

**SENATE  
STATE OF MINNESOTA  
NINETY-FOURTH SESSION**

**S.F. No. 5297**

(SENATE AUTHORS: CLARK)

DATE  
05/15/2026

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Introduction and first reading  
Referred to Judiciary and Public Safety

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to public safety; requiring licensing of bail enforcement agents; authorizing  
1.3 the board of private detective and protective agent services to license bail  
1.4 enforcement agents; establishing criminal penalties; requiring licensed bail  
1.5 enforcement agents to retain certain records; prohibiting licensed bail enforcement  
1.6 agents from enforcing civil immigration laws; amending Minnesota Statutes 2024,  
1.7 sections 60M.07, by adding a subdivision; 326.32, subdivisions 5, 8, 9, 10, by  
1.8 adding subdivisions; 326.3311; 326.3331; 326.336, subdivisions 2, 3, 4; 326.3361,  
1.9 subdivision 2; 326.338, as amended; 326.3381, subdivisions 1, 3, by adding a  
1.10 subdivision; 326.3382; 326.3383, subdivision 1; 326.3384, subdivision 1, by adding  
1.11 a subdivision; 326.3385, subdivision 2; 326.3386, subdivisions 1, 2; 326.3387,  
1.12 subdivision 1; 326.3389; 629.63; proposing coding for new law in Minnesota  
1.13 Statutes, chapter 326.

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

1.15 Section 1. Minnesota Statutes 2024, section 60M.07, is amended by adding a subdivision  
1.16 to read:

1.17 Subd. 7a. Contracting with unlicensed person prohibited. (a) A producer or surety  
1.18 must not hire or contract with a bail enforcement agent to arrest a person for whom the  
1.19 producer or surety is acting as a bonding agent unless the agent has a valid bail enforcement  
1.20 agent license.

1.21 (b) A violation of this subdivision is a gross misdemeanor.

1.22 EFFECTIVE DATE. This section is effective August 1, 2026, and applies to crimes  
1.23 committed on or after that date.

2.1 Sec. 2. Minnesota Statutes 2024, section 326.32, is amended by adding a subdivision to  
2.2 read:

2.3 Subd. 1c. **Bail enforcement agent.** "Bail enforcement agent" means a person employed  
2.4 by or contracted with a producer to arrest a person for whom the producer is acting as a  
2.5 bonding agent.

2.6 Sec. 3. Minnesota Statutes 2024, section 326.32, subdivision 5, is amended to read:

2.7 Subd. 5. **Board review.** "Board review" means the process by which the board reviews  
2.8 and evaluates private detective or protective agent, or bail enforcement agent license  
2.9 applications.

2.10 Sec. 4. Minnesota Statutes 2024, section 326.32, subdivision 8, is amended to read:

2.11 Subd. 8. **Applicant.** "Applicant" means any individual, partnership or corporation who  
2.12 has made application for a private detective or protective agent license and any individual  
2.13 who has made application for a bail enforcement agent license.

2.14 Sec. 5. Minnesota Statutes 2024, section 326.32, subdivision 9, is amended to read:

2.15 Subd. 9. **License.** "License" means a private detective license or a protective agent  
2.16 license, or a bail enforcement agent license.

2.17 Sec. 6. Minnesota Statutes 2024, section 326.32, subdivision 10, is amended to read:

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

2.22 Sec. 7. Minnesota Statutes 2024, section 326.32, is amended by adding a subdivision to  
2.23 read:

2.24 Subd. 10d. **Producer.** "Producer" has the meaning given in section 60M.01, subdivision  
2.25 12.

2.26 Sec. 8. Minnesota Statutes 2024, section 326.32, is amended by adding a subdivision to  
2.27 read:

2.28 Subd. 15. **Surety.** "Surety" has the meaning given in section 60M.01, subdivision 14.

3.1 Sec. 9. Minnesota Statutes 2024, section 326.3311, is amended to read:

3.2 **326.3311 POWERS AND DUTIES.**

3.3 The board has the following powers and duties:

3.4 (1) to receive and review all applications for private detective ~~and~~, protective agent, and  
3.5 bail enforcement agent licenses;

3.6 (2) to approve applications for private detective ~~and~~, protective agent, and bail  
3.7 enforcement agent licenses and issue, or reissue licenses as provided in sections 326.32 to  
3.8 326.339;

3.9 (3) to deny applications for private detective ~~and~~, protective agent, and bail enforcement  
3.10 agent licenses if the applicants do not meet the requirements of sections 326.32 to 326.339;  
3.11 upon denial of a license application, the board shall notify the applicant of the denial and  
3.12 the facts and circumstances that constitute the denial; the board shall advise the applicant  
3.13 of the right to a contested case hearing under chapter 14;

3.14 (4) to enforce all laws and rules governing private detectives ~~and~~, protective agents, and  
3.15 bail enforcement agents;

3.16 (5) to suspend or revoke the license of a license holder or impose a civil penalty on a  
3.17 license holder for violations of any provision of sections 326.32 to 326.339 or the rules of  
3.18 the board;

3.19 (6) to investigate and refer for prosecution all criminal violations by individuals and  
3.20 entities; and

3.21 (7) to investigate and refer for prosecution any individuals and entities operating as  
3.22 private detectives or protective agents without a license.

