

HOUSE BILL ANALYSIS

SB 5253

Brief Description: Preventing a registered sex offender from holding a real estate license.

Sponsors: Senators Benton and Prentice

Hearing: March 29, 1999

Brief Summary of Bill

The Department of Licensing may suspend, deny, or revoke the license of a real estate broker or salesperson who is a sex offender for as long as the offender is required to be registered.

BACKGROUND:

The Department of Licensing administers the real estate broker and salesperson licensing program. The department administers a test to each license applicant and insures that applicants meet certain admission standards. The department also disciplines brokers and salespersons if the director finds a violation of one of the various grounds for discipline. Once the director finds that an individual violated one of the grounds for discipline, the director may levy a fine, require completion of a course relevant to the violation, or deny, suspend, or revoke the individual's license.

One of the grounds for discipline is commission of a crime involving moral turpitude. Sex offenses are one of the crimes that the department considers in the moral turpitude category of crimes. Persons convicted of sex offenses must register with the sheriff in the county of their residence when released from incarceration. Depending on the level of the crime committed, sex offenders must register for ten years, 15 years, or life.

The director's ability to deny a license to someone who has committed a crime of moral turpitude is limited by the general restriction that convictions more than ten years old may not be used as a basis to deny a professional license. As a result, the department cannot deny an application or suspend the license of a registered sex offender who was convicted more than ten years ago.

Prepared for the House Commerce & Labor Committee
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SUMMARY OF BILL:

The bill permits the department to suspend, deny, or revoke the license of a real estate broker or salesperson who is a sex offender for as long as the offender is required to be registered.

RULES AUTHORITY: The bill does not contain provisions addressing the rule making powers of an agency.

FISCAL NOTE: Not requested.

EFFECTIVE DATE: Ninety days after adjournment of a session in which bill is passed.