

CHAPTER 83--H.F.No. 4151

An act relating to occupations; modifying eligibility of certain applicants for licenses to serve as private detectives or protective agents; amending Minnesota Statutes 2024, sections 326.32, subdivisions 8, 10, 10a, 10c, 12; 326.33, subdivision 1; 326.3381, subdivisions 2, 4; 326.3382, subdivisions 1, 4; 326.3385, subdivision 2; 326.3386, subdivision 3.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2024, section 326.32, subdivision 8, is amended to read:

Subd. 8. **Applicant.** "Applicant" means any individual, ~~partnership~~ or corporation who has made application for a private detective or protective agent license.

Sec. 2. Minnesota Statutes 2024, section 326.32, subdivision 10, is amended to read:

Subd. 10. **License holder.** "License holder" means any individual, ~~partnership as defined in section 323A.0101, clause (8),~~ or corporation licensed to perform the duties of a private detective or a protective agent.

Sec. 3. Minnesota Statutes 2024, section 326.32, subdivision 10a, is amended to read:

Subd. 10a. **Minnesota manager.** "Minnesota manager" means the member of a ~~partnership or~~ corporation; who meets the qualifications for licensing as provided in sections 326.32 to 326.339. The Minnesota manager must be actively involved in the day to day management and supervision of the licensed activity in the Minnesota office.

Sec. 4. Minnesota Statutes 2024, section 326.32, subdivision 10c, is amended to read:

Subd. 10c. **Proprietary employer.** A "proprietary employer" means an individual, ~~partnership,~~ or a corporation that is not engaged in the business of providing protective agents but employs individuals to serve as security guards solely on the employer's property and its curtilage.

Sec. 5. Minnesota Statutes 2024, section 326.32, subdivision 12, is amended to read:

Subd. 12. **Qualified representative.** "Qualified representative" means the member of a ~~partnership or~~ corporation; who meets the qualifications for licensing as provided in sections 326.32 to 326.339. The qualified representative must be actively involved in the day to day management and supervision of the licensed activity.

Sec. 6. Minnesota Statutes 2024, section 326.33, subdivision 1, is amended to read:

Subdivision 1. **Members.** There is hereby created a Board of Private Detective and Protective Agent Services, consisting of the superintendent of the Bureau of Criminal Apprehension or an assistant superintendent designated by the superintendent, and the following members appointed by the commissioner of public safety: a licensed protective agent, or qualified representative for a licensed protective agent ~~partnership or~~ corporation; a licensed private detective, or qualified representative for a licensed private

detective ~~partnership or corporation~~; and two public members. Filling of member vacancies shall be the responsibility of the commissioner of public safety. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of staff, unless otherwise provided in sections 326.32 to 326.339; administrative services and office space; the review and processing of complaints; the setting of board fees, unless otherwise provided in sections 326.32 to 326.339; and other provisions relating to board operations shall be as provided in chapter 214.

Sec. 7. Minnesota Statutes 2024, section 326.3381, subdivision 2, is amended to read:

Subd. 2. **Application procedure.** The board shall issue a license upon application to any person qualified under sections 326.32 to 326.339 and under the rules of the board to engage in the business of private detective or protective agent. The license shall remain effective for two years as long as the license holder complies with sections 326.32 to 326.339, the laws of Minnesota, and the rules of the board. Upon receipt of an application for private detective or protective agent license, the board shall:

- (1) post notice of the application in its office for a period of 20 days, and notify all persons who have requested notification of applications;
- (2) conduct an investigation as it considers necessary to determine the qualifications of the applicant, qualified representative, Minnesota manager, and, if appropriate, a ~~partner or corporate officer~~; and
- (3) notify the applicant of the date on which the board will conduct a review of the license application.

Sec. 8. Minnesota Statutes 2024, section 326.3381, subdivision 4, is amended to read:

Subd. 4. **Business entity applicant.** If the applicant for a license is a corporation ~~or partnership, one member,~~ the chief executive officer, the chief financial officer, the qualified representative, and the Minnesota manager, if one exists, of that corporation ~~or partnership~~ must meet the licensing requirements in sections 326.32 to 326.339, including the requirements of subdivision 3, paragraph (b).

Sec. 9. Minnesota Statutes 2024, section 326.3382, subdivision 1, is amended to read:

Subdivision 1. **Application form.** (a) Application for a private detective or protective agent license shall be made on a form prescribed by the board. Each applicant shall provide the following information:

- (1) the full name, date of birth, and sex of each person signing the application, and the residences of those persons for the past five years;
- (2) all past and present occupations and employers, length of employment, and the name, address, and telephone numbers of supervisors for all persons signing the application;
- (3) the address or a description indicating the location of the place of business of the applicant;
- (4) a statement indicating that each person signing the application has attained the age of 18;
- (5) if the applicant is a corporation, the name of the corporation, the date and place of incorporation, and the location of its principal place of business or registered office in its state of incorporation; and
- (6) further facts as may be required by the board to show the good character, competency, and integrity of each person signing the application; ~~and.~~

(b) Each application shall be signed and acknowledged as follows:

(1) if the applicant is an individual, by the individual; or

~~(2) if the applicant is a partnership, by each partner, one of whom must be a qualified representative; or~~

~~(3)~~ (2) if the applicant is a corporation, by the chief executive officer, chief financial officer, and the qualified representative of the corporation. If the principal place of the applicant's business is outside Minnesota, the application shall also include the signature of the Minnesota manager.

Sec. 10. Minnesota Statutes 2024, section 326.3382, subdivision 4, is amended to read:

Subd. 4. **License disqualification.** Unlicensed activity will not be considered as legitimate experience for qualification in being licensed. An individual, ~~partnership,~~ a corporation, a qualified representative, or a Minnesota manager engaged in the business of a private detective or protective agent without a license issued by the board is prohibited from applying for licensing for a period of one year from the date of a finding of the violation.

Sec. 11. Minnesota Statutes 2024, section 326.3385, subdivision 2, is amended to read:

Subd. 2. **Notice of successor.** (a) ~~A corporate or partnership~~ license holder shall, within seven days of the death, resignation, or removal of a person signing the license application, give written notice to the board of the change and the name and address of the successor in the vacated position.

(b) Within seven days of the death, resignation, or removal of a person signing the license application for a ~~partnership or~~ corporate license holder, the successor qualified representative, ~~partner,~~ Minnesota manager, chief executive officer, or chief financial officer who shall qualify under the same procedure and criteria, ~~and~~ must submit the documents required, as for an original application.

Sec. 12. Minnesota Statutes 2024, section 326.3386, subdivision 3, is amended to read:

Subd. 3. **Designation fee.** When a licensed private detective or protective agent who is a ~~partnership or~~ corporation, desires to designate a new qualified representative or Minnesota manager, a fee equal to one-half of the license fee shall be submitted to the board.

Presented to the governor May 11, 2026

Signed by the governor May 12, 2026, 12:40 p.m.