

ENROLLED ACT NO. 63, SENATE

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2018 BUDGET SESSION

AN ACT relating to professions and occupations; clarifying requirements for licensing, certification and registration related to a person's background and criminal record; requiring any disqualifying offense to relate to the profession or occupation or the ability to practice the profession or occupation; providing considerations for licensing boards, commissions, commissioners and authorities regarding applicable convictions; providing immunity from civil liability as specified; requiring professional licensing boards, commissions, commissioners and authorities to review their rules for consistency with this act; and providing for an effective date.

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

Section 1. W.S. 33-1-304 is created to read:

33-1-304. Considering criminal convictions

(a) Except as specifically required by its licensure, certification or registration statutes, every board, commission, commissioner or authority authorized to establish examination, inspection, permit, license, certification or registration requirements or fees for any profession or occupation regulated under this title or under W.S. 7-4-211, 11-25-105, 15-5-103, 17-4-406, 21-2-802, 23-2-414, 26-4-101 or 40-22-109 and who considers criminal convictions as part of its regulatory duties shall not consider prior convictions that do not affect the practice of the profession or occupation or the ability to practice the profession or occupation regulated by the board, commission, commissioner or authority. Specifically, the board, commission, commissioner or authority may cite as state policy the following:

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(i) It is public policy to reduce recidivism by addressing barriers to employment and encouraging appropriate employment and licensure of persons with arrest and conviction records;

(ii) It is public policy to consider whether the elements of an offense are directly related to the specific duties and responsibilities of that profession or occupation;

(iii) It is public policy to consider whether the profession or occupation offers the opportunity for the same or a similar offense to occur;

(iv) It is public policy to consider the relationship of the offense to the purposes of regulating the profession or occupation; and

(v) It is public policy to consider whether there is ample opportunity for a person denied a license due to a prior criminal conviction to appeal the denial.

(b) A board or commission licensing, certifying or registering a person to practice or perform a profession or occupation that heals or treats humans may always determine that a crime of violence or sexual misconduct is relevant to the ability to practice the profession or occupation, but in making a licensing, certification or registration decision may consider the circumstances of the offense.

(c) No board, commission, commissioner or authority authorized to regulate through licensure, certification or registration a profession or occupation under this title, or under W.S. 7-4-211, 11-25-105, 15-5-103, 17-4-406, 21-2-802, 23-2-414, 26-4-101 or 40-22-109, shall consider

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evidence of any conviction more than twenty (20) years old, or for a lesser period of time if expressly provided by statute, when analyzing a person's criminal history pursuant to the board's, commission's, commissioner's or authority's regulatory duties, except when:

(i) The sentence, including all incarceration, parole and probation, for the conviction is incomplete or has been completed within fewer than the last ten (10) years; or

(ii) The conviction is related to the duties and responsibilities of the profession or occupation or as otherwise permitted by licensure, certification or registration statutes.

(d) Any board, commission, commissioner or authority shall be immune from civil liability for acting in accordance with this section with regard to licensing, certifying or registering a person to practice or perform a profession or occupation.

Section 2. W.S. 17-4-412(d)(iii), 21-2-802(e)(i), 23-2-416(a)(iii), 26-1-102(a) by creating a new paragraph (xlii), 26-9-211(a)(vi) and by creating new subsections (e) and (f), 26-23-321(b), 26-37-117(a)(iv), 26-37-120(a)(v), 33-3-121(a)(v), 33-10-110(a)(iii), 33-15-108(a), 33-15-120(a), 33-16-523, 33-22-108(a)(i), 33-23-110(b)(iii), 33-24-116(a)(iii), 33-24-122(a)(i), 33-24-135(e)(iii), 33-24-301(f)(iv), 33-26-402(a)(xxvii)(K), 33-28-106(g)(iii), 33-28-111(a)(xxii), 33-29-402(a)(i) and (b)(i), 33-29-403(a)(i), (b)(i) and (c)(i), 33-29-406(a)(i) and (b)(i), 33-30-206(a), 33-30-212(a)(iv), 33-30-224(a)(ii) and (iii), 33-33-305(a)(iii), 33-35-115(b)(i),

