

# HOUSE BILL No. 5752

May 14, 1990, Introduced by Reps. Runco, Richard A. Young, Honigman and Perry Bullard and referred to the Committee on Judiciary.

A bill to amend section 4 of Act No. 285 of the Public Acts of 1965, entitled  
"Private detective license act of 1965,"  
being section 338.824 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 4 of Act No. 285 of the Public Acts of  
2 1965, being section 338.824 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4       Sec. 4. This act shall not apply to:

5       (a) A person employed exclusively and regularly by an  
6 employer in connection with the affairs of the employer only and  
7 there exists a bona fide employer-employee relationship, for  
8 which the employee is reimbursed on a salary basis.

9       (b) An officer or employee of the United States, or of this  
10 state or political subdivision thereof, while such officer or

1 employee is engaged in the performance of his OR HER official  
2 duties.

3 (c) The business of obtaining and furnishing information as  
4 to the financial standing, rating and credit responsibility of  
5 persons or as to the personal habits and financial responsibility  
6 of applicants for insurance, indemnity bonds, or commercial  
7 credit.

8 (d) A charitable philanthropic society or association duly  
9 incorporated under the laws of this state which is organized and  
10 maintained for the public good and not for private profit.

11 (e) An attorney at law in performing his OR HER duties as  
12 ~~such~~ AN attorney at law.

13 (f) A collection agency or finance company licensed to do  
14 business under the laws of this state or any employee thereof  
15 while acting within the scope of his OR HER employment when  
16 making an investigation incidental to the business of the agency,  
17 including an investigation of the location of the debtor or his  
18 OR HER assets and of property which the client has an interest in  
19 or a lien upon.

20 (g) An insurance adjuster who is employed on a salary basis  
21 by an insurance company; a person, firm, partnership, company, or  
22 corporation who acts for an insurance company solely in the  
23 capacity of claim adjuster. A person, firm, partnership,  
24 company, or corporation engaged in the business of public  
25 adjuster acting for claimants in securing adjustments of claims  
26 against insurance companies and who does not perform

1 investigative services including, but not limited to,  
2 surveillance activities.

3       (H) A PERSON WHO MAY BE CALLED TO TESTIFY AS AN EXPERT WIT-  
4 NESS BY A PARTY TO A COURT PROCEEDING IF THE PERSON, IN PREPARA-  
5 TION FOR HIS OR HER TESTIMONY, IS REQUIRED TO GATHER DATA THAT  
6 MAY BE USED AS EVIDENCE IN THE COURT PROCEEDING.