
HOUSE BILL 1889

State of Washington

68th Legislature

2024 Regular Session

By Representatives Walen, Taylor, Leavitt, Slatter, Ramel, Duerr, Ryu, Ramos, Bateman, Reeves, Reed, Ormsby, Callan, Peterson, Kloba, Macri, Street, Doglio, Bergquist, Mena, Goodman, Thai, Santos, Hackney, Pollet, Fosse, Davis, and Senn

Prefiled 12/06/23. Read first time 01/08/24. Referred to Committee on Consumer Protection & Business.

1 AN ACT Relating to allowing persons to receive professional
2 licenses and certifications regardless of immigration or citizenship
3 status; amending RCW 18.170.030, 18.165.030, 18.53.060, 18.185.020,
4 18.185.250, 19.230.040, and 19.230.090; reenacting and amending RCW
5 18.130.040; adding a new section to chapter 18.118 RCW; adding a new
6 section to chapter 28A.410 RCW; and adding a new section to chapter
7 28A.413 RCW.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

9 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.118
10 RCW to read as follows:

11 (1) An individual who is not lawfully present in the United
12 States is eligible for a professional license, commercial license,
13 certificate, permit, or registration as allowed under Title 8 U.S.C.
14 Sec. 1621. A state agency or regulatory authority shall not deny an
15 application for a professional license, commercial license,
16 certificate, permit, or registration solely on the basis of a
17 person's immigration or citizenship status if the person has met all
18 other qualifications.

19 (2) An applicant for a professional license, commercial license,
20 certificate, permit, or registration may provide an individual

1 taxpayer identification number in lieu of a social security number
2 when completing an application.

3 (3) A state agency or regulatory authority shall not disclose to
4 any person who is not employed by the state agency or regulatory
5 authority the social security number or individual taxpayer
6 identification number of an applicant or licensee for any purpose
7 except:

- 8 (a) Tax purposes;
- 9 (b) Licensing purposes; and
- 10 (c) Enforcement of an order for the payment of child support.

11 (4) A social security number or individual taxpayer
12 identification number provided to a regulatory authority is
13 confidential and is exempt from disclosure under chapter 42.56 RCW.

14 (5) Nothing in this section shall affect the requirements to
15 obtain a professional license, commercial license, certificate,
16 permit, or registration that are not directly related to citizenship
17 status or immigration status.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.410
19 RCW to read as follows:

20 An individual who is not lawfully present in the United States is
21 eligible for a permit or certificate as allowed under Title 8 U.S.C.
22 Sec. 1621. The professional educator standards board and the
23 superintendent of public instruction shall not deny an application
24 for a permit or certificate solely on the basis of a person's
25 immigration or citizenship status if the person has met all other
26 qualifications.

27 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.413
28 RCW to read as follows:

29 An individual who is not lawfully present in the United States is
30 eligible for a certificate as allowed under Title 8 U.S.C. Sec. 1621.
31 The paraeducator board shall not deny an application for a
32 certificate for a person solely on the basis of a person's
33 immigration or citizenship status if the person has met all other
34 qualifications.

35 **Sec. 4.** RCW 18.130.040 and 2023 c 469 s 18, 2023 c 460 s 15,
36 2023 c 425 s 27, 2023 c 270 s 14, 2023 c 175 s 11, and 2023 c 123 s
37 21 are each reenacted and amended to read as follows:

1 (1) This chapter applies only to the secretary and the boards and
2 commissions having jurisdiction in relation to the professions
3 licensed under the chapters specified in this section. This chapter
4 does not apply to any business or profession not licensed under the
5 chapters specified in this section.