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33-37-111(a)(i), 33-38-106(a)(ii), (b)(ii), (c)(ii),
(d)(ii), (e)(iii), (j)(ii), (k)(ii), (m)(ii) and (n)(iii),
33-38-110(c)(i), 33-39-123(a)(ii), 33-44-105(a)(viii),
33-44-106(a)(i), 33-45-111(a)(iii), 33-49-111(a)(iii) and
40-22-108(a)(ii) are amended to read:

**17-4-412. Denial, revocation, suspension, withdrawal,
restriction, condition, or limitation of registration.**

(d) A person may be disciplined under subsections (a) through (c) of this section if the person:

(iii) Has been convicted of a felony that relates to practice in securities and investing or to the ability to practice as a broker-dealer, agent, investment adviser, or investment adviser representative, as identified in rule by the secretary of state consistent with W.S. 33-1-304, or within the previous ten (10) years has been convicted of a misdemeanor involving a security, a commodity future or option contract, or an aspect of a business involving securities, commodities, investments, franchises, insurance, banking, or finance;

21-2-802. Powers and duties; teacher certification; suspension and revocation; certification fees; disposition of collected fees; required data submissions to department of education.

(e) No certification shall be issued under this section until a criminal history background check has been filed with and received by the board, the applicant provides a release of information and the applicant consents to the release of any criminal history information to the board and if applicable, to the employing school district. Upon receipt of a background report pursuant to

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this subsection indicating that the applicant has a conviction equal to a felony under Wyoming law or any conviction for an act which would constitute a violation under chapter 2 or chapter 4 of title 6 of the Wyoming statutes, the board shall immediately provide a copy of the report to the employing local school board if the information involves a certified individual employed by that local board and if the local board has requested a copy of the report. For all persons seeking initial certification under this section on or after July 1, 1996:

(i) The applicant shall be required to verify under oath whether he has been convicted of a felony. The board may deny certification of any applicant who has been convicted of a felony that relates to the practice of teaching or to the ability to practice as a teacher and may annul a certificate for misrepresentation by an applicant of his criminal history. Any felony related to a sexual offense shall be considered to relate to the practice of teaching. Action by the board to annul a certificate shall be taken following a hearing conducted in accordance with the Wyoming Administrative Procedure Act, unless the person holding the certification waives the right to a hearing;

23-2-416. License suspension and revocation; grounds; payment of damages; proceedings.

(a) The board may require a licensee to pay damages as provided by subsection (b) of this section, may refuse to issue or renew or may suspend or revoke a license issued under this act or may otherwise discipline a licensee for any of the following causes:

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(iii) Conviction of a felony that relates to the practice of professional guiding or outfitting or to the ability to practice as a professional guide or outfitter;

26-1-102. Definitions.

(a) As used in this act:

(xlii) A natural person who engages in or conducts the "business of insurance" means a person has duties that require licensure under this code or that are a major part of a person's duties and require specialized knowledge of insurance, which knowledge has been acquired through training and experience and is sufficient that close supervision from a person licensed under this code is not needed. A person is not engaged in the business of insurance who performs tasks often found in business offices not engaged in insurance and who requires close supervision from a person licensed under this code to engage in tasks requiring specialized insurance knowledge. A person in training who performs duties requiring specialized knowledge of insurance is not engaged in the business of insurance if that person is under close supervision from a person licensed under this code.

26-9-211. License denial, nonrenewal or revocation.

