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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Xavier I. Alexander.

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DIGEST

SB 291 Engrossed

2022 Regular Session

Lambert

Present law provides for the licensure and regulation of real estate appraisers and provides for the duties and powers of the La. Real Estate Appraisers Board (board).

Proposed law requires the board to request and obtain state and national criminal history information.

Proposed law defines applicant, bureau, criminal history record information, and FBI.

Proposed law provides criminal history record information obtained on an applicant shall be used only for the purpose of determining licensure or reinstatement of the applicant's eligibility.

Proposed law provides that the board shall do all of the following:

- (1) Comply with any lawful requirement imposed by the bureau.
- (2) Prescribe a form to be completed by each applicant prior to fingerprint submission and provides, at a minimum, what is to be included on the form.

Proposed law provides that the board may require an applicant to do the following:

- (1) Complete any form or application required by the bureau, including a set of applicant's fingerprints.
- (2) Permit the board to request and obtain applicant's criminal history record.
- (3) Pay the bureau an amount equal to administrative cost imposed by the bureau for the submission and processing of fingerprints for review of criminal history record information.

Proposed law shall not apply to any licensee that is in good standing with the board on or before December 31, 2022.

Proposed law provides that any registered trainee or licensed appraiser, who is registered on or before December 1, 2022, and who subsequently applies for licensure as a certified real estate appraiser or a certified general real estate appraiser on or after January 1, 2023, is subject to the provisions of proposed law.

Present law provides relative to Public Records Law.

Proposed law provides that certain criminal history record information received by the board from

the bureau shall be nonpublic and confidential and exempt from the Public Records Law.

Effective August 1, 2022.

(Amends R.S. 44:4.1(B)(23); adds R.S. 37:3395.2)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Defines "criminal history record information" as all state records of arrest, prosecution, conviction, including records expunged or dismissed pursuant to Code of Criminal Procedure Article 893, and national records which shall include fingerprints of the applicant, biometrics, and other identifying information.