3.23 Sec. 10. Minnesota Statutes 2024, section 326.3331, is amended to read:

3.24 **326.3331 RULEMAKING.**

3.25 The board shall adopt rules under chapter 14 to govern the selection, training, conduct,  
3.26 discipline, and licensing of private detectives ~~and~~, protective agents, and bail enforcement  
3.27 agents, and any other matters necessary to carry out duties imposed by sections 326.32 to  
3.28 326.339.

3.29 Sec. 11. Minnesota Statutes 2024, section 326.336, subdivision 2, is amended to read:

3.30 Subd. 2. **Identification card.** An identification card must be issued by the license holder  
3.31 to each employee in connection with the business of a private detective or protective agent.

4.1 The card must be in the possession of the employee to whom it is issued at all times. The  
4.2 identification card must contain the license holder's name, logo (if any), address or Minnesota  
4.3 office address, and the employee's photograph and physical description. The card must be  
4.4 signed by the employee and by the license holder, qualified representative, or Minnesota  
4.5 office manager. The card must be presented upon request.

4.6 Sec. 12. Minnesota Statutes 2024, section 326.336, subdivision 3, is amended to read:

4.7 Subd. 3. **Failure to return property.** Any person who shall be issued an identification  
4.8 card, badge, holster, weapon, shield, or any other equipment bearing the name, trademark  
4.9 or trade name, or any combination thereof, of any licensed agency in connection with the  
4.10 business of a private detective or protective agent, or indicating that such person is a private  
4.11 detective, protective agent, or employee of same, who does not return such badge, weapon,  
4.12 holster, identification card, uniform emblem, or other equipment to the owner thereof within  
4.13 ten days of the termination of employment, or of receiving a written request to return same,  
4.14 made by certified mail to the person's last known address, whichever shall last occur, shall  
4.15 be guilty of a misdemeanor.

4.16 Sec. 13. Minnesota Statutes 2024, section 326.336, subdivision 4, is amended to read:

4.17 Subd. 4. **Confidentiality; false statements.** No employee of any license holder engaged  
4.18 in the business of a private detective or protective agent shall divulge to anyone other than  
4.19 the employer, or as the employer shall direct, except as may be required by law, any  
4.20 information acquired during such employment in respect of any matter or investigation  
4.21 undertaken or done by such employer. Any employee who shall make any false statement  
4.22 in an employment statement or who willfully makes a false report to the employer in respect  
4.23 to any matter in the course of the employer's business, or who shall otherwise violate the  
4.24 provisions of this subdivision is guilty of a misdemeanor.

4.25 Sec. 14. Minnesota Statutes 2024, section 326.3361, subdivision 2, is amended to read:

4.26 Subd. 2. **Required contents.** (a) The rules adopted by the board must require:

4.27 (1) 12 hours of preassignment or on-the-job certified training within the first 21 days of  
4.28 employment in connection with the business of a private detective or protective agent, or  
4.29 evidence that the employee has successfully completed equivalent training before the start  
4.30 of employment. Notwithstanding any statute or rule to the contrary, this clause is satisfied  
4.31 if the employee provides a prospective employer with a certificate or a copy of a certificate  
4.32 demonstrating that the employee successfully completed this training prior to employment

5.1 with a different Minnesota licensee and completed this training within three previous calendar  
 5.2 years, or successfully completed this training with a Minnesota licensee while previously  
 5.3 employed with a Minnesota licensee. The certificate or a copy of the certificate is the property  
 5.4 of the employee who completed the training, regardless of who paid for the training or how  
 5.5 training was provided. Upon a current or former employee's request, a current or former  
 5.6 licensed employer must provide a copy of a certificate demonstrating the employee's  
 5.7 successful completion of training to the current or former employee. The current or former  
 5.8 licensed employer must not charge the employee a fee for a copy of the certificate. The  
 5.9 employee who completed the training is entitled to access a copy of the certificate at no  
 5.10 charge according to sections 181.960 to 181.966. A current or former employer must comply  
 5.11 with sections 181.960 to 181.966;

5.12 (2) certification by the board of completion of certified training for a license holder,  
 5.13 qualified representative, Minnesota manager, partner, and employee to carry or use a firearm,  
 5.14 a weapon other than a firearm, or an immobilizing or restraint technique; and

5.15 (3) six hours a year of certified continuing training for all license holders, qualified  
 5.16 representatives, Minnesota managers, partners, and employees, and an additional six hours  
 5.17 a year for individuals who are armed with firearms or armed with weapons, which must  
 5.18 include annual certification of the individual.

5.19 (b) A person seeking a bail enforcement agent license must complete 12 hours of certified  
 5.20 training or provide evidence that the person has successfully completed equivalent training  
 5.21 before being issued a license. Notwithstanding any statute or rule to the contrary, this  
 5.22 paragraph is satisfied if a person provides the board with a certificate or a copy of a certificate  
 5.23 demonstrating that the person successfully completed the 12 hours of training within three  
 5.24 previous calendar years.