6 (2) (a) The secretary has authority under this chapter in relation
7 to the following professions:

8 (i) Dispensing opticians licensed and designated apprentices
9 under chapter 18.34 RCW;

10 (ii) Midwives licensed under chapter 18.50 RCW;

11 (iii) Ocularists licensed under chapter 18.55 RCW;

12 (iv) Massage therapists and businesses licensed under chapter
13 18.108 RCW;

14 (v) Dental hygienists licensed under chapter 18.29 RCW;

15 (vi) Acupuncturists or acupuncture and Eastern medicine
16 practitioners licensed under chapter 18.06 RCW;

17 (vii) Radiologic technologists certified and X-ray technicians
18 registered under chapter 18.84 RCW;

19 (viii) Respiratory care practitioners licensed under chapter
20 18.89 RCW;

21 (ix) Hypnotherapists registered, agency affiliated counselors
22 registered, certified, or licensed, and advisors and counselors
23 certified under chapter 18.19 RCW;

24 (x) Persons licensed as mental health counselors, mental health
25 counselor associates, marriage and family therapists, marriage and
26 family therapist associates, social workers, social work associates—
27 advanced, and social work associates—independent clinical under
28 chapter 18.225 RCW;

29 (xi) Persons registered as nursing pool operators under chapter
30 18.52C RCW;

31 (xii) Nursing assistants registered or certified or medication
32 assistants endorsed under chapter 18.88A RCW;

33 (xiii) Dietitians and nutritionists certified under chapter
34 18.138 RCW;

35 (xiv) Substance use disorder professionals, substance use
36 disorder professional trainees, or co-occurring disorder specialists
37 certified under chapter 18.205 RCW;

38 (xv) Sex offender treatment providers and certified affiliate sex
39 offender treatment providers certified under chapter 18.155 RCW;

1 (xvi) Persons licensed and certified under chapter 18.73 RCW or
2 RCW 18.71.205;

3 (xvii) Orthotists and prosthetists licensed under chapter 18.200
4 RCW;

5 (xviii) Surgical technologists registered under chapter 18.215
6 RCW;

7 (xix) Recreational therapists under chapter 18.230 RCW;

8 (xx) Animal massage therapists certified under chapter 18.240
9 RCW;

10 (xxi) Athletic trainers licensed under chapter 18.250 RCW;

11 (xxii) Home care aides certified under chapter 18.88B RCW;

12 (xxiii) Genetic counselors licensed under chapter 18.290 RCW;

13 (xxiv) Reflexologists certified under chapter 18.108 RCW;

14 (xxv) Medical assistants-certified, medical assistants-
15 hemodialysis technician, medical assistants-phlebotomist, forensic
16 phlebotomist, and medical assistants-registered certified and
17 registered under chapter 18.360 RCW;

18 (xxvi) Behavior analysts, assistant behavior analysts, and
19 behavior technicians under chapter 18.380 RCW;

20 (xxvii) Birth doulas certified under chapter 18.47 RCW;

21 (xxviii) Music therapists licensed under chapter 18.233 RCW;

22 (xxix) Behavioral health support specialists certified under
23 chapter 18.227 RCW; and

24 (xxx) Certified peer specialists and certified peer specialist
25 trainees under chapter 18.420 RCW.

26 (b) The boards and commissions having authority under this
27 chapter are as follows:

28 (i) The podiatric medical board as established in chapter 18.22
29 RCW;

30 (ii) The chiropractic quality assurance commission as established
31 in chapter 18.25 RCW;

32 (iii) The dental quality assurance commission as established in
33 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW,
34 licenses and registrations issued under chapter 18.260 RCW, licenses
35 issued under chapter 18.265 RCW, and certifications issued under
36 chapter 18.350 RCW;

37 (iv) The board of hearing and speech as established in chapter
38 18.35 RCW;

39 (v) The board of examiners for nursing home administrators as
40 established in chapter 18.52 RCW;

1 (vi) The optometry board as established in chapter 18.54 RCW
2 governing licenses issued under chapter 18.53 RCW;

3 (vii) The board of osteopathic medicine and surgery as
4 established in chapter 18.57 RCW governing licenses issued under
5 chapter 18.57 RCW;

6 (viii) The pharmacy quality assurance commission as established
7 in chapter 18.64 RCW governing licenses issued under chapters 18.64
8 and 18.64A RCW;

9 (ix) The Washington medical commission as established in chapter
10 18.71 RCW governing licenses and registrations issued under chapters
11 18.71 and 18.71A RCW;

