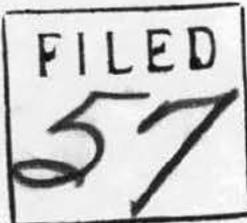


REGISTRATION OF PRIVATE
DETECTIVE AGENCIES:

It is not necessary that private
detective agencies register in the
office of the Secretary of State,
which agencies are operating in
Kansas City, Missouri



August 15, 1952

8-15-52

Honorable J. Paul Markway, Chief Clerk
Office of Secretary of State
Jefferson City, Missouri

Dear Sir:

This department is in receipt of your recent request
for an official opinion. You thus state your opinion request:

"Section 319.010, R.S. Mo. 1949, provides
that all private detective agencies in
cities of 200,000 to 400,000 population
must be registered in this office. There
is only one city which fell in this clas-
sification -- Kansas City. According to
the new census figures, Kansas City now
has more than 400,000 inhabitants.

"We respectfully request your opinion as
to whether or not this statute still
applies to Kansas City."

Section 319.010, RSMo 1949, to which you refer, reads:

"It shall be unlawful for any person,
firm or corporation to conduct, operate,
manage or advertise the fact that they
are engaged in the operation or manage-
ment of any private detective agency or
bureau in any city of this state having
a population of two hundred thousand and
less than four hundred thousand, unless
they shall register their name and set
forth in the application for registration
thereof the names of all persons interested
in the management and operation of any
such private detective agency, which said
registration shall be filed in the office
of the secretary of state and a fee of two
dollars shall be paid to the state collector
of revenue. The secretary of state then

Honorable J. Paul Markway

shall issue a certificate showing such registration provided any such person, firm or corporation shall exhibit with said application for registration a tax receipt showing payment of taxes by any such person, firm or corporation for a period of at least five years prior to such application for registration. Thereupon it shall be the duty of any such applicant for license to present such certificate of registration to the board of police commissioners or other officials of said city for the right to license said business, provided they otherwise comply with the rules and regulations prescribed by said licensing authorities."

The above section is an exact copy of the law as passed by the Legislature in 1925. However, no appellate cases have been decided under it. From the language of the statute it appears to be perfectly plain that registration of detective agencies is confined to cities which have a population of between 200,000 and 400,000. Since Kansas City, Missouri, has a population in excess of 400,000, the above section would not apply.

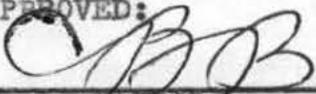
CONCLUSION

It is the opinion of this department that it is not necessary that private detective agencies register in the office of the Secretary of State, which agencies are operating in Kansas City, Missouri.

Respectfully submitted,

HUGH P. WILLIAMSON
Assistant Attorney General

APPROVED:



J. E. TAYLOR
Attorney General

HPWab