
DIGEST

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HB 954 Reengrossed

2024 Regular Session

Mena

Abstract: Provides for occupations and professions and disqualification from licensure for convictions involving moral turpitude.

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.

Proposed 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 amends present law to remove a crime 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 and without limitation 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)(1), 1437.1(B)(2), 1450(A)(3), 1526(A)(5), 1554(A)(9), 2585(2), 2838(A)(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))