(a) The commissioner may, after appropriate notice and opportunity for hearing pursuant to the Wyoming Administrative Procedure Act and in accordance with W.S. 26-2-125 through 26-2-129, place on probation, suspend, revoke or refuse to issue or renew an insurance producer's license or other license issued under this code, or may levy a civil penalty in accordance with W.S. 26-1-107 or

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any combination of actions, for any one (1) or more of the following causes:

(vi) Having been convicted of a felony that relates to the insurance profession or to the ability to practice as an insurance producer. For agents whose home state of licensure is not Wyoming, the commissioner may rely on licensure and disciplinary actions by the agent's home state of licensure;

(e) For persons for whom Wyoming is the home state of licensure, if the commissioner is aware at the time the commissioner takes an action under subsection (a) of this section that a person will require the written consent of an insurance regulatory official to engage in the business of insurance pursuant to 18 U.S.C. § 1033 and the result of the action under subsection (a) of this section is that the person will receive or retain a license under this code, the commissioner shall, upon request, issue the written consent.

(f) If an employer becomes aware that an employee who is engaged in the business of insurance needs the commissioner's consent to continue to engage in the business of insurance, the employer may direct the employee to obtain the necessary consent and, if the consent is denied, shall take action so that the employee is not engaged in the business of insurance. In cases arising under this subsection the commissioner shall give special weight to evidence, including statements from the employer, as to whether the employee has or has not engaged in any activity that relates to the offense requiring the written consent and that relates adversely to the insurance profession.

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26-23-321. Title agents; refusal, suspension or revocation of license; fine instead of suspension.

(b) The commissioner may revoke the title agent's license of any person convicted by final judgment of a felony that relates to the title insurance profession or to the ability to practice as a title insurance agent.

26-37-117. Mechanical breakdown insurance organizations; qualifications for dealer's license.

(a) In addition to conditions specified under W.S. 26-37-116, the commissioner shall issue a mechanical breakdown insurance dealer's license only to an individual otherwise complying with this chapter furnishing evidence satisfactory to the commissioner that he:

(iv) Has never been convicted of a felony that relates to the mechanical breakdown insurance profession or to the ability to practice as a mechanical breakdown insurance dealer. The commissioner shall have discretion as to whether to issue a license if there has been a relevant conviction.

26-37-120. Mechanical breakdown insurance organizations; grounds for suspension, revocation or refusal to renew dealer's license generally.

(a) The commissioner may suspend, revoke or refuse to renew any mechanical breakdown insurance dealer's license issued under this chapter for any cause specified by this chapter including the following:

(v) A conviction by final judgment of a felony that relates to the mechanical breakdown insurance

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profession or to the ability to practice as a mechanical
breakdown insurance dealer;

**33-3-121. Certificates and permits; disciplinary
action; grounds.**

(a) After notice and hearing, the board may revoke, refuse to renew, reprimand, censure, limit the scope of practice, place on probation with or without terms, conditions or limitations, or may suspend for a period not to exceed two (2) years, any certificate issued under this act or practice privilege or may revoke, suspend, limit the scope of practice, or refuse to renew any permit issued under this act or may censure the holder of a permit for any of the following causes:

(v) Conviction of a felony that relates to the
practice of accounting or to the ability to practice
accounting under the laws of Wyoming or any other state or of the United States;

**33-10-110. Prohibited acts; refusal, revocation or
suspension of license; appeals.**

(a) The board may deny, refuse to renew, suspend, revoke or otherwise restrict a license under this act for any of the following acts:

(iii) To commit or be convicted of a felony that
relates to the practice of chiropractic or to the ability
to practice chiropractic;

**33-15-108. Licensing; qualifications; examinations;
fees.**

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(a) Any person ~~of good moral character~~ who has a background that does not evidence conduct adverse to the practice of dentistry or to the ability to practice dentistry, who has graduated and attained the degree of doctor of dental surgery or doctor of dental medicine from a college or university in the United States or Canada accredited by the commission on dental accreditation of the American Dental Association, may apply to the board to have the applicant's qualifications considered for licensure to practice dentistry. The applicant shall pass a written and practical examination in a manner satisfactory to the board. The written examination shall consist of part I and part II of the national board of dental examinations administered by the joint commission on national dental examinations of the American Dental Association and an examination on the Wyoming Dental Practice Act and the rules and regulations of the board of dental examiners. The clinical practical examination shall be based on satisfactory completion of a clinical examination acceptable to the board.

