**PRIVATE INVESTIGATOR’S LICENSING BOARD**

**NRS 648.020  Creation; members; Chair; salary of members; per diem allowance and travel expenses of members and employees.**

      1.  The Private Investigator’s Licensing Board, consisting of five members appointed by the Governor, is hereby created.

      2.  The Governor shall appoint:

      (a) One member who is a private investigator.

      (b) One member who is a private patrol officer.

      (c) One member who is a polygraphic examiner.

      (d) Two members who are representatives of the general public. These members must not be:

             (1) A licensee; or

             (2) The spouse or the parent or child, by blood, marriage or adoption, of a licensee.

      3.  The members of the Board shall elect a Chair of the Board from among its members by majority vote. After the initial election, the Chair shall hold office for a term of 2 years beginning on July 1 of each year. If a vacancy occurs in the office of Chair, the members of the Board shall elect a Chair from among its members for the remainder of the unexpired term.

      4.  Each member of the Board is entitled to receive:

      (a) A salary of not more than $150, as fixed by the Board, for each day or portion of a day during which the member attends a meeting of the Board; and

      (b) A per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.

      5.  While engaged in the business of the Board, each employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board.

6. All compensation, per diem allowances, and travel expenses of the members and employees of the Board must be paid out of the money of the Board.

      [17:85:1947; A [1953, 323](https://www.leg.state.nv.us/Statutes/46th1953/Stats195302.html#Stats195302page323)] — (NRS A [1967, 179](https://www.leg.state.nv.us/Statutes/54th/Stats196701.html#Stats196701page179), [1358](https://www.leg.state.nv.us/Statutes/54th/Stats196707.html#Stats196707page1358); [1969, 851](https://www.leg.state.nv.us/Statutes/55th/Stats196905.html#Stats196905page851); [1977, 1260](https://www.leg.state.nv.us/Statutes/59th/Stats197706.html#Stats197706page1260); [1981, 1637](https://www.leg.state.nv.us/Statutes/61st/Stats198109.html#Stats198109page1637); [1985, 1333](https://www.leg.state.nv.us/Statutes/63rd/Stats198506.html#Stats198506page1333); [1987, 2136](https://www.leg.state.nv.us/Statutes/64th/Stats198709.html#Stats198709page2136); [1989, 1705](https://www.leg.state.nv.us/Statutes/65th/Stats198909.html#Stats198909page1705); [2003, 1199](https://www.leg.state.nv.us/Statutes/72nd/Stats200309.html#Stats200309page1199); [2007, 1091](https://www.leg.state.nv.us/Statutes/74th/Stats200710.html#Stats200710page1091), [2959](https://www.leg.state.nv.us/Statutes/74th/Stats200724.html#Stats200724page2959))

**NRS 648.025  Employment of Executive Director, investigators and clerical personnel.**

      1.  The Board may:

      (a) Employ an Executive Director who:

             (1) Is the chief administrative officer of the Board;

             (2) Serves at the pleasure of the Board; and

             (3) Shall perform such duties as the Board may prescribe; and

      (b) Employ investigators and clerical personnel necessary to carry out the provisions of this chapter.

      2.  The Board shall establish the compensation of the Executive Director.

      (Added to NRS by [1995, 303](https://www.leg.state.nv.us/Statutes/68th/Stats199502.html#Stats199502page303); A [2007, 1091](https://www.leg.state.nv.us/Statutes/74th/Stats200710.html#Stats200710page1091))

**NRS 648.030  Duties and powers.**

      1.  The Board shall from time to time adopt regulations to enable it to carry out the provisions of this chapter.

      2.  The Board shall classify licensees according to the type of business in which they are engaged and may limit the field and scope of the operations of a licensee to those in which the licensee is classified.

      3.  The Board shall establish the criteria for:

      (a) Authorizing self-insurance maintained by licensees pursuant to [NRS 648.135](https://www.leg.state.nv.us/NRS/NRS-648.html#NRS648Sec135).