12 (x) The board of physical therapy as established in chapter 18.74
13 RCW;

14 (xi) The board of occupational therapy practice as established in
15 chapter 18.59 RCW;

16 (xii) The board of nursing as established in chapter 18.79 RCW
17 governing licenses and registrations issued under that chapter and
18 under chapter 18.80 RCW;

19 (xiii) The examining board of psychology and its disciplinary
20 committee as established in chapter 18.83 RCW;

21 (xiv) The veterinary board of governors as established in chapter
22 18.92 RCW;

23 (xv) The board of naturopathy established in chapter 18.36A RCW,
24 governing licenses and certifications issued under that chapter; and

25 (xvi) The board of denturists established in chapter 18.30 RCW.

26 (3) (a) In addition to the authority to discipline license
27 holders, the disciplining authority has the authority to grant or
28 deny licenses. The disciplining authority may also grant a license
29 subject to conditions.

30 (b) An individual who is not lawfully present in the United
31 States is eligible for a license as allowed under Title 8 U.S.C. Sec.
32 1621. Disciplining authorities shall not deny a license solely on the
33 basis of a person's immigration or citizenship status if the person
34 has met all other qualifications for a license.

35 (4) All disciplining authorities shall adopt procedures to ensure
36 substantially consistent application of this chapter, the uniform
37 disciplinary act, among the disciplining authorities listed in
38 subsection (2) of this section.

1 **Sec. 5.** RCW 18.170.030 and 2012 c 118 s 2 are each amended to
2 read as follows:

3 An applicant must meet the following minimum requirements to
4 obtain a private security guard license:

5 (1) Be at least eighteen years of age;

6 (2) ~~((Be a citizen of the United States or a resident alien;~~

7 ~~(3))~~) Not have been convicted of a crime in any jurisdiction, if
8 the director determines that the applicant's particular crime
9 directly relates to his or her capacity to perform the duties of a
10 private security guard, and the director determines that the license
11 should be withheld to protect the citizens of Washington state. The
12 director shall make her or his determination to withhold a license
13 because of previous convictions notwithstanding the restoration of
14 employment rights act, chapter 9.96A RCW;

15 ~~((4))~~) (3) Be employed by or have an employment offer from a
16 licensed private security company or be licensed as a private
17 security company;

18 ~~((5))~~) (4) Satisfy the training requirements established by the
19 director;

20 ~~((6))~~) (5) Submit a set of fingerprints; however, if an
21 applicant has been issued a license as a private investigator under
22 chapter 18.165 RCW within the last twelve months, the applicant is
23 not required to undergo a separate background check to become
24 licensed under this chapter;

25 ~~((7))~~) (6) Pay the required nonrefundable fee for each
26 application; and

27 ~~((8))~~) (7) Submit a fully completed application that includes
28 proper identification on a form prescribed by the director for each
29 company of employment.

30 **Sec. 6.** RCW 18.165.030 and 2012 c 118 s 1 are each amended to
31 read as follows:

32 An applicant must meet the following minimum requirements to
33 obtain a private investigator license:

34 (1) Be at least eighteen years of age;

35 (2) ~~((Be a citizen or resident alien of the United States;~~

36 ~~(3))~~) Not have been convicted of a crime in any jurisdiction, if
37 the director determines that the applicant's particular crime
38 directly relates to his or her capacity to perform the duties of a
39 private investigator and the director determines that the license

1 should be withheld to protect the citizens of Washington state. The
2 director shall make her or his determination to withhold a license
3 because of previous convictions notwithstanding the restoration of
4 employment rights act, chapter 9.96A RCW;

5 ((+4)) (3) Be employed by or have an employment offer from a
6 private investigator agency or be licensed as a private investigator
7 agency;

8 ((+5)) (4) Submit a set of fingerprints; however, if an
9 applicant has been issued a license as a private security guard under
10 chapter 18.170 RCW within the last twelve months, the applicant is
11 not required to undergo a separate background check to become
12 licensed under this chapter;

13 ((+6)) (5) Pay the required nonrefundable fee for each
14 application; and

15 ((+7)) (6) Submit a fully completed application that includes
16 proper identification on a form prescribed by the director for each
17 company of employment.

