

FEB 23 2005
COMMERCE, REGULATION & LABOR

HOUSE FILE 407
BY STRUYK

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring performance of a criminal history check of
2 applicants for real estate broker and salesperson licenses.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF 407

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1 Section 1. Section 543B.15, Code 2005, is amended by
2 adding the following new subsection:
3 NEW SUBSECTION. 10. An applicant for an initial real
4 estate broker's or salesperson's license shall be subject to a
5 national criminal history check through the federal bureau of
6 investigation. The applicant shall request the criminal
7 history check and shall provide the applicant's fingerprints
8 to the department of public safety for submission through the
9 state criminal history repository to the federal bureau of
10 investigation. The applicant shall authorize release of the
11 results of the criminal history check to the real estate
12 commission. The applicant shall pay the actual cost of the
13 fingerprinting and criminal history check, if any. Unless the
14 criminal history check was completed within the ninety
15 calendar days prior to the date the license application is
16 received by the real estate commission, the commission shall
17 reject and return the application to the applicant. The
18 results of a criminal history check conducted pursuant to this
19 subsection shall not be considered a public record under
20 chapter 22.

21 EXPLANATION

22 This bill amends Code section 543B.15, relating to real
23 estate licensee qualifications, to require performance of a
24 national criminal history check of applicants for an initial
25 real estate broker's or salesperson's license.
26 The applicant must request the criminal history check to be
27 performed by the department of public safety and provide the
28 department with the applicant's fingerprints for submission to
29 the federal bureau of investigation. The applicant must
30 authorize release of the results of the criminal history check
31 to the real estate commission and pay for the actual costs of
32 fingerprinting and the criminal history check. Unless the
33 criminal history check was completed within the 90-calendar-
34 day period prior to the date a license application is received
35 by the commission, the commission must reject and return the

1 application to the applicant. The bill provides that the
2 criminal history check results are not a public record under
3 Code chapter 22, Iowa's public record law.

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