

**CHAPTER 55B****REGULATION OF BOUNTY HUNTERS****Authority**

N.J.S.A. 45:19-40.

**Source and Effective Date**

R.2007 d.78, effective March 5, 2007.  
See: 38 N.J.R. 4801(a), 39 N.J.R. 786(a).

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 55B, Regulation of Bounty Hunters, expires on March 5, 2014. See: 43 N.J.R. 1203(a).

**Chapter Historical Note**

Chapter 55B, Regulation of Bounty Hunters, was adopted as new rules by R.2007 d.78, effective March 5, 2007. See: Source and Effective Date.

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**SUBCHAPTER 1. GENERAL PROVISIONS****13:55B-1.1 Purpose**

The rules of this chapter are promulgated by the Superintendent in order to implement the Bounty Hunter Licensing Act (Act), P.L. 2005, c. 376. The Act provides, among other things, that there be procedures for the licensing of bounty hunters, including owners and operators of companies engaged in performing the functions, activities or services of bounty hunters, and employees, agents, associates and subcontractors of those companies who perform any of the functions, activities or services of bounty hunters, as defined by the Act.

**13:55B-1.2 Scope and application**

(a) The rules of this chapter shall apply to all bounty hunters, as defined under N.J.A.C. 13:55B-1.3, and to all employees of bounty hunters whose functions are limited to clerical and administrative functions, or otherwise performed exclusively at the licensee's principal place of business or other places of business, that is, offices, sub-agencies, branches, home offices, utilized by the licensee.

(b) The rules of this chapter shall not be construed to confer upon bounty hunters any law enforcement powers, including the right to use force when apprehending suspects. Any bounty hunter who enters any premises or dwelling without license or privilege or who employs the use of unlawful force in engaging in or assisting in the apprehension, arrest, detention, confinement, surrender, securing or surveillance of any person who has violated the provisions of N.J.S.A. 2C:29-7 or has failed to appear in any court of law in this State or any other state, when so required by law, or has failed to answer any charge, subpoena or court ordered inquiry, when so required by law, shall, in addition to any other criminal penalties provided under law, be guilty of a crime of the fourth degree.

**13:55B-1.3 Definitions**

The following words and terms, as used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Bounty hunter" means and includes any bail runner, bail recovery agent, bail enforcement agent, fugitive recovery agent, or any other person who, for fee, hire or reward: makes any investigation or investigations as to the location or whereabouts of any person who has violated the provisions of N.J.S.A. 2C:29-7 or has failed to appear in any court of law in this State or any other state, when so required by law, or has

failed to answer any charge, subpoena or court ordered inquiry, when so required by law; or engages in or assists in the apprehension, arrest, detention, confinement, surrender or securing of any such person; or keeps any such person under surveillance.

The term shall mean and include any person who owns or operates any agency, firm, association, corporation or other entity which is organized primarily for the purpose of engaging in any of the above enumerated activities, and to any employee, agent, associate or subcontractor of any such agency, firm, association, corporation or other entity who performs any of the functions, activities or services of a bounty hunter as described in this subsection.

The term shall not mean and include, and nothing in this chapter shall apply to, law enforcement officers of this State, or of any political subdivision of this State, while in the actual performance of their duties, nor to officers or employees of any law enforcement agency of the United States or of any state, territory or possession of the United States, while in the actual performance of their duties.

The term shall not mean and include, an employee of a licensed bounty hunter, whose functions are limited to clerical and administrative functions, or otherwise performed exclusively at the licensee's principal place of business or other places of business, that is, offices, sub-agencies, branches, home offices, utilized by the licensee.

"Law enforcement officer" means any person who is employed as a permanent full-time member of any Federal, state, county, or municipal law enforcement agency, department, or division of those governments who is statutorily empowered to act for the detection, investigation, arrest, conviction, detention, or rehabilitation of persons violating criminal laws and statutorily required to successfully complete a training course approved by, or certified as being substantially equivalent to such an approved course, by the Police Training Commission pursuant to P.L. 1961, c. 56 (N.J.S.A. 52:17B-66 et seq.).

"Superintendent" means the Superintendent of the Division of State Police in the Department of Law and Public Safety.

## SUBCHAPTER 2. LICENSING OF BOUNTY HUNTERS

### 13:55B-2.1 Minimum qualifications to be a licensed bounty hunter

(a) All persons seeking to be licensed as a bounty hunter shall:

1. Be at least 25 years of age;
2. Be a U.S. citizen, or a naturalized U.S. citizen; and

3. Have at least five years of experience in one of the following:

- i. Experience as a law enforcement officer and no longer be employed or attached in any capacity whatsoever to a law enforcement agency;
- ii. Experience working as a private detective, licensed under the Private Detective's Act of 1939, N.J.S.A. 45:19-8 et seq., or subsequent State law, or the laws of any other state; or
- iii. Investigative employment working for a private detective, licensed under the Private Detective's Act of 1939 or subsequent State law, or the laws of any other state.

(b) Notwithstanding the requirements of (a)3 above, any person who can document or demonstrate to the satisfaction of the Superintendent that they, for at least five years prior to February 1, 2007, have engaged in the business of or performed the functions, activities or services of a bounty hunter, or has held a business out to be that of a bounty hunter, and who meets the requirements set forth in (a)1 and 2 above, shall be deemed to have met the minimum requirements necessary to become a licensed bounty hunter if that person submits an application to the Superintendent before April 1, 2007, and if that person completes the bounty hunter training course in accordance with N.J.A.C. 13:55B-2.5.

### 13:55B-2.2 Licensure required to be a licensed bounty hunter

No person shall engage in the business of, or perform, or offer to perform, the functions, activities or services of a bounty hunter, or advertise or hold a business out to be that of a bounty hunter after April 1, 2007, unless that person is licensed by the Superintendent as set forth in this chapter. Any person who engages in the business of, or performs, or offers to perform, the functions, activities or services of a bounty hunter, or advertise or hold a business out to be that of a bounty hunter, without first having received a license to do so, shall be guilty of a crime of the fourth degree.

### 13:55B-2.3 Application for a bounty hunter's license

(a) Any person wishing to engage in the business of, or perform, or offer to perform, the functions, activities or services of a bounty hunter, or advertise or hold a business out to be that of a bounty hunter, shall complete an application for a bounty hunter license on a form provided by and in a manner prescribed by the Superintendent. The application shall contain information required by the Bounty Hunter Licensing Act, any supporting documentation requested by the Superintendent, and the written approval of not less than five reputable citizens who have known the applicant for at least three years preceding the date of application and who shall certify that the applicant is a person of good moral character and behavior.