5.25 (c) An individual may not carry or use a weapon while undergoing on-the-job training  
 5.26 under this subdivision.

5.27 **Sec. 15. [326.3362] EDUCATION AND EXAMINATION REQUIREMENTS; BAIL**  
 5.28 **ENFORCEMENT AGENTS.**

5.29 Subdivision 1. **Education.** (a) An applicant for a bail enforcement agent license must  
 5.30 complete classroom education and training in subjects pertinent to the duties and  
 5.31 responsibilities of a bail enforcement agent. At a minimum, education must include:

5.32 (1) 20 hours of instruction on relevant laws and regulations, the rights of the accused,  
 5.33 professional ethics, and the apprehension of bail fugitives; and

6.1 (2) 40 hours of instruction on the power of arrest.

6.2 (b) The board may develop, offer, or certify education courses to satisfy the requirements  
6.3 under this subdivision and may charge a fee for any education courses that the board offers.

6.4 (c) The board must consult with the Board of Peace Officer Standards and Training  
6.5 when developing or reviewing curriculum for training on the power of arrest.

6.6 Subd. 2. Examination. (a) The board must establish an examination to determine whether  
6.7 applicants: (1) have knowledge of laws and regulations relating to bail enforcement; and  
6.8 (2) have a general and fair understanding of the obligations and duties of the holder of a  
6.9 bail enforcement agent license.

6.10 (b) The board must conduct a written examination at least twice annually. The board  
6.11 may charge an examination fee.

6.12 Subd. 3. Continuing education. (a) An individual holding a bail enforcement agent  
6.13 license must complete a minimum of 12 hours of continuing education on the topics described  
6.14 in subdivision 1, paragraph (a), prior to the renewal of the individual's license.

6.15 (b) The board may develop, offer, or certify continuing education courses to satisfy the  
6.16 requirements under this subdivision and may charge a fee for any continuing education  
6.17 courses that the board offers.

6.18 Sec. 16. Minnesota Statutes 2024, section 326.338, as amended by Laws 2025, chapter  
6.19 35, article 7, section 14, is amended to read:

6.20 **326.338 PERSONS ENGAGED AS PRIVATE DETECTIVES OR, PROTECTIVE**  
6.21 **AGENTS, OR BAIL ENFORCEMENT AGENTS.**

6.22 Subdivision 1. **Private detective.** ~~Persons~~ A person who for a fee, reward, or other  
6.23 consideration, ~~undertake~~ undertakes any of the following acts for the purpose of obtaining  
6.24 information for others ~~are~~ is considered to be engaged in the business of a private detective:

6.25 (1) investigating crimes or wrongs done or threatened against the government of the  
6.26 United States or of any state, county, or municipal subdivision thereof;

6.27 (2) investigating the identity, habits, conduct, movements, whereabouts, transactions,  
6.28 reputation, or character of any person or organization;

6.29 (3) investigating the credibility of witnesses or other persons;

6.30 (4) investigating the location or recovery of lost or stolen property;

7.1 (5) investigating the origin of and responsibility for libels, losses, accidents, or damage  
7.2 or injuries to persons or property;

7.3 (6) investigating the affiliation, connection, or relationship of any person, firm, or  
7.4 corporation with any organization, society, or association, or with any official, representative,  
7.5 or member thereof;

7.6 (7) investigating the conduct, honesty, efficiency, loyalty, or activities of employees,  
7.7 persons seeking employment, agents, or contractors and subcontractors;

7.8 (8) obtaining through investigation evidence to be used before any authorized  
7.9 investigating committee, board of award, board of arbitration, administrative body, or officer  
7.10 or in preparation for trial of civil or criminal cases; or

7.11 (9) investigating the identity or apprehension of persons suspected of crimes or  
7.12 misdemeanors.

7.13 Subd. 4. **Protective agent.** A person who for a fee, reward, or other valuable consideration  
7.14 undertakes any of the following acts is considered to be engaged in the business of a  
7.15 protective agent:

7.16 (1) providing guards, private patrol, or other security personnel to protect persons or  
7.17 their property or to prevent the theft, unlawful taking of goods, merchandise, or money, or  
7.18 to prevent the misappropriation or concealment of goods, merchandise, money, or other  
7.19 valuable things, or to procure the return of those things;

7.20 (2) physically responding to any alarm signal device, burglar alarm, television camera,  
7.21 still camera, or a mechanical or electronic device installed or used to prevent or detect  
7.22 burglary, theft, shoplifting, pilferage, losses, or other security measures;

7.23 (3) providing armored car services for the protection of persons or property;

7.24 (4) controlling motor traffic on public streets, roads, and highways for the purpose of  
7.25 escorting a funeral procession and oversized loads;

7.26 (5) providing management and control of crowds for the purpose of safety and protection;  
7.27 or

7.28 (6) providing guards or other security personnel to transport prisoners or any other person  
7.29 arrested on a warrant, except that this does not apply to the transport or escort of offenders  
7.30 by staff of the Department of Corrections; the transport of a person by the sheriff of a county  
7.31 to the appropriate adult or juvenile correctional facility as designated by the commissioner  
7.32 of corrections or to and from court in connection with postconviction, habeas corpus, or

8.1 intrastate mandatory disposition of detainers proceedings; the transfer of a person by  
 8.2 emergency medical services personnel; or the transfer of a person by a peace officer as  
 8.3 defined in section 626.84, subdivision 1, paragraph (c), or employed by a federal law  
 8.4 enforcement agency.