18 **Sec. 7.** RCW 18.53.060 and 1995 c 198 s 6 are each amended to
19 read as follows:

20 From and after January 1, 1940, in order to be eligible for
21 examination for registration, a person (~~shall be a citizen of the~~
22 ~~United States of America, who~~) shall have a preliminary education of
23 or equal to four years in a state accredited high school and has
24 completed a full attendance course in a regularly chartered school of
25 optometry maintaining a standard which is deemed sufficient and
26 satisfactory by the optometry board, who is a person of good moral
27 character, who has a visual acuity in at least one eye, of a standard
28 known as 20/40 under correction: PROVIDED, That from and after
29 January 1, 1975, in order to be eligible for examination for a
30 license, a person shall have the following qualifications:

31 (1) Be a graduate of a state accredited high school or its
32 equivalent;

33 (2) Have a diploma or other certificate of completion from an
34 accredited college of optometry or school of optometry, maintaining a
35 standard which is deemed sufficient and satisfactory by the optometry
36 board, conferring its degree of doctor of optometry or its
37 equivalent, maintaining a course of four scholastic years in addition
38 to preprofessional college-level studies, and teaching substantially
39 all of the following subjects: General anatomy, anatomy of the eyes,

1 physiology, physics, chemistry, pharmacology, biology, bacteriology,
2 general pathology, ocular pathology, ocular neurology, ocular
3 myology, psychology, physiological optics, optometrical mechanics,
4 clinical optometry, visual field charting and orthoptics, general
5 laws of optics and refraction and use of the ophthalmoscope,
6 retinoscope and other clinical instruments necessary in the practice
7 of optometry; and

8 (3) Be of good moral character.

9 Such person shall file an application for an examination and
10 license with said board at any time thirty days prior to the time
11 fixed for such examination, or at a later date if approved by the
12 board, and such application must be on forms approved by the board,
13 and properly attested, and if found to be in accordance with the
14 provisions of this chapter shall entitle the applicant upon payment
15 of the proper fee, to take the examination prescribed by the board.
16 Such examination shall not be out of keeping with the established
17 teachings and adopted textbooks of the recognized schools of
18 optometry, and shall be confined to such subjects and practices as
19 are recognized as essential to the practice of optometry. All
20 candidates without discrimination, who shall successfully pass the
21 prescribed examination, shall be registered by the board and shall,
22 upon payment of the proper fee, be issued a license. Any license to
23 practice optometry in this state issued by the secretary, and which
24 shall be in full force and effect at the time of passage of chapter
25 69, Laws of 1975 1st ex. sess., shall be continued.

26 **Sec. 8.** RCW 18.185.020 and 1993 c 260 s 3 are each amended to
27 read as follows:

28 An applicant must meet the following minimum requirements to
29 obtain a bail bond agent license:

30 (1) Be at least eighteen years of age;

31 (2) ~~((Be a citizen or resident alien of the United States;~~

32 ~~(3))~~) Not have been convicted of a crime in any jurisdiction in
33 the preceding ten years, if the director determines that the
34 applicant's particular crime directly relates to a capacity to
35 perform the duties of a bail bond agent and the director determines
36 that the license should be withheld to protect the citizens of
37 Washington state. If the director shall make a determination to
38 withhold a license because of previous convictions, the determination

1 shall be consistent with the restoration of employment rights act,
2 chapter 9.96A RCW;

3 ~~((4))~~ (3) Be employed by a bail bond agency or be licensed as a
4 bail bond agency; and

5 ~~((5))~~ (4) Pay the required fee.