33-15-120. Dental hygienists; qualifications; examination; fees and license.

(a) Any person ~~of good moral character~~ who has a background that does not evidence conduct adverse to the practice of dental hygiene or to the ability to practice dental hygiene who is a graduate of a dental hygiene program accredited by the commission on dental accreditation of the American Dental Association, who has passed in a manner satisfactory to the board the dental hygiene national board examination administered by the joint commission on national dental examinations of the American Dental Association and who passes any clinical board accepted by the board may apply to the board to have

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the person's qualifications considered for licensure to practice dental hygiene. Applicants shall be required to pass a written examination satisfactory to the board.

33-16-523. Investigation of applicants for license; granting or refusing license.

Upon receipt of an application for an establishment license under this act, the board may cause an investigation to be made as to the character of the applicant, including its officers or members if the application is by or in behalf of business entity, and may require a showing that will reasonably prove ~~the good character of the applicant that~~ the applicant does not have a background evidencing conduct adverse to the practice of funeral service or to the ability to practice funeral service. The board may subpoena witnesses and administer oaths upon proper notice. After proper hearing, the board shall grant a license if it finds the applicant ~~is of good character~~ does not have a background evidencing conduct adverse to the practice of funeral service or to the ability to practice funeral service and the proposed funeral establishment is, or will be, constructed and equipped as required by this act. Every application shall be granted or refused within ninety (90) days from the date of the filing of the application.

33-22-108. Powers and duties of board.

(a) The board shall:

(i) Develop, impose and enforce standards which must be met by individuals in order to receive a license as a nursing home administrator, which standards shall be designed to insure that nursing home administrators will be individuals who ~~are of good character~~ have backgrounds that

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do not evidence conduct adverse to the practice of nursing home administration or to the ability to practice nursing home administration and are otherwise suitable, and who, by training or experience, in the field of institutional administration, are qualified to serve as nursing home administrators;

33-23-110. Refusal, suspension or revocation of license.

(b) "Unprofessional and dishonest conduct" as used in this act means:

(iii) Being guilty of offenses involving moral turpitude, that relate to the practice of optometry or to the ability to practice optometry or involving habitual intemperance, or being habitually addicted to the use of morphine, opium, cocaine, or other drugs having a similar effect;

33-24-116. Qualifications of applicants for licensure as a pharmacist by examination.

(a) Any person seeking licensure by examination to practice pharmacy in this state may make application in writing to the board. The applicant shall:

(iii) Be possessed of good moral character a background that does not evidence conduct adverse to the practice of pharmacy or to the ability to practice pharmacy;

33-24-122. Revocation or suspension of license and registration; letter of admonition; summary suspension; administrative penalties; probation; grounds.

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(a) The license and registration of any pharmacist may be revoked or suspended by the board of pharmacy or the board may issue a letter of admonition, refuse to issue or renew any license or require successful completion of a rehabilitation program or issue a summary suspension for any of the following causes:

(i) Conviction of a felony or high misdemeanor ~~involving moral turpitude~~ that relates to the practice of pharmacy or to the ability to practice pharmacy, in which case the record of conviction or a copy thereof certified by the clerk or judge of the court in which the conviction is had shall be conclusive evidence;

33-24-135. Internship.

(e) The board may issue a letter of admonition or suspend or revoke a pharmacy intern's license for any:

(iii) Conviction of a felony or misdemeanor ~~involving moral turpitude~~ that relates to the practice of pharmacy or to the ability to practice as a pharmacy intern;

33-24-301. Pharmacy technicians; licensing; definitions; revocation or suspension of license; letter of admonition; information required for background checks.

(f) The board may issue a letter of admonition or suspend or revoke a pharmacy technician's license or the board may assess an administrative penalty against that person not to exceed one thousand dollars (\$1,000.00) for each violation for any:

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(iv) Conviction of a felony or misdemeanor ~~involving moral turpitude~~ that relates to the practice of pharmacy or to the ability to practice as a pharmacy technician; or

33-26-402. Grounds for suspension; revocation; restriction; imposition of conditions; refusal to renew or other disciplinary action.