8.5 A person covered by this subdivision may perform the traffic-control duties in clause  
 8.6 (4) in place of a police officer when a special permit is required, provided that the protective  
 8.7 agent is first-aid qualified.

8.8 Subd. 5. **Bail enforcement agent.** A person who for a fee, reward, or other valuable  
 8.9 consideration undertakes any of the following acts is considered to be engaged in the business  
 8.10 of a bail enforcement agent:

8.11 (1) arresting a defendant for whom a surety is acting as a bonding agent when the  
 8.12 defendant is about to flee;

8.13 (2) arresting a defendant for whom a surety is acting as a bonding agent when the  
 8.14 defendant will not appear as required by the defendant's recognizance;

8.15 (3) arresting a defendant for whom a surety is acting as a bonding agent when the  
 8.16 defendant will not perform the conditions of a recognizance; or

8.17 (4) taking a defendant for whom a surety is acting as a bonding agent before a judge as  
 8.18 required under section 629.63.

8.19 Sec. 17. Minnesota Statutes 2024, section 326.3381, subdivision 1, is amended to read:

8.20 Subdivision 1. **Prohibition.** No person shall engage in the business of a private detective  
 8.21 or, protective agent, bail enforcement agent, or advertise or indicate in any verbal statement  
 8.22 or in written material that the person is so engaged or available to supply those services,  
 8.23 without having first obtained a license as provided in sections 326.32 to 326.339.

8.24 Sec. 18. Minnesota Statutes 2024, section 326.3381, is amended by adding a subdivision  
 8.25 to read:

8.26 Subd. 2a. **Application procedure; bail enforcement agent.** (a) Upon receipt of an  
 8.27 application for a private detective or protective agent license, the board shall:

8.28 (1) post a notice of the application in the board's office for a period of 20 days and notify  
 8.29 all persons who have requested notification of applications;

8.30 (2) conduct an investigation as the board considers necessary to determine the  
 8.31 qualifications of the applicant; and

9.1 (3) notify the applicant of the date on which the board will conduct a review of the  
9.2 license application.

9.3 (b) The board shall issue a license upon application to any person qualified under sections  
9.4 326.32 to 326.339 and under the rules of the board to engage in the business of a bail  
9.5 enforcement agent.

9.6 (c) The license shall remain effective for two years as long as the license holder complies  
9.7 with sections 326.32 to 326.339, the laws of Minnesota, and the rules of the board.

9.8 Sec. 19. Minnesota Statutes 2024, section 326.3381, subdivision 3, is amended to read:

9.9 Subd. 3. **Disqualification.** (a) No person is qualified to hold a license who has:

9.10 (1) been convicted of (i) a felony by the courts of this or any other state or of the United  
9.11 States; (ii) acts which, if done in Minnesota, would be criminal sexual conduct; assault;  
9.12 theft; larceny; burglary; robbery; carjacking; unlawful entry; extortion; defamation; buying  
9.13 or receiving stolen property; using, possessing, manufacturing, or carrying weapons  
9.14 unlawfully; using, possessing, or carrying burglary tools unlawfully; escape; possession,  
9.15 production, sale, or distribution of narcotics unlawfully; or (iii) in any other country of acts  
9.16 which, if done in Minnesota, would be a felony or would be any of the other offenses  
9.17 provided in this clause and for which a full pardon or similar relief has not been granted;

9.18 (2) made any false statement in an application for a license or any document required  
9.19 to be submitted to the board; or

9.20 (3) failed to demonstrate to the board good character, honesty, and integrity.

9.21 (b) Upon application for a license, the applicant shall submit, as part of the application,  
9.22 a full set of fingerprints and the applicant's written consent that their fingerprints shall be  
9.23 submitted to the Bureau of Criminal Apprehension (BCA) and the Federal Bureau of  
9.24 Investigation (FBI) to determine whether that person has a criminal record. The BCA shall  
9.25 promptly forward the fingerprints to the FBI and request that the FBI conduct a criminal  
9.26 history check of each prospective licensee. The Minnesota Board of Private Detective and  
9.27 Protective Agents Services shall determine if the FBI report indicates that the prospective  
9.28 licensee or licensee was convicted of a disqualifying offense. The submission to the FBI  
9.29 shall be coordinated through the BCA. The results of the criminal record check shall be  
9.30 provided to the board who will determine if the applicant is disqualified from holding a  
9.31 license under this subdivision.

