to read as follows:

An act to license and regulate the business of private detectives and detective agencies and to provide that the violation of any provision hereof shall be a misdemeanor.

2. Section one of the act to which this act is amendatory be and the same is hereby amended to read as follows:

1. Hereafter, except under license of the Comptroller of the Treasury of this State as provided herein, no person, copartnership or corporation shall engage for hire or reward in the business of private detective, or advertise any business to be that of detective or of detective agency, and no person, copartnership or corporation shall engage, for hire or reward, in the business of furnishing or supplying information as to the personal character of any person or copartnership or as to the character or kind of business and occupation of any person, copartnership or

corporation, or own, or conduct, or maintain a bureau or agency for any of the above named purposes.

[1. No person or copartnership shall engage in the business of private detective for hire or reward, or advertise such business to be that of detective, or as conducting a detective agency without having first obtained a license so to do as hereinafter provided from the Comptroller of the State of New Jersey, and no person or copartnership or corporation shall engage in the business for hire and reward of furnishing or supplying information as to the personal character of any person or firm, or as to the character or kind of the business and occupation of any person, firm or corporation, or own or conduct a bureau or agency for the above-mentioned purposes, except as to the financial rating of persons, firms or corporations, without having first obtained a license so to do as hereinafter provided from the Comptroller of the State of New Jersey.]

3. Sections two and three of the act to which this act is amendatory be and the same are hereby amended to read as follows:

2. Any person, copartnership or corporation desirous of conducting, under license of the Comptroller of this State, the business of detective or detective agency, and any person, copartnership or corporation desirous of conducting, under license of the Comptroller of this State, the business of furnishing or supplying information as to the personal character of any person or copartnership, or as to the character or kind of business and occupation of any person, copartnership or corporation, or desirous of establishing, conducting or maintaining a bureau or agency for any of the above-mentioned purposes, except as to the financial rating of persons, copartnerships or corporations, shall present to the Comptroller a written application for a license in manner and form as follows:

(A) If the applicant is a person, the application shall be signed and verified by him, and shall be approved by not less than five reputable citizens, freeholders of the county where such person resides, or of the county in which it is proposed to conduct such business, which approval shall be acknowledged by said citizens before an officer authorized to take acknowledgments of deeds of land in this State. The application shall set forth the age, residence, present and previous occupation of

such applicant, and the name of the city or place where the principal place of business is to be located, and shall set forth such further facts as will tend to show the character, competency and integrity of the applicant.

(B) If the applicants are copartners, the application shall be signed and verified by all the copartners, and shall be likewise approved as to each person to signing the same by not less than five reputable citizens, freeholders of the county where such applicant resides, or of the county in which it is proposed to conduct such business, and which approval shall be acknowledged by said citizens before an officer authorized to take acknowledgments of deeds of land in this State. The application shall set forth the age, residence, present and previous occupations of each of such applicants, and the name of the city or place where the principal place of business is to be located, and shall set forth such further facts as will tend to show the character, competency and integrity of such applicants.

(C) If the applicant is a corporation, the application shall be signed and verified by each member of the board of directors of the corporation, and shall set forth the name of the corporation, the date and place of its incorporation, the location of its principal place of business and the name of the city or other place, stating the street and building number where the said business is to be located. The matters and things required in the application in the case of an individual, as provided in subdivision "A" of this act, shall apply to the board of directors of such corporation, and each member of said board of directors and his successor shall, prior to entering upon the discharge of his duties, sign and verify a like statement approved in like manner as is by said subdivision "A" prescribed in the case of a person making application as aforesaid.

3. The Comptroller of the Treasury of this State, when satisfied from an examination of any application submitted to him, as above, and from such further inquiry and investigation as he shall deem proper, may in his discretion issue and deliver to any person, copartnership or corporation applying, as aforesaid, a license to conduct the business or businesses described in section two of this act, upon the applicant's paying to the Comptroller, for the State to defray the cost of regulation, in the case of a person, a license fee of one hundred dollars, and in the case of a

copartnership or a corporation, a license fee of one hundred and fifty dollars, and upon the applicant's executing, delivering and filing with the said Comptroller, in the case of a person, a bond, with one or more sufficient sureties, in the sum of two thousand dollars, and in the case of a copartnership or a corporation a bond, with one or more sufficient sureties, in the sum of three thousand dollars, said bonds being conditioned for the faithful and honest conduct of such business by such person, copartnership or corporation, which bond, as to its form and kind and sufficiency of securety thereon, must be approved by the said Comptroller of the Treasury. A license granted pursuant to this act shall be for a period of five years, but shall be revocable by the Comptroller at all times for cause shown; and in the event of such revocation, or in the event of a surrender or other termination of such license, no refund shall be made in respect of any license fee paid. Such bond shall be given to the State of New Jersey, and any person injured by any act in the conduct of said business for which the licensee is legally answerable may bring an action on said bond in his own name to recover any damages sustained by reason of such unlawful act.