6 **Sec. 9.** RCW 18.185.250 and 2008 c 105 s 5 are each amended to
7 read as follows:

8 An applicant must meet the following requirements to obtain a
9 bail bond recovery agent license:

10 (1) Submit a fully completed application that includes proper
11 identification on a form prescribed by the director;

12 (2) Pass an examination determined by the director to measure his
13 or her knowledge and competence in the bail recovery business;

14 (3) Be at least twenty-one years old;

15 (4) ~~((Be a citizen or legal resident alien of the United States;~~

16 ~~(5))~~ Not have been convicted of a crime in any jurisdiction, if
17 the director determines that the applicant's particular crime
18 directly relates to a capacity to perform the duties of a bail bond
19 recovery agent, and that the license should be withheld to protect
20 the citizens of Washington state. The director shall make the
21 director's determination to withhold a license because of previous
22 convictions notwithstanding the restoration of employment rights act,
23 chapter 9.96A RCW;

24 ~~((6))~~ (5) Not have had certification as a peace officer revoked
25 or denied under chapter 43.101 RCW, unless certification has
26 subsequently been reinstated under RCW 43.101.115;

27 ~~((7))~~ (6) Submit a receipt showing payment for a background
28 check through the Washington state patrol and the federal bureau of
29 investigation;

30 ~~((8))~~ (7) Have a current firearms certificate issued by the
31 commission if carrying a firearm in the performance of his or her
32 duties as a bail bond recovery agent;

33 ~~((9))~~ (8)(a) Have a current license or equivalent permit to
34 carry a concealed pistol;

35 (b) A resident alien must provide a copy of his or her alien
36 firearm license; and

37 ~~((10))~~ (9)(a) Pay the required nonrefundable fee for each
38 application for a bail bond recovery agent license;

1 (b) A bail bond agent or qualified agent who wishes to perform
2 the duties of a bail bond recovery agent must first obtain a bail
3 bond recovery agent endorsement to his or her bail bond agent or
4 agency license in order to act as a bail bond recovery agent, and pay
5 the required nonrefundable fee for each application for a bail bond
6 recovery agent endorsement.

7 **Sec. 10.** RCW 19.230.040 and 2017 c 30 s 4 are each amended to
8 read as follows:

9 (1) A person applying for a money transmitter license under this
10 chapter shall do so in a form and in a medium prescribed in rule by
11 the director. The application must state or contain:

12 (a) The legal name, business addresses, and residential address,
13 if applicable, of the applicant and any fictitious or trade name used
14 by the applicant in conducting its business;

15 (b) The legal name, residential and business addresses, date of
16 birth, social security number(~~(r)~~) or tax payer identification
17 number, and employment history for the five-year period preceding the
18 submission of the application of the applicant's proposed responsible
19 individual(~~(r and documentation that the proposed responsible~~
20 ~~individual is a citizen of the United States or has obtained legal~~
21 ~~immigration status to work in the United States)). In addition, the~~
22 applicant shall provide the fingerprints of the proposed responsible
23 individual upon the request of the director;

24 (c) For the ten-year period preceding submission of the
25 application, a list of any criminal convictions of the proposed
26 responsible individual of the applicant, any material litigation in
27 which the applicant has been involved, and any litigation involving
28 the proposed responsible individual relating to the provision of
29 money services;

30 (d) A description of any money services previously provided by
31 the applicant and the money services that the applicant seeks to
32 provide to persons in Washington state;

33 (e) A list of the applicant's proposed authorized delegates and
34 the locations where the applicant and its authorized delegates will
35 engage in the provision of money services to persons in Washington
36 state on behalf of the licensee;

37 (f) A list of other states in which the applicant is licensed to
38 engage in money transmission, or provide other money services, and

1 any license revocations, suspensions, restrictions, or other
2 disciplinary action taken against the applicant in another state;

3 (g) A list of any license revocations, suspensions, restrictions,
4 or other disciplinary action taken against any money services
5 business involving the proposed responsible individual;

6 (h) Information concerning any bankruptcy or receivership
7 proceedings involving or affecting the applicant or the proposed
8 responsible individual;

9 (i) A sample form of contract for authorized delegates, if
10 applicable;

11 (j) A description of the source of money and credit to be used by
12 the applicant to provide money services; and

13 (k) Any other information regarding the background, experience,
14 character, financial responsibility, and general fitness of the
15 applicant, the applicant's responsible individual, or authorized
16 delegates that the director may require in rule.