9.32 (c) Except as otherwise provided in this paragraph, no individual is qualified to hold a  
9.33 bail enforcement agent license if a licensing entity in this state or any other jurisdiction has

10.1 suspended, canceled, or revoked a license or authorization for the individual to act as a  
 10.2 private detective, protective agent, bail enforcement agent, or peace officer or if the individual  
 10.3 has been subject to any civil, administrative, or criminal penalty for engaging in the business  
 10.4 of a private detective, protective agent, bail enforcement agent, or peace officer. The board  
 10.5 may waive the disqualification under this paragraph if ten years have passed from the date  
 10.6 of the licensing consequence or penalty and the individual shows evidence of rehabilitation.

10.7 Sec. 20. Minnesota Statutes 2024, section 326.3382, is amended to read:

10.8 **326.3382 APPLICATION FOR LICENSE.**

10.9 Subdivision 1. **Application form.** (a) Application for a private detective ~~or~~, protective  
 10.10 agent, or bail enforcement agent license shall be made on a form prescribed by the board.

10.11 Each applicant shall provide the following information:

10.12 (1) the full name, date of birth, and sex of each person signing the application, and the  
 10.13 residences of those persons for the past five years;

10.14 (2) all past and present occupations and employers, length of employment, and the name,  
 10.15 address, and telephone numbers of supervisors for all persons signing the application;

10.16 (3) the address or a description indicating the location of the place of business of the  
 10.17 applicant;

10.18 (4) a statement indicating that each person signing the application has attained the age  
 10.19 of 18;

10.20 (5) if the applicant is a corporation, the name of the corporation, the date and place of  
 10.21 incorporation, and the location of its principal place of business or registered office in its  
 10.22 state of incorporation; ~~and~~

10.23 (6) if the applicant is seeking a bail enforcement agent license:

10.24 (i) a copy of any current or former license issued by the board authorizing the person to  
 10.25 engage in the business of a private detective or protective agent or proof of current or former  
 10.26 employment with any entity licensed by the board to engage in the business of a private  
 10.27 detective or protective agent;

10.28 (ii) a copy of any current or former license issued by a licensing entity in another  
 10.29 jurisdiction authorizing the person to engage in the business of a private detective or  
 10.30 protective agent or proof of current or former employment with any entity licensed by a  
 10.31 licensing entity in another jurisdiction to engage in the business of a private detective or  
 10.32 protective agent;

11.1 (iii) disclosure of whether a licensing entity in this state or any other jurisdiction has  
 11.2 suspended, canceled, or revoked a license or authorization for the person to act as a private  
 11.3 detective, protective agent, bail enforcement agent, or peace officer; and

11.4 (iv) disclosure of whether the individual has been subject to any civil, administrative,  
 11.5 or criminal penalty for engaging in the business of a private detective, protective agent, bail  
 11.6 enforcement agent, or peace officer; and

11.7 ~~(6)~~ (7) further facts as may be required by the board to show the good character,  
 11.8 competency, and integrity of each person signing the application; ~~and~~.

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

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

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

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

11.17 Subd. 2. **Documents accompanying application.** (a) Each individual signing the  
 11.18 application shall submit:

11.19 (1) references, on forms provided by the board, from five persons who have known the  
 11.20 ~~signer~~ individual for at least five years, and who are not related by blood or marriage to the  
 11.21 signer; and

11.22 (2) a recent photograph and a full set of fingerprints for each person signing the  
 11.23 application.

11.24 (b) If the application is for a private detective license, the individual signing the  
 11.25 application shall submit a statement under oath by a present or previous employer that the  
 11.26 applicant for an individual license, the qualified representative for a partnership or corporate  
 11.27 license, or the Minnesota manager, as appropriate, has been employed as an investigator  
 11.28 for a minimum of 6,000 hours by any of the following:

11.29 (1) a licensed private detective agency;

11.30 (2) a United States government investigative service;

11.31 (3) a city police department or sheriff's office; or

12.1 (4) an occupation that, the board finds equivalent in scope, responsibility, and training  
 12.2 to one of the specific occupations listed;  
 12.3 and has the qualifications established in the rules of the board.

12.4 (c) If the application is for a protective agent license, each ~~person~~ individual signing the  
 12.5 application shall submit a statement under oath by a present or previous employer that the  
 12.6 applicant for an individual license, the qualified representative for a partnership or corporate  
 12.7 license, or the Minnesota manager has been employed as an investigator or protective agent  
 12.8 for a minimum of 6,000 hours by any of the following:

12.9 (1) a licensed protective agent or licensed private detective, having gained experience  
 12.10 in security systems, audits, and supervision;

12.11 (2) a United States government investigative service;

12.12 (3) a city police department or sheriff's office; or

12.13 (4) an occupation that the board finds equivalent in scope, responsibility, and training  
 12.14 to one of the specific occupations listed;

12.15 and has the qualifications established in the rules of the board.

12.16 (d) If the application is for a bail enforcement agent license, the applicant shall submit:

12.17 (1) proof that the applicant has completed the training required under section 326.3361;

12.18 (2) proof that the applicant has satisfied the education and examination requirements  
 12.19 under section 326.3362; and

12.20 (3) results of a license examination given in the previous 12 months or, for an application  
 12.21 to renew a license, proof of completion of the applicable continuing education requirements.