[2. Any person intending to conduct the business of detective or detective agency, and any person intending to conduct the business of furnishing or supplying information as to the personal character of any person or firm, or as to the character or kind of business and occupation of any person, firm or corporation, or own or manage a bureau or agency for the above-mentioned purposes, except as to financial rating of persons, firms or corporations, shall present to the Comptroller of the State and file in his office a written application duly signed and verified by such person and approved by not less than five reputable citizens, freeholders of the county where such applicant resides or where it is proposed to conduct such business, which approval shall be signed by such freeholders and acknowledged by them before an officer authorized to take acknowledgments of deeds. Such application shall state the age, residence, present and previous occupation of such applicant, and the name of the city, town or village where the principal place of business is to be located, and such further facts as will tend to show the good character, competence and integrity of such applicant. The Comptroller, when satisfied from an examination of such application, and such further inquiry and investigation as he shall deem

proper, of the good character, competency and integrity of such applicant, shall issue and deliver to such applicant a license to conduct such business upon the applicant's paying to the Comptroller for the use of the State a license fee of one hundred dollars, and upon his executing, delivering and filing in the office of said Comptroller a bond to be executed by such applicant, with one or more sureties in the sum of two thousand dollars, conditioned for the faithful and honest conduct of such business by such applicant, which bond, as to its form, manner of execution and sufficiency of the securety, must be approved by the said Comptroller. The license granted pursuant to this act shall last for the period of five years, but shall be revocable at all times by the Comptroller for cause shown. Such bond shall be given to the State of New Jersey, and any person injured by the willful, malicious and wrongful acts of the principal may bring an action on said bond in his own name to recover damages suffered by reason of such willful, malicious and wrongful act.]

[3. In case two or more persons composing or intending to compose a copartnership wish to carry on such business, such application must be signed and verified by all the individuals composing or intending to compose such copartnership, and must be approved by five freeholders as provided hereinbefore, and in case the Comptroller shall grant the application, a license shall be issued to such copartnership upon the payment of a license fee of one hundred and fifty dollars, and upon the execution, delivery, approval and filing of the bond provided for in the foregoing section, which bond, however, shall be in the sum of three thousand dollars.]

4. Nothing herein contained is intended to apply to the persons or associations referred to in section four and in section five of the act of which this act is an amendment; nor to associations organized under an act entitled "An act to incorporate associations not for pecuniary profit," approved April twenty-first, one thousand eight hundred and ninety-eight, and the acts amendatory thereof and supplementary thereto, and the agents or employees of any such association; nor to the corporations organized under an act entitled "An act to incorporate the New Jersey Detective Association," approved April fourth, one thousand eight hundred and seventy-one; nor to any person or persons to whom a license has been granted under the provisions of the act to which this act is an amendment during the period

S 219 (1924)
L 1924, c 214

for which said license was granted; nor to any person or corporation engaged in the business of obtaining and furnishing the financial rating of persons and corporations.

5. Section six of the act to which this act is amendatory be and the same is hereby repealed.

6. Section seven of the act to which this act is amendatory be and the same is hereby amended to read as follows:

7. Any person violating any of the provisions of this act shall be guilty of a misdemeanor.

[7. Any person violating any of the provisions of this act shall be guilty of a misdemeanor; nor shall anything in this act be held or construed as applying to any corporation not incorporated for pecuniary profit or to any agents or employees of any such corporation.]

7. This act shall take effect immediately.

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STATEMENT.

This amendment is for the purpose of permitting the granting of licenses under the provisions of this act to corporations, and, further, to bring within the provisions of the act persons engaged in the detective business who do not advertise or hold themselves out as detectives or detective bureaus operating under a license of the Comptroller, it appearing from a reading of section six of the act to which this act is an amendment that such persons only who hold themselves out as operating under a license of the Comptroller are within the prohibition of the act to which this act is an amendment.