17 (2) If an applicant is a corporation, limited liability company,
18 partnership, or other entity, the applicant shall also provide:

19 (a) The date of the applicant's incorporation or formation and
20 state or country of incorporation or formation;

21 (b) If applicable, a certificate of good standing from the state
22 or country in which the applicant is incorporated or formed;

23 (c) A brief description of the structure or organization of the
24 applicant, including any parent or subsidiary of the applicant, and
25 whether any parent or subsidiary is publicly traded;

26 (d) The legal name, any fictitious or trade name, all business
27 and residential addresses, date of birth, social security number, and
28 employment history in the ten-year period preceding the submission of
29 the application for each executive officer, board director, or person
30 that has control of the applicant;

31 (e) If the applicant or its corporate parent is not a publicly
32 traded entity, the director may request the fingerprints of each
33 executive officer, board director, or person that has control of the
34 applicant;

35 (f) A list of any criminal convictions, material litigation, and
36 any litigation related to the provision of money services, in the
37 ten-year period preceding the submission of the application in which
38 any executive officer, board director, or person in control of the
39 applicant has been involved;

1 (g) A copy of the applicant's audited financial statements for
2 the most recent fiscal year or, if the applicant is a wholly owned
3 subsidiary of another corporation, the most recent audited
4 consolidated annual financial statement of the parent corporation or
5 the applicant's most recent audited consolidated annual financial
6 statement, and in each case, if available, for the two-year period
7 preceding the submission of the application;

8 (h) A copy of the applicant's unconsolidated financial statements
9 for the current fiscal year, whether audited or not, and, if
10 available, for the two-year period preceding the submission of the
11 application;

12 (i) If the applicant is publicly traded, a copy of the most
13 recent report filed with the United States securities and exchange
14 commission under section 13 of the federal Securities Exchange Act of
15 1934 (15 U.S.C. Sec. 78m);

16 (j) If the applicant is a wholly owned subsidiary of:

17 (i) A corporation publicly traded in the United States, a copy of
18 audited financial statements for the parent corporation for the most
19 recent fiscal year or a copy of the parent corporation's most recent
20 report filed under section 13 of the federal Securities Exchange Act
21 of 1934 (15 U.S.C. Sec. 78m); or

22 (ii) A corporation publicly traded outside the United States, a
23 copy of similar documentation filed with the regulator of the parent
24 corporation's domicile outside the United States;

25 (k) If the applicant has a registered agent in this state, the
26 name and address of the applicant's registered agent in this state;
27 and

28 (l) Any other information that the director may require in rule
29 regarding the applicant, each executive officer, or each board
30 director to determine the applicant's background, experience,
31 character, financial responsibility, and general fitness.

32 (3) A nonrefundable application fee and an initial license fee,
33 as determined in rule by the director, must accompany an application
34 for a license under this chapter. The initial license fee must be
35 refunded if the application is denied.

36 (4) As part of or in connection with an application for any
37 license under this section, or periodically upon license renewal,
38 each officer, director, responsible individual, and owner applicant
39 shall furnish information concerning his or her identity, including
40 fingerprints for submission to the Washington state patrol or the

1 federal bureau of investigation for a state and national criminal
2 history background check, personal history, experience, business
3 record, purposes, and other pertinent facts, as the director may
4 reasonably require. As part of or in connection with an application
5 for a license under this chapter, or periodically upon license
6 renewal, the director is authorized to receive criminal history
7 record information that includes nonconviction data as defined in RCW
8 10.97.030. The department may only disseminate nonconviction data
9 obtained under this section to criminal justice agencies. This
10 section does not apply to financial institutions regulated under
11 chapters 31.12 and 31.13 RCW and Titles 32 and 33 RCW. The
12 requirements of this subsection do not apply when the applicant or
13 its corporate parents are publicly traded entities.

