

2021 Kansas Statutes

75-7b04. Licensure; application; references; qualifications; summary proceedings; grounds for denial of license. (a) Every person desiring to be licensed in Kansas as a private detective or private detective agency shall make application therefor to the attorney general. An application for a license under this act shall be on a form prescribed by the attorney general and accompanied by the required application fee. An application shall be verified and shall include:

- (1) The full name and business address of the applicant;
- (2) the name under which the applicant intends to do business;
- (3) a statement as to the general nature of the business in which the applicant intends to engage;
- (4) a statement as to the classification or classifications under which the applicant desires to be qualified;
- (5) if the applicant is an organization, the full name and residence address of each of its partners, officers, directors or associates;
- (6) two photographs of the applicant taken within 30 days before the date of application, of a type prescribed by the attorney general, and two classifiable sets of the applicant's fingerprints one of which shall be submitted to the federal bureau of investigation for a fingerprint check for any criminal history of the applicant;
- (7) a statement of the applicant's employment history; and
- (8) such other information, evidence, statements or documents as may be required by the attorney general.

(b) The application shall be accompanied by a certificate of reference signed by five or more reputable persons who have known the applicant for a period of at least 5 years. The certificate of reference shall be verified and acknowledged by such persons before an officer authorized to take oaths and acknowledgment of deeds.

Each person signing the certificate of reference shall subscribe and affirm as true, under the penalties of perjury, that:

- (1) The person has known the applicant personally for a period of at least five years prior to the filing of the application. The attorney general may lessen such period if the applicant has been discharged honorably from the military service of the United States within the six-year period immediately preceding the date the application is submitted;
- (2) the person has read such application and believes each of the statements made therein to be true;
- (3) the applicant is honest, of good character and competent and not related or connected by blood or marriage to such person.

(c) Before an application for a license may be granted, the applicant or, if the applicant is an organization, all of the officers, directors, partners or associates shall:

- (1) Be at least 21 years of age;
- (2) be a citizen of the United States;
- (3) be of good moral character; and
- (4) comply with such other qualifications as the attorney general adopts by rules and regulations.

(d) In accordance with the summary proceedings provisions of the Kansas administrative procedure act, the attorney general may deny a license if the applicant has:

- (1) Committed any act which, if committed by a licensee, would be grounds for the suspension or revocation of a license under this act;
- (2) committed any act constituting dishonesty or fraud;

- (3) a bad moral character or a bad reputation for truth, honesty, and integrity;
 - (4) been convicted of a felony or, within 10 years immediately prior to the date of application, been convicted of any crime involving moral turpitude, dishonesty, vehicular homicide, assault, battery, assault of a law enforcement officer, misdemeanor battery against a law enforcement officer, criminal restraint, sexual battery, endangering a child, intimidation of a witness or victim or illegally using, carrying, or possessing a dangerous weapon;
 - (5) been refused a license under this act or had a license suspended or revoked in this state or in any other jurisdiction or had a license censured, limited or conditioned two or more times in this state or in any other jurisdiction;
 - (6) been an officer, director, partner or associate of any person who has been refused a license under this act or whose license has been suspended or revoked in this state or in any other jurisdiction or had a license censured, limited or conditioned two or more times in this state or in any other jurisdiction;
 - (7) while unlicensed, committed or aided and abetted the commission of any act for which a license is required by this act; or
 - (8) knowingly made any false statement in the application.
- (e) The attorney general may charge a fee for initial application forms and materials in an amount fixed by the attorney general pursuant to K.S.A. 75-7b22, and amendments thereto. Such fee shall be credited against the application fee of any person who subsequently submits an application.

History: L. 1972, ch. 315, § 4; L. 1981, ch. 326, § 4; L. 1988, ch. 356, § 296; L. 1998, ch. 183, § 3; July 1.