

IN THE SENATE

SENATE BILL NO. 1007

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1  
2 RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2019, IDAHO  
3 CODE, TO PROVIDE AN ADDITIONAL BASIS UPON WHICH THE IDAHO REAL ESTATE  
4 COMMISSION MAY DENY ANY LICENSE APPLICATION AND TO MAKE A TECHNICAL COR-  
5 RECTION.

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

7 SECTION 1. That Section 54-2019, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 54-2019. DENIAL OF LICENSE APPLICATIONS. (1) The commission may deny  
10 any license application, including an application for license renewal, upon  
11 the commission's determination of any of the following:

12 (a) The applicant does not possess all of the qualifications required  
13 for the license sought;

14 (b) The applicant employed fraud, deception, misrepresentation, mis-  
15 statement or omission or any unlawful means in applying for a license or  
16 taking the exam;

17 (c) Within the ~~five-year~~ five (5) year period immediately preceding the  
18 application, the applicant committed any act for which a real estate li-  
19 cense in Idaho may be revoked or suspended;

20 (d