12.22 Subd. 3. **Proof of insurance.** (a) No license may be issued to a private detective ~~or,~~  
 12.23 protective agent, or bail enforcement agent applicant until the applicant has complied with  
 12.24 the requirements in this subdivision.

12.25 (b) The applicant shall execute a surety bond to the state of Minnesota in the penal sum  
 12.26 of \$10,000 and file it with the board. The surety bond must be executed by a company  
 12.27 authorized to do business in the state of Minnesota, must name the applicant as principal,  
 12.28 and must state that the applicant and each of the applicant's employees shall faithfully  
 12.29 observe all of the laws of Minnesota and of the United States and shall pay all damages  
 12.30 suffered by any person by reason of a violation of law by the applicant or by the commission  
 12.31 of any willful and malicious wrong by the applicant in the course of business.

13.1 (c) The applicant shall furnish proof, acceptable to the board, of the applicant's ability  
 13.2 to respond in damages for liability on account of accidents or wrongdoings arising out of  
 13.3 the ownership and operation of a private detective ~~or~~, protective agent, or bail enforcement  
 13.4 agent business. Compliance with paragraph (d), (e), or (f) is satisfactory proof of financial  
 13.5 responsibility for purposes of this paragraph.

13.6 (d) The applicant may file with the board a certificate of insurance demonstrating  
 13.7 coverage for general liability, completed operations, and personal injury. Personal injury  
 13.8 insurance must include coverage for:

- 13.9 (1) false arrest, detention, imprisonment, and malicious prosecution;
- 13.10 (2) libel, slander, defamation, and violation of rights of privacy; and
- 13.11 (3) wrongful entry, eviction, and other invasion of rights of private occupancy.

13.12 In the event of a policy cancellation, the insurer will send notice to the board at the same  
 13.13 time that a cancellation request is received from or a notice is sent to the insured.

13.14 (e) The applicant may file with the board an annual net worth statement, signed by a  
 13.15 licensed certified public accountant, evidencing that the applicant has a net worth of at least  
 13.16 the following:

- 13.17 (1) for an applicant with no employees, \$10,000;
- 13.18 (2) for an applicant with one to ten employees, \$15,000;
- 13.19 (3) for an applicant with 11 to 25 employees, \$25,000;
- 13.20 (4) for an applicant with 26 to 50 employees, \$50,000; or
- 13.21 (5) for an applicant with 51 or more employees, \$100,000.

13.22 Data indicating with which of the above requirements an applicant must comply is public  
 13.23 data. The contents of the net worth statement are private data on individuals or nonpublic  
 13.24 data, as defined in section 13.02.

13.25 (f) The applicant may file with the board an irrevocable letter of credit from a financial  
 13.26 institution acceptable to the board in the amount listed in the appropriate category in  
 13.27 paragraph (e).

13.28 Subd. 4. **License disqualification.** Unlicensed activity will not be considered as legitimate  
 13.29 experience for qualification in being licensed. Except as otherwise provided in section  
 13.30 326.3381, subdivision 3, paragraph (c), an individual, a partnership, a corporation, a qualified  
 13.31 representative, or a Minnesota manager engaged in the business of a private detective ~~or~~,

14.1 protective agent, or bail enforcement agent without a license issued by the board is prohibited  
 14.2 from applying for licensing for a period of one year from the date of a finding of the violation.

14.3 Subd. 5. **Special protective agent classification.** The board shall establish a special  
 14.4 protective agent license classification that provides that a person described in section 326.338,  
 14.5 subdivision 4, clause (4), who is otherwise qualified under this section need not meet the  
 14.6 requirements of subdivision 2, paragraph (c).

14.7 Subd. 6. **Temporary military license.** The board shall establish a temporary license to  
 14.8 engage in the business of a private detective or, protective agent, or bail enforcement agent  
 14.9 in accordance with section 197.4552. The fee for the temporary license under this subdivision  
 14.10 for a private detective is \$1,000. The fee for a temporary license under this subdivision for  
 14.11 a protective agent is \$800.

14.12 Sec. 21. Minnesota Statutes 2024, section 326.3383, subdivision 1, is amended to read:

14.13 Subdivision 1. **Requirements.** (a) The board shall reissue a private detective or protective  
 14.14 agent license to a license holder without further board review, if the license holder who has  
 14.15 complied with all applicable laws and rules:

14.16 (1) submits to the board an application for license reissuance on a form prescribed by  
 14.17 the board;

14.18 (2) submits to the board a list of all current employees; and

14.19 (3) remits the expired license to the board.

14.20 (b) This section does not apply to a bail enforcement agent license.

14.21 Sec. 22. Minnesota Statutes 2024, section 326.3384, subdivision 1, is amended to read:

14.22 Subdivision 1. **Prohibition.** No license holder or employee of a license holder shall, in  
 14.23 a manner that implies that the person is an employee or agent of a governmental agency,  
 14.24 display on a badge, identification card, emblem, vehicle, uniform, stationery, or in advertising  
 14.25 for private detective or, protective agent, or bail enforcement agent services:

14.26 (1) the words "public safety," "police," "highway patrol," "state patrol," "sheriff,"  
 14.27 "trooper," or "law enforcement"; or

14.28 (2) the name of a municipality, county, state, or of the United States, or any governmental  
 14.29 subdivision thereof.

