

701—211.28(423) Security and detective services.

211.28(1) *In general.* Persons engaged in the business of providing security or detective services are selling a service subject to sales tax.

211.28(2) *Definitions.* For purposes of this rule:

“*Detective service*” means a service of investigation with the purpose to obtain information regarding any of the following subjects: crimes or wrongs done or threatened; the habits, conduct, movements, location, associations, transactions, reputation, or character of a person; credibility of witnesses or other persons; inquiry or recovery of lost or stolen property; cause, origin, or responsibility of a fire, accident, or damage to property; or veracity or falsity of any statement or representation, or means a service of investigation with the purpose to detect deception or to secure evidence to be used before an authorized investigation committee, before boards of award or arbitration, or in a civil or criminal trial.

“*Security service*” means a service with the purpose to protect property from theft, vandalism, or destruction or individuals from physical attack or harassment. “Security service” includes but is not limited to the rental of guard dogs; burglar or fire alarms; providing security guards, bodyguards or mobile patrols; or the protection of computer systems against unauthorized access.

211.28(3) *Exempt.* The sales price of the following services or activities are not subject to sales tax under this rule:

- a. Peace officer engaged privately in security or detective work with the knowledge and consent of the chief executive officer of the peace officer’s law enforcement agency.
- b. Person employed full- or part-time by an employer in connection with the affairs of the employer.
- c. Attorney licensed to practice law in Iowa while performing duties as an attorney.
- d. Person engaged exclusively, either as an employee or independent contractor, in conducting investigations and adjustments for insurance companies.
- e. Person serving notice or any other document to a party, witness, or any other individual in connection with any criminal, civil, or administrative litigation.
- f. Solicitation of a debtor to pay or collect payment for a debt.
- g. Consulting, rendering advice, or providing training with regard to security or detection matters.
- h. Charges for mileage, travel expenses, lodging, meal expenses, fees paid for records, and amounts paid for information if those charges are separately identified, separately billed, and reasonable in amount.

This rule is intended to implement Iowa Code section 423.2(6) “*as.*”

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