14 (5) For business models that store virtual currency on behalf of
15 others, the applicant must provide a third-party security audit of
16 all electronic information and data systems acceptable to the
17 director.

18 (6) The director or the director's designated representative may
19 deny an application for a proposed license or trade name if the
20 proposed license or trade name is similar to a currently existing
21 licensee name, including trade names.

22 (7) The director may waive one or more requirements of this
23 section or permit an applicant to submit other information in lieu of
24 the required information.

25 **Sec. 11.** RCW 19.230.090 and 2003 c 287 s 11 are each amended to
26 read as follows:

27 (1) A person applying for a currency exchange license under this
28 chapter shall do so in a form and in a medium prescribed in rule by
29 the director. The application must state or contain:

30 (a) The legal name, business addresses, and residential address,
31 if applicable, of the applicant and any fictitious or trade name used
32 by the applicant in conducting its business, and the legal name,
33 residential and business addresses, date of birth, social security
34 number or tax payer identification number, employment history for the
35 five-year period preceding the submission of the application; and
36 upon request of the director, fingerprints of the applicant's
37 proposed responsible individual (~~(and documentation that the proposed~~
38 ~~responsible individual is a citizen of the United States or has~~
39 ~~obtained legal immigration status to work in the United States));~~

1 (b) For the ten-year period preceding the submission of the
2 application, a list of any criminal convictions of the proposed
3 responsible individual of the applicant, any material litigation in
4 which the applicant has been involved, and any litigation involving
5 the proposed responsible individual relating to the provision of
6 money services;

7 (c) A description of any money services previously provided by
8 the applicant and the money services that the applicant seeks to
9 provide in this state;

10 (d) A list of the applicant's proposed authorized delegates and
11 the locations in this state where the applicant and its authorized
12 delegates propose to engage in currency exchange;

13 (e) A list of other states in which the applicant engages in
14 currency exchange or provides other money services and any license
15 revocations, suspensions, restrictions, or other disciplinary action
16 taken against the applicant in another state;

17 (f) A list of any license revocations, suspensions, restrictions,
18 or other disciplinary action taken against any money services
19 business involving the proposed responsible individual;

20 (g) Information concerning any bankruptcy or receivership
21 proceedings involving or affecting the applicant or the proposed
22 responsible individual;

23 (h) A sample form of contract for authorized delegates, if
24 applicable;

25 (i) A description of the source of money and credit to be used by
26 the applicant to provide currency exchange; and

27 (j) Any other information regarding the background, experience,
28 character, financial responsibility, and general fitness of the
29 applicant, the applicant's responsible individual, or authorized
30 delegates that the director may require in rule.

31 (2) If an applicant is a corporation, limited liability company,
32 partnership, or other entity, the applicant shall also provide:

33 (a) The date of the applicant's incorporation or formation and
34 state or country of incorporation or formation;

35 (b) If applicable, a certificate of good standing from the state
36 or country in which the applicant is incorporated or formed;

37 (c) A brief description of the structure or organization of the
38 applicant, including any parent or subsidiary of the applicant, and
39 whether any parent or subsidiary is publicly traded;

1 (d) The legal name, any fictitious or trade name, all business
2 and residential addresses, date of birth, social security number, and
3 employment history in the ten-year period preceding the submission of
4 the application for each executive officer, board director, or person
5 that has control of the applicant;

6 (e) If the applicant or its corporate parent is not a publicly
7 traded entity, the director may request the fingerprints for each
8 executive officer, board director, or person that has control of the
9 applicant; and

10 (f) A list of any criminal convictions, material litigation, and
11 any litigation related to the provision of money services, in which
12 any executive officer, board director, or person in control of the
13 applicant has been involved in the ten-year period preceding the
14 submission of the application.

15 (3) A nonrefundable application fee and an initial license fee,
16 as determined in rule by the director, must accompany an application
17 for a currency exchange license under this chapter. The license fee
18 must be refunded if the application is denied.

19 (4) The director may waive one or more requirements of subsection
20 (1) or (2) of this section or permit an applicant to submit other
21 information in lieu of the required information.

--- END ---