

41-3-205.5 Licenses -- Criminal background check required on salesperson's licenses --

Payment of cost.

- (1)
 - (a) Every applicant for a salesperson's license shall submit fingerprints with a completed application to the division.
 - (b) A person required to renew a salesperson license on or before June 30, 2010, shall submit fingerprints to the division on or before November 30, 2010.
- (2) The division shall submit fingerprints for each applicant described in Subsection (1) to the Bureau of Criminal Identification established in Section 53-10-201.
- (3) The Bureau of Criminal Identification shall:
 - (a) check the information submitted by the division for an applicant under Subsection (2) against the applicable state and regional criminal records databases; and
 - (b) release to the division all information obtained under Subsection (3)(a) relating to the applicant.
- (4)
 - (a) The Bureau of Criminal Identification shall maintain a separate file of fingerprints submitted under Subsection (2) and notify the division when a new entry is made in the applicable state and regional database against a person whose fingerprints are held in the file regarding any matter involving an arrest under state law involving:
 - (i) motor vehicles;
 - (ii) controlled substances;
 - (iii) fraud; or
 - (iv) a registerable sex offense under Section 77-41-106.
 - (b) Upon request by the division, the Bureau of Criminal Identification shall inform the division whether a person whose arrest was reported to the division under Subsection (4)(a) was subsequently convicted of the charge for which the person was arrested.
- (5) In addition to any fees imposed under this chapter, the division shall:
 - (a) impose on individuals submitting fingerprints in accordance with this section the fees that the Bureau of Criminal Identification is authorized to collect for the services the Bureau of Criminal Identification provides under Subsections (3) and (4); and
 - (b) remit the fees collected under Subsection (5)(a) to the Bureau of Criminal Identification.
- (6) The division shall use information received from the Bureau of Criminal Identification under this section to determine whether a license should be denied, suspended, or revoked under Section 41-3-209.

Amended by Chapter 145, 2012 General Session