      (b) Levying fines contained in notices of violation based upon the following factors:

             (1) The seriousness of the violation.

             (2) The good faith of the person being charged.

             (3) A person’s history of previous violations.

      4.  The Board may by regulation fix qualifications of licensees and of the directors and officers of corporate licensees necessary to promote the public welfare.

      5.  The Board may by regulation require licensees and their employees to attend courses in firearm safety conducted by instructors approved by the Board. The Board may require a licensee or his or her employee to complete a certain amount of training in firearm safety before being permitted to carry a firearm in the course of his or her duties.

      [19:85:1947; A [1953, 323](https://www.leg.state.nv.us/Statutes/46th1953/Stats195302.html#Stats195302page323)] — (NRS A [1967, 1358](https://www.leg.state.nv.us/Statutes/54th/Stats196707.html#Stats196707page1358); [1973, 682](https://www.leg.state.nv.us/Statutes/57th/Stats197303.html#Stats197303page682); [1979, 930](https://www.leg.state.nv.us/Statutes/60th/Stats197905.html#Stats197905page930); [1981, 102](https://www.leg.state.nv.us/Statutes/61st/Stats198101.html#Stats198101page102); [1985, 1334](https://www.leg.state.nv.us/Statutes/63rd/Stats198506.html#Stats198506page1334); [1987, 2136](https://www.leg.state.nv.us/Statutes/64th/Stats198709.html#Stats198709page2136); [1989, 1753](https://www.leg.state.nv.us/Statutes/65th/Stats198909.html#Stats198909page1753))

**NRS 648.033  Maintenance and release of records by Board; confidentiality of certain records of Board; exceptions; regulations.**

      1.  The Board shall maintain a public record of:

      (a) The business it transacts at its regular and special meetings; and

      (b) The applications received by it together with the record of the disposition of each application.

      2.  Except as otherwise provided in [NRS 239.0115](https://www.leg.state.nv.us/NRS/NRS-239.html#NRS239Sec0115), information obtained by the Board from other than public sources concerning the:

      (a) Financial condition; or

      (b) Criminal record,

 of an applicant or a licensee is confidential and may be revealed only to the extent necessary for the proper administration of the provisions of this chapter.

      3.  The Board may release information described in subsection 2 to an agency of the Federal Government, of a state or of a political subdivision of this State.

      4.  The Board shall adopt by regulation a procedure for notifying the applicant or licensee of the release of confidential information pursuant to subsections 2 and 3. The Board shall release information described in subsection 2 concerning an applicant or licensee to the applicant or licensee upon request.

      5.  Except as otherwise provided in this section and [NRS 239.0115](https://www.leg.state.nv.us/NRS/NRS-239.html#NRS239Sec0115), a complaint filed with the Board, all documents and other information filed with the complaint and all documents and other information compiled as a result of an investigation conducted to determine whether to initiate disciplinary action against a person are confidential, unless the person submits a written statement to the Board requesting that such documents and information be made public records.

      6.  The charging documents filed with the Board to initiate disciplinary action and all other documents and information considered by the Board when determining whether to impose discipline are public records.

      7.  The provisions of this section do not prohibit the Board from communicating or cooperating with or providing any documents or other information to any other licensing board or any other agency that is investigating a person, including, without limitation, a law enforcement agency.

      (Added to NRS by [1985, 1330](https://www.leg.state.nv.us/Statutes/63rd/Stats198506.html#Stats198506page1330); A [2005, 802](https://www.leg.state.nv.us/Statutes/73rd/Stats200508.html#Stats200508page802); [2007, 2148](https://www.leg.state.nv.us/Statutes/74th/Stats200717.html#Stats200717page2148); [2015, 3349](https://www.leg.state.nv.us/Statutes/78th2015/Stats201531.html#Stats201531page3349))

**NRS 648.036  Application to district court for release of confidential information possessed by Board.**Except as otherwise provided in [NRS 648.033](https://www.leg.state.nv.us/NRS/NRS-648.html#NRS648Sec033), a person who wishes to obtain information possessed by the Board that is declared by law to be confidential must apply to the district court for an order directing the release of the information. The person shall give the Board, the Attorney General, and each person who may be affected by the order 10 days’ written notice of his or her intention to make the application. The notice must include a copy of the motion and all papers that will be offered in support of the application. The notice to persons other than the Board and the Attorney General may be made by personal delivery or by certified mail to the person’s last known address.

