

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 127

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO THE BUREAU OF OCCUPATIONAL LICENSES; AMENDING SECTION 67-2609,  
2 IDAHO CODE, TO PROVIDE THAT THE BUREAU OF OCCUPATIONAL LICENSES MAY COL-  
3 LLECT AND PAY CERTAIN FEES RELATING TO CRIMINAL BACKGROUND CHECKS.  
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 67-2609, Idaho Code, be, and the same is hereby  
7 amended to read as follows:

8 67-2609. REGISTRATION OF OCCUPATIONS. (a) The bureau of occupational  
9 licenses shall wherever the several laws regulating professions, trades and  
10 occupations which are devolved upon the bureau for administration so require  
11 or pursuant to written agreement as provided in section 67-2604, Idaho Code,  
12 exercise, in its name, or as authorized agent, but subject to the provisions  
13 of this chapter, the following powers:

14 (1) To conduct examinations to ascertain the qualifications and fit-  
15 ness of applicants to exercise the profession, trade or occupation for  
16 which an examination is held; to pass upon the qualifications of appli-  
17 cants for reciprocal licenses, certificates and authorities.

18 (2) To prescribe rules for a fair and wholly impartial method of exami-  
19 nation of candidates to exercise the respective professions, trades or  
20 occupations.

21 (3) To prescribe rules defining, for the respective professions,  
22 trades and occupations, what shall constitute a school, college or uni-  
23 versity, or department of a university, or other institution, reputable  
24 and in good standing and to determine the reputability and good standing  
25 of a school, college or university, or department of a university, or  
26 other institution, by reference to a compliance with such rules.

27 (4) To establish a standard of preliminary education deemed requisite  
28 to admission to a school, college or university, and to require satis-  
29 factory proof of the enforcement of such standard by schools, colleges  
30 and universities.

31 (5) To conduct hearings on proceedings to revoke or refuse renewal of  
32 licenses, certificates or authorities of persons exercising the re-  
33 spective professions, trades or occupations, and to revoke or refuse to  
34 renew such licenses, certificates or authorities.

35 (6) To formulate rules for adoption by the boards allowing the boards to  
36 recover costs and fees incurred in the investigation and prosecution of  
37 a licensee in accordance with the contested case provisions of chapter  
38 52, title 67, Idaho Code, for a violation of laws or rules of the boards.

39 (7) To formulate rules for adoption by the boards establishing a sched-  
40 ule of civil fines which may be imposed upon a licensee prosecuted in  
41 accordance with the contested case provisions of chapter 52, title 67,  
42 Idaho Code, for a violation of laws or rules of the boards. Any civil

1 fine collected by a board for a violation of its laws or rules shall  
2 not exceed one thousand dollars (\$1,000), unless otherwise provided by  
3 statute, and shall be deposited in the bureau of occupational licensing  
4 account.

5 (8) To formulate rules when required in any act to be administered.

6 (9) To collect and pay such fees as are required for criminal background  
7 checks of applicants, licensees or registrants.

8 (b) None of the above enumerated functions and duties shall be exer-  
9 cised by the bureau of occupational licenses except upon the action and re-  
10 port in writing of persons designated from time to time by the chief of the  
11 bureau of occupational licenses to take such action and to make such report,  
12 for the respective professions, trades and occupations.