15.1 Sec. 23. Minnesota Statutes 2024, section 326.3384, is amended by adding a subdivision  
15.2 to read:

15.3 Subd. 1c. **Immigration enforcement prohibited.** (a) A bail enforcement agent must  
15.4 not engage in efforts to investigate, enforce, or assist in the investigation or enforcement of  
15.5 any federal civil immigration law or efforts to investigate, enforce, or assist in the  
15.6 investigation or enforcement of any federal criminal immigration law that penalizes a  
15.7 person's presence in, entry or reentry to, or employment in, the United States.

15.8 (b) A bail enforcement agent must not disclose or provide in writing, verbally, or in any  
15.9 other manner, personally identifiable information of any bail fugitive that is requested for  
15.10 purposes of immigration enforcement, except pursuant to a valid judicial warrant or court  
15.11 order.

15.12 (c) According to United States Code, title 8, sections 1373 and 1644, this subdivision  
15.13 does not prohibit or restrict any governmental entity or official from:

15.14 (1) sending to or receiving from federal immigration authorities information regarding  
15.15 the citizenship or lawful or unlawful immigration status of an individual;

15.16 (2) requesting from federal immigration authorities lawful or unlawful immigration  
15.17 status information of any individual; or

15.18 (3) maintaining or exchanging the citizenship or lawful or unlawful immigration status  
15.19 information of an individual with any other federal, state, or local governmental entity.

15.20 Sec. 24. Minnesota Statutes 2024, section 326.3385, subdivision 2, is amended to read:

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

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

15.30 (c) This subdivision does not apply to a bail enforcement agent license issued to an  
15.31 individual.

16.1 Sec. 25. Minnesota Statutes 2024, section 326.3386, subdivision 1, is amended to read:

16.2 Subdivision 1. **Application fee.** Each applicant for a private detective ~~or~~ protective  
16.3 agent, or bail enforcement agent license shall pay to the board a nonrefundable application  
16.4 fee, as determined by the board.

16.5 Sec. 26. Minnesota Statutes 2024, section 326.3386, subdivision 2, is amended to read:

16.6 Subd. 2. **License fee.** Each applicant for a private detective ~~or~~ protective agent, or bail  
16.7 enforcement agent license shall pay to the board a license fee, as determined by the board.  
16.8 The fee for a bail enforcement agent license must be at least \$500 for an initial license and  
16.9 \$250 for a license renewal. In the event that an applicant is denied licensing by the board,  
16.10 one-half of the license fee shall be refunded to the applicant.

16.11 Sec. 27. Minnesota Statutes 2024, section 326.3387, subdivision 1, is amended to read:

16.12 Subdivision 1. **Basis for action.** (a) The board may revoke or suspend or refuse to issue  
16.13 or reissue a private detective ~~or~~ protective agent, or bail enforcement agent license if:

16.14 (1) the license holder violates a provision of sections 326.32 to 326.339 or a rule adopted  
16.15 under those sections;

16.16 (2) the license holder has engaged in fraud, deceit, or misrepresentation while in the  
16.17 business of a private detective ~~or~~ protective agent, or bail enforcement agent;

16.18 (3) the license holder has made a false statement in an application submitted to the board  
16.19 or in a document required to be submitted to the board;

16.20 (4) the license holder violates an order of the board; or

16.21 (5) the individual or entity previously operated without a license.

16.22 (b) The board must revoke or suspend or refuse to issue or reissue a protective agent  
16.23 license if the license holder provides guards or other security personnel to transport prisoners  
16.24 or any other person arrested on a warrant and the board determines that the license holder  
16.25 or any employee or agent of the license holder committed an act in any place that, if  
16.26 committed in Minnesota, would constitute criminal sexual conduct against a person being  
16.27 transported or committed an act in any place that involved the unreasonable use of force on  
16.28 a person being transported.

17.1 Sec. 28. Minnesota Statutes 2024, section 326.3389, is amended to read:

17.2 **326.3389 LICENSES NONTRANSFERABLE; PUBLIC LIST.**

17.3 (a) A license issued under sections 326.32 to 326.339 may not be transferred.

17.4 (b) The board must maintain a list of all individuals who have at any time been holders  
17.5 of bail enforcement agent licenses together with the individuals' license numbers. The list  
17.6 must be made public and must be posted on the board's public facing website. The public  
17.7 list must indicate whether each individual's license status is active, inactive, suspended, or  
17.8 revoked. The board must update the list promptly after a change in the status of an individual's  
17.9 license.

