

HOUSE BILL NO. HB0142

Real estate agents and appraisers-background checks.

Sponsored by: Representative(s) Morgan and Senator(s) Sessions

A BILL

for

1 AN ACT relating to real estate brokers, salesmen and
2 appraisers; providing for fingerprinting and background
3 checks for applicants; and providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 7-19-201(a) by creating a new
8 paragraph (vi), 33-28-105(c)(iv), 33-28-106(c) by creating
9 a new paragraph (iv) and (f)(intro), 33-39-105(a) by
10 creating a new paragraph (x) and 33-39-109 by creating a
11 new subsection (d) are amended to read:

12

13 **7-19-201. State or national criminal history record**
14 **information.**

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1 (a) The following persons shall be required to submit
2 to fingerprinting in order to obtain state and national
3 criminal history record information:

4
5 (vi) Persons applying for a real estate broker
6 or salesperson license under W.S. 33-28-106 or a real
7 estate appraisers permit under W.S. 33-39-109.

8
9 **33-28-105. Creation of commission; membership; terms;**
10 **removal; chairman; powers and duties; director and duties**
11 **thereof; other employees; compensation; disposition of**
12 **fees.**

13
14 (c) The commission shall employ a director. The
15 director is subject to the rules and regulations of the
16 human resources division of the department of
17 administration and information. The director's salary shall
18 be paid from the real estate board account specified in
19 subsection (g) of this section. The duties of the director
20 shall include the following:

21
22 (iv) Make criminal history record background
23 checks on applicants for purposes of licensing under this
24 act, and make investigations of complaints and possible

1 violations of the real estate laws and practices of
2 licensees and to furnish information and recommendations to
3 the commission for their action;

4

5 **33-28-106. Application for license; qualifications;**
6 **sworn statement; commission approval of course of study;**
7 **statement of broker; denial of license; license and pocket**
8 **card.**

9

10 (c) Each applicant for a broker's license shall:

11

12 (iv) Provide the commission fingerprints and
13 other information necessary for a criminal history record
14 background check as provided under W.S. 7-19-201.

15

16 (f) Each applicant for a salesman's license shall
17 have reached the age of majority. The application for a
18 salesman's license shall be accompanied by fingerprints and
19 other information necessary for a criminal history record
20 background check as provided under W.S. 7-19-201 and a
21 written statement by the broker in whose service the
22 applicant is about to enter stating:

23

24 **33-39-105. Powers of the board; rulemaking authority.**

1

2 (a) The board shall:

3

4 (x) Conduct criminal history record background
5 checks on applicants for purposes of permitting under this
6 act.

7

8 **33-39-109. Permit process.**

9

10 (d) An application for a permit under this act shall
11 be accompanied by fingerprints and other information
12 necessary for a criminal history record background check as
13 provided under W.S. 7-19-201.

14

15 **Section 2.** This act is effective July 1, 2006.

16

17 (END)