(a) The board may refuse to renew, and may revoke, suspend or restrict a license or take other disciplinary action, including the imposition of conditions or restrictions upon a license on one (1) or more of the following grounds:

(xxvii) Unprofessional or dishonorable conduct not otherwise specified in this subsection, including but not limited to:

(K) Engaging in conduct that ~~constitutes moral turpitude~~ relates adversely to the practice of medicine or to the ability to practice medicine, including but not limited to conviction of or pleading guilty or nolo contendere to domestic abuse, stalking, sexual assault, sexual abuse or unlawful exploitation of a minor, indecent exposure, incest or distribution of pornography;

33-28-106. Application for license; qualifications; sworn statement; commission approval of course of study; statement of responsible broker; denial of license; issuing licenses.

(g) The commission may consider prior revocation, conduct or conviction in its determination of whether to grant an applicant a license if the applicant:

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(iii) Has been convicted of any felony that relates to the practice of real estate activity or to the ability to practice the duties of a responsible real estate licensee or any felony sexual offense or violent crime.

33-28-111. Censure of licensee and suspension or revocation of license; grounds.

(a) The commission shall upon a written sworn complaint or may upon its own motion investigate the actions of any licensee conducting real estate advertising, self promotion as a licensee or real estate activity regarding real estate located in Wyoming, impose an administrative fine not to exceed two thousand five hundred dollars (\$2,500.00) for each separate offense and may censure a licensee, place a licensee on probation and set the terms of probation, suspend or revoke any license issued under this act for any of the following:

(xxii) Conviction of a felony that relates to the practice of real estate activity or to the ability to perform the duties of a licensee or any felony sexual offense or violent crime;

33-29-402. Requirements for intern certificate.

(a) An applicant for a certificate as an engineer intern shall submit evidence satisfactory to the board showing that the applicant:

(i) Is possessed of good moral character and ~~repute~~ a background that does not evidence conduct adverse to the practice of engineering or to the ability to practice as an engineer intern;

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(b) An applicant for a certificate as a land surveyor intern shall submit evidence satisfactory to the board showing that the applicant:

(i) Is possessed of ~~good moral character and~~ repute a background that does not evidence conduct adverse to the practice of land surveying or to the ability to practice as a land surveyor intern;

33-29-403. Requirements for professional license.

(a) An applicant for a license as a professional engineer who has not graduated from a doctoral curriculum in engineering approved by the board shall submit evidence satisfactory to the board showing that the applicant:

(i) Is possessed of ~~good moral character and~~ repute a background that does not evidence conduct adverse to the practice of engineering or to the ability to practice engineering;

(b) An applicant for a license as a professional engineer who has graduated from a doctoral curriculum in engineering approved by the board shall submit evidence satisfactory to the board showing that the applicant:

(i) Is possessed of ~~good moral character and~~ repute a background that does not evidence conduct adverse to the practice of engineering or to the ability to practice engineering;

(c) An applicant for a license as a professional land surveyor shall submit evidence satisfactory to the board showing that the applicant:

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(i) Is possessed of ~~good moral character and
repute~~ a background that does not evidence conduct adverse
to the practice of land surveying or to the ability to
practice land surveying;

33-29-406. License on the basis of comity.

(a) An applicant who holds a license issued by another jurisdiction to practice professional engineering or professional land surveying may be issued a professional license provided:

(i) The applicant has submitted evidence satisfactory to the board that the applicant ~~is of good
moral character and repute~~ has a background that does not
evidence conduct adverse to the practice of engineering or
land surveying or to the ability to practice engineering or
land surveying;

(b) An applicant who holds a license issued by another jurisdiction to practice professional engineering or professional land surveying, and who has held the license for fifteen (15) years immediately prior to submitting the application, may be issued a professional license provided the applicant:

(i) Is possessed of ~~good moral character and
repute~~ a background that does not evidence conduct adverse
to the practice of engineering or land surveying or to the
ability to practice engineering or land surveying; and

**33-30-206. Application for license; fee;
determination of qualifications.**

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(a) Any person desiring a license to practice veterinary medicine in this state shall make written application to the board. The application shall show that the applicant is an adult, subscribes to and will uphold the principles incorporated in the constitution of the United States, is a graduate of a college of veterinary medicine, ~~a person of good moral character~~ has a background that does not evidence conduct adverse to the practice of veterinary medicine or to the ability to practice veterinary medicine, is of good physical and mental health, and shall provide such other information and proof as the board may require by rule. The application shall be accompanied by a fee in the amount established and published by the board.

33-30-212. Denial, suspension and revocation of licenses.

(a) Upon written complaint sworn to by any person, the board may after a fair hearing and by a concurrence of all members, deny, revoke or suspend for a certain time the license of, or reprimand, any applicant or licensed veterinarian who upon proof to the satisfaction of the board:

(iv) Has been convicted of a felony, ~~involving moral turpitude~~, that relates to the practice of veterinary medicine or to the ability to practice veterinary medicine or has entered a plea of nolo contendere upon being charged with commission of such a felony;

33-30-224. Requirements for certification.

(a) The board may issue a certificate as an animal euthanasia technician to any applicant who files an

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application upon a form and in the manner prescribed by the board, accompanied by the appropriate fee and who furnishes satisfactory evidence to the board of the following:

(ii) The applicant has no felony convictions that relate to the practice of animal euthanasia or to the ability to practice as an animal euthanasia technician;

(iii) The applicant has no misdemeanor convictions ~~involving moral turpitude~~ that relate to the practice of animal euthanasia or to the ability to practice as an animal euthanasia technician and no criminal violations relating to cruelty to animals or animal neglect;

33-33-305. Suspension and revocation of license.

(a) The board may after an opportunity for hearing, deny, refuse to renew, suspend or revoke a license or impose probationary conditions upon a licensee for any one (1) of the following:

(iii) A plea or verdict of guilty, or a conviction following a plea of nolo contendere, made to a criminal charge that relates to the practice of speech-language pathology or audiology or to the ability to practice speech-language pathology or audiology, if the acts committed are found by the board to have a direct bearing on whether he should be entrusted to serve the public in that particular capacity;

33-35-115. Complaints; grounds for revocation or suspension of license.

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(b) Any person registered under this act may have his license revoked or suspended for a period fixed by the board for any of the following causes:

(i) Conviction of a felony or a misdemeanor ~~involving moral turpitude~~ that relates to the practice of fitting, dealing or dispensing hearing aids or to the ability to fit, deal or dispense hearing aids;

33-37-111. Discipline of licensee.

(a) A person licensed pursuant to this act may be censured or placed on probation or may have his license revoked, suspended or restricted, or both, by the board for any of the following causes:

(i) Conviction of a felony or high misdemeanor ~~involving moral turpitude~~ that relates to the practice of applying ionizing radiation or radiopharmaceutical agents to humans or to the ability to apply ionizing radiation or radiopharmaceutical agents to humans;

33-38-106. Requirements for licensure and certification.

(a) The board shall issue a license as a professional counselor, marriage and family therapist, clinical social worker or addictions therapist to any applicant who files an application upon a form and in the manner prescribed by the board, accompanied by the appropriate fee and who furnishes satisfactory evidence to the board of the following:

(ii) The applicant has no felony convictions, and no misdemeanor convictions ~~involving moral turpitude~~

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that relate adversely to the practice of counseling, marriage and family therapy, clinical social work or addictions therapy or to the ability to practice counseling, marriage and family therapy, clinical social work or addictions therapy, although exceptions to this requirement may be granted by the board if consistent with the public interest;

(b) Certification under this subsection shall allow practice as a certified social worker only under the supervision of a qualified clinical supervisor and subject to any other restrictions which may be specified by the board. The board shall grant certification as a certified social worker to any applicant who files an application upon a form and in the manner prescribed by the board, accompanied by the appropriate fee and who furnishes satisfactory evidence to the board of the following:

(ii) The applicant has no felony convictions, and no misdemeanor convictions ~~involving moral turpitude~~ that relate adversely to the practice of clinical social work or to the ability to practice clinical social work, although exceptions to this requirement may be granted by the board if consistent with the public interest;

(c) Certification under this subsection shall allow practice as a certified addictions practitioner only under the supervision of a qualified clinical supervisor and subject to any other restrictions which may be specified by the board. The board shall grant certification as a certified addictions practitioner to any applicant who files an application upon a form and in the manner prescribed by the board, accompanied by the appropriate fee and who furnishes satisfactory evidence to the board of the following:

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(ii) The applicant has no felony convictions, and no misdemeanor convictions ~~involving moral turpitude~~ that relate adversely to the practice of addictions therapy or to the ability to practice addictions therapy, although exceptions to this requirement may be granted by the board if consistent with the public interest;

(d) Provisional licensure is a means to continue progress towards satisfactory completion of all licensure requirements under this act. Upon review and approval by the designated board member or board, the board shall issue a provisional license to any applicant who files an application upon a form and in the manner prescribed by the board, accompanied by the appropriate fee and who furnishes satisfactory evidence to the board of the following:

(ii) The applicant has no felony convictions, and no misdemeanor convictions ~~involving moral turpitude~~ that relate adversely to the practice of counseling, marriage and family therapy, clinical social work or addictions therapy or to the ability to practice counseling, marriage and family therapy, clinical social work or addictions therapy, although exemptions to this requirement may be granted by the board if consistent with public interest;

(e) The board shall issue a license without examination as a licensed professional counselor, licensed clinical social worker, licensed marriage and family therapist or a licensed addictions therapist to any applicant who files an application upon a form and in the manner prescribed by the board, accompanied by the appropriate fee and who furnishes satisfactory evidence to the board of the following:

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(iii) The applicant has no felony convictions, and no misdemeanor convictions ~~involving moral turpitude~~ that relate adversely to the practice of counseling, marriage and family therapy, clinical social work or addictions therapy or to the ability to practice counseling, marriage and family therapy, clinical social work or addictions therapy, although exemptions to this requirement may be granted by the board if consistent with the public interest;

(j) The board shall grant certification without examination as a certified social worker to any applicant who files an application upon a form and in the manner prescribed by the board, accompanied by the appropriate fee and who furnishes satisfactory evidence to the board of the following:

(ii) The applicant has no felony convictions, and no misdemeanor convictions ~~involving moral turpitude~~ that relate adversely to the practice of clinical social work or to the ability to practice clinical social work, although exceptions to this requirement may be granted by the board if consistent with the public interest;

(k) The board shall grant certification without examination as a certified addictions practitioner to any applicant who files an application upon a form and in the manner prescribed by the board, accompanied by the appropriate fee and who furnishes satisfactory evidence to the board of the following:

(ii) The applicant has no felony convictions, and no misdemeanor convictions ~~involving moral turpitude~~ that relate adversely to the practice of addictions therapy

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or to the ability to practice addictions therapy, although exceptions to this requirement may be granted by the board if consistent with the public interest;

(m) The board shall issue certification without examination as a certified mental health worker to any applicant who files an application upon a form and in the manner prescribed by the board, accompanied by the appropriate fee and who furnishes satisfactory evidence to the board of the following:

(ii) The applicant has no felony convictions, and no misdemeanor convictions ~~involving moral turpitude~~ that relate adversely to the practice of counseling or mental health work or to the ability to practice counseling or mental health work, although exemptions to this requirement may be granted by the board if consistent with public interest;

(n) Certification under this subsection shall allow practice as a certified addictions practitioner assistant only under the supervision of a qualified clinical supervisor and subject to any other restrictions which may be specified by the board. Unless extended, an applicant has six (6) months from the date of employment to become certified. The board may for good cause grant an extension of this period. The board shall grant certification as a certified addictions practitioner assistant to any applicant who files an application upon a form and in the manner prescribed by the board, accompanied by the appropriate fee and who furnishes satisfactory evidence to the board of the following:

(iii) The applicant has no felony convictions, and no misdemeanor convictions ~~involving moral turpitude~~

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that relate adversely to the practice of addictions therapy or to the ability to practice as an addictions practitioner assistant, although exceptions to this requirement may be granted by the board if consistent with the public interest;

33-38-110. Prohibited acts; penalties.