17.10 Sec. 29. Minnesota Statutes 2024, section 629.63, is amended to read:

17.11 **629.63 SURETY ARREST OF DEFENDANT.**

17.12 Subdivision 1. Arrest authorized. (a) If a surety reasonably believes that a defendant  
17.13 for whom the surety is acting as bonding agent (1) is about to flee, (2) will not appear as  
17.14 required by the defendant's recognizance, or (3) will otherwise not perform the conditions  
17.15 of the recognizance, the surety may arrest or have ~~another person~~ a bail enforcement agent  
17.16 licensed under sections 326.32 to 326.339 or the sheriff arrest the defendant.

17.17 (b) If the surety or ~~another person~~ a bail enforcement agent at the surety's direction  
17.18 arrests the defendant, the surety or the ~~other person~~ bail enforcement agent shall take the  
17.19 defendant before the judge before whom the defendant was required to appear and surrender  
17.20 the defendant to that judge.

17.21 (c) If the surety wants the sheriff to arrest the defendant, the surety shall deliver a certified  
17.22 copy of the recognizance under which the defendant is held to the sheriff, with a direction  
17.23 endorsed on the recognizance requiring the sheriff to arrest the defendant and bring the  
17.24 defendant before the appropriate judge.

17.25 (d) Upon receiving a certified copy of the recognizance and payment of the sheriff's  
17.26 fees, the sheriff shall arrest the defendant and bring the defendant before the judge.

17.27 (e) Before a surety who has arrested a defendant who has violated the conditions of  
17.28 release may personally surrender the defendant to the appropriate judge, the surety shall  
17.29 notify the sheriff. If the defendant at the hearing before the judge is unable to post increased  
17.30 bail or meet alternative conditions of release in accordance with rule 6.03 of the Rules of  
17.31 Criminal Procedure, the sheriff or a deputy shall take the defendant into custody.

18.1 Subd. 2. **Documentation requirements.** (a) When making an arrest pursuant to this  
18.2 section, a licensed bail enforcement agent must possess proper documentation of the authority  
18.3 to apprehend issued by the surety. The authority to apprehend documentation under this  
18.4 paragraph must include:

18.5 (1) the name of the bail enforcement agent and any fictitious name, if applicable;

18.6 (2) the address of the principal office of the bail enforcement agent; and

18.7 (3) the name and principal business address of the surety.

18.8 (b) Upon the request of the bail fugitive being apprehended, a bail enforcement agent  
18.9 must provide a copy of the documentation described in paragraph (a) to the bail fugitive,  
18.10 the bail fugitive's attorney, or another individual indicated by the bail fugitive.

18.11 Subd. 3. **Uniform required.** When attempting to apprehend a bail fugitive, a bail  
18.12 enforcement agent must wear a jacket, shirt, or vest with the words "BAIL BOND  
18.13 RECOVERY AGENT," "BAIL ENFORCEMENT," or "BAIL ENFORCEMENT AGENT"  
18.14 displayed in letters at least two inches high across the front or back of the jacket, shirt, or  
18.15 vest. The words required under this subdivision must not be covered by any other clothing  
18.16 or equipment and must be of a color contrasting with the background color so that the bail  
18.17 enforcement agent is easily identifiable.

18.18 Subd. 4. **Record retention.** (a) A bail enforcement agent must maintain the following  
18.19 records:

18.20 (1) a copy of the documentation of the authority to apprehend a bail fugitive as described  
18.21 in subdivision 2, paragraph (a);

18.22 (2) a list of all bail fugitives that the bail enforcement agent has been authorized to  
18.23 apprehend and the identities of the sureties providing authorization for each individual; and

18.24 (3) the dates, approximate times, and locations at which the bail enforcement agent  
18.25 apprehended each bail fugitive.

18.26 (b) A bail enforcement agent must retain records under this subdivision for seven years.

18.27 Subd. 5. **Notification to local law enforcement.** (a) Except under exigent circumstances,  
18.28 a bail enforcement agent must notify the local law enforcement agency before attempting  
18.29 to apprehend a bail fugitive. Notice must be made within six hours of the attempt and must  
18.30 include:

18.31 (1) the name of the bail enforcement agent attempting to apprehend the bail fugitive;

19.1 (2) the approximate time at which the bail enforcement agent intends to attempt to  
19.2 apprehend the bail fugitive; and

19.3 (3) the name and suspected location of the bail fugitive.

19.4 (b) If exigent circumstance exist and the bail enforcement agent does not provide prior  
19.5 notification to the local law enforcement agency, the bail enforcement agent must notify  
19.6 the agency immediately after the apprehension. Upon request of the law enforcement agency,  
19.7 a bail enforcement agent must submit a detailed explanation of the exigent circumstances  
19.8 within three working days of the apprehension.

19.9 Subd. 6. **Forcible entry prohibited.** A bail enforcement agent must not forcibly enter  
19.10 a dwelling house except as provided in section 629.39.

19.11 Subd. 7. **Firearms.** A bail enforcement agent must not carry a firearm or other weapon  
19.12 unless the bail enforcement agent has been issued the appropriate permit and is in compliance  
19.13 with all applicable laws.

19.14 Subd. 8. **Violations.** A person who violates this section is guilty of a gross misdemeanor.

19.15 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to crimes  
19.16 committed on or after that date.