      (Added to NRS by [1985, 1329](https://www.leg.state.nv.us/Statutes/63rd/Stats198506.html#Stats198506page1329); A [1993, 2806](https://www.leg.state.nv.us/Statutes/67th/Stats199313.html#Stats199313page2806))

**NRS 648.039  Board may refuse to reveal identity of informant or information obtained from informant; exception.**Except in a proceeding brought by the State, the Board may refuse to reveal the identity of an informant or the information obtained from the informant.

      (Added to NRS by [1985, 1330](https://www.leg.state.nv.us/Statutes/63rd/Stats198506.html#Stats198506page1330))

**NRS 648.040  Creation of Fund for the Private Investigator’s Licensing Board; deposit and use of money received pursuant to chapter; delegation of authority to take disciplinary action; claim for attorney’s fees and costs of investigation.**

      1.

      1.   All money received pursuant to the provisions of this chapter must be deposited in banks, credit unions, savings and loan associations or savings banks in the State of Nevada. The money may be drawn on by the Board for payment of all expenses incurred in the administration of this chapter and to pay the expenses and salary of members, agents and employees of the Board.

           2.  The Board through majority vote controls exclusively the expenditures from the Fund. The Board may not make expenditures or incur liabilities in a total amount greater than the amount of money actually available in the Fund.

      3. The Board may take any disciplinary action pursuant to this chapter, impose and collect fines therfor and deposit the money therefrom in banks, credit unions, savings and loan associations or savings banks in this State.

4. The Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect fines therefor and deposit the money therefrom in banks, credit unions, savings and loan associations or savings banks in this State.

      [22:85:1947; 1943 NCL § 5175.22] — (NRS A [1967, 179](https://www.leg.state.nv.us/Statutes/54th/Stats196701.html#Stats196701page179), [1359](https://www.leg.state.nv.us/Statutes/54th/Stats196707.html#Stats196707page1359); [1969, 852](https://www.leg.state.nv.us/Statutes/55th/Stats196905.html#Stats196905page852); [1971, 869](https://www.leg.state.nv.us/Statutes/56th/Stats197104.html#Stats197104page869); [1977, 384](https://www.leg.state.nv.us/Statutes/59th/Stats197702.html#Stats197702page384); [1979, 120](https://www.leg.state.nv.us/Statutes/60th/Stats197901.html#Stats197901page120); [1983, 1544](https://www.leg.state.nv.us/Statutes/62nd/Stats198307.html#Stats198307page1544); [1985, 1334](https://www.leg.state.nv.us/Statutes/63rd/Stats198506.html#Stats198506page1334); [1993, 892](https://www.leg.state.nv.us/Statutes/67th/Stats199304.html#Stats199304page892); [2005, 802](https://www.leg.state.nv.us/Statutes/73rd/Stats200508.html#Stats200508page802); [2007, 1092](https://www.leg.state.nv.us/Statutes/74th/Stats200710.html#Stats200710page1092); [2015, 3350](https://www.leg.state.nv.us/Statutes/78th2015/Stats201531.html#Stats201531page3350))

**NRS 648.045  Civil liability.**A member of the Board or an employee or agent of the Board is not liable in a civil action for any act performed in good faith and within the scope of the duties of the Board pursuant to the provisions of this chapter.

      (Added to NRS by [1997, 209](https://www.leg.state.nv.us/Statutes/69th/Stats199702.html#Stats199702page209))