(c) The board may refuse to renew, or may deny, suspend, revoke or otherwise restrict licensure or certification under this act for any of the following causes:

(i) Conviction of a felony or misdemeanor ~~involving moral turpitude~~ that relates adversely to the practice of counseling, marriage and family therapy, clinical social work or addictions therapy or to the ability to practice counseling, marriage and family therapy, clinical social work or addictions therapy, including pleas of nolo contendere. A certified copy of the conviction shall be conclusive evidence of the conviction;

33-39-123. Disciplinary proceedings.

(a) The board shall upon a written sworn complaint or may upon its own motion investigate the actions of any certified real estate appraiser and may impose an administrative fine not to exceed two thousand five hundred dollars (\$2,500.00) for each separate offense, censure the permittee, place the permittee on probation and set the terms of the probation, suspend or revoke any permit issued under this act for any of the following:

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(ii) Being convicted of a felony that relates to the practice of real estate appraisal or to the ability to practice real estate appraisal or any felony sexual offense or violent crime;

33-44-105. Athlete agent disclosure form; requirements.

(a) The athlete agent disclosure form shall be in a record executed in the name of an individual and signed by the athlete agent under penalty of perjury and, except as otherwise provided in subsection (b) of this section, must state or contain:

(viii) Whether the athlete agent or any other person named pursuant to paragraph (vii) of this subsection has been convicted of a crime that, if committed in this state, would be a felony or other crime ~~involving moral turpitude~~ that relates to the practice of serving as an athlete agent or to the ability to serve as an athlete agent, and identify the crime;

33-44-106. Disqualifications.

(a) No person may engage in the business of an athlete agent who has:

(i) Been convicted of a crime that, if committed in this state, would be a felony or other crime ~~involving moral turpitude~~ that relates to the practice of serving as an athlete agent or to the ability to serve as an athlete agent;

33-45-111. Disciplinary action; suspension and revocation of license.

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(a) After the hearing authorized by subsection (b) of this section, the board may deny a license or refuse to renew a license, may suspend or revoke a license or may impose probationary conditions if the licensee or the applicant has engaged in unprofessional conduct which has endangered or is likely to endanger the health, welfare or safety of the public. For purposes of this section, unprofessional conduct includes:

(iii) Being convicted of a felony that relates to the practice of athletic training or to the ability to practice athletic training;

33-49-111. Disciplinary action; suspension and revocation of license; application for reinstatement.

(a) After any hearing conducted pursuant to W.S. 33-49-110, the board may approve, deny, suspend, revoke or refuse to renew a license or impose probationary conditions on the license if the licensee or applicant has engaged in unprofessional conduct. For purposes of this section, unprofessional conduct includes any of the following:

(iii) Being convicted of a felony that relates to the practice of acupuncture or to the ability to practice acupuncture;

40-22-108. Application for license.

(a) Each application for a license shall be made in writing and in a form prescribed by the commissioner. Each application shall include the following:

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(ii) The applicant's history of material litigation and criminal convictions that relate to the practice of money transmission or to the ability to practice money transmission for the five (5) year period prior to the date of the application;

Section 3. Any board, commission, commissioner or authority authorized to regulate licensing, certification or registration for any profession or occupation under title 7, 11, 15, 17, 21, 23, 26, 33, 35 or 40 shall review its rules for consistency with this act.

ORIGINAL SENATE
FILE NO. SF0042

ENGROSSED

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Section 4. This act is effective July 1, 2018.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk