

GREEN SHEET REDIGEST

HB 954

2024 Regular Session

Mena

LICENSING: Provides relative to occupations and professions.

DIGEST

Present law provides that each of the following regulatory authorities shall have the power to deny a license, certificate, or permit, or to take disciplinary action, pursuant to the disciplinary procedures of the respective regulatory authority against any licensee or certificate holder found by the authority to be guilty of any crime or offense of moral turpitude:

- (1) Engineering and Surveying. (R.S. 37:698(A)(3))
- (2) Geoscientists. (R.S. 37:711.23(A)(3))
- (3) Embalming and funeral directors. (R.S. 37:846(A)(9))
- (4) Nursing. (R.S. 37:921(8))
- (5) Optometry. (R.S. 37:1061(A)(4))
- (6) Pharmacy. (R.S. 37:1241(A)(4))
- (7) Physician assistants. (R.S. 37:1360.33(7))
- (8) Genetic counselors. (R.S. 37:1360.108(A)(2))
- (9) Realtors. (R.S. 37:1437(B)(1), 1437.1(B)(2), and 1450(A)(3))
- (10) Veterinarians. (R.S. 37:1526(A)(5))
- (11) Animal euthanasia technicians. (R.S. 37:1554(A)(9))
- (12) Financial planning and management services. (R.S. 37:2585(2))
- (13) Hearing aid dealers. (R.S. 37:2453(1))
- (14) Shorthand reporters. (R.S. 37:2557(A)(1)(b))
- (15) Equine dentists. (R.S. 37:1565(A)(2))
- (16) Polygraphists. (R.S. 37:2838(A)(1) and 2848(e))
- (17) Real estate appraisers. (R.S. 37:3396(D)(3) and 3409(E)(3))
- (18) Clinical exercise physiologists. (R.S. 37:3429(A)(1))
- (19) Rehabilitation counselors. (R.S. 37:3449(A)(1))
- (20) Private investigator. (R.S. 37:3507(A)(3))

Proposed law removes the crime or offense of moral turpitude from the offenses or violations for which the respective regulatory authority shall take disciplinary action or deny licensure or certification for refusal of a license.

Present law provides that licenses from the real estate commission shall be granted only to persons, partnerships, limited liability companies, associations, corporations, or other legal

entities that bear a good reputation for honesty, trustworthiness, integrity, and competence to transact the real estate activities.

Proposed law removes the requirement that an entity bear a good reputation for honesty, trustworthiness, integrity, and competence.

Present law provides that if an applicant has been convicted of forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, or theft, or has been convicted of a felony or a crime involving moral turpitude in any court of competent jurisdiction, such untrustworthiness of the applicant, and the conviction, may in itself be sufficient grounds for refusal of a license.

Proposed law removes present law provisions relative to crimes involving moral turpitude and that such untrustworthiness of the applicant, and the conviction, may in itself be sufficient grounds for refusal of a license.

Present law provides for the criminal record effect on trade, occupational, and professional licensing.

Proposed law provides that licensing boards shall not use vague or generic terms including but not limited to the phrases "moral turpitude" and "good character".

(Amends R.S. 37:698(A)(3), 711.23(A)(3), 846(A)(9), 1061(A)(4), 1241(A)(4), 1360.108(A)(2), 1437(B)(intro para) and (1), 1437.1(B)(intro para) and (2), 1450(A)(3), 1526(A)(5), 1554(A)(9), 2585(2), 2838(1), 2848(e), 3396(D)(3), 3409(E)(3), 3429(A)(1), 3449(A)(1), and 3507(A)(3); adds R.S. 37:2950(C); repeals R.S. 37:921(8), 1360.33(7), 1565(A)(2), 2453(1), and 2557(A)(1)(b))

Summary of Amendments Adopted by Senate

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

1. Make technical changes.
2. Restore present law provisions relative to a conviction of certain crimes to be sufficient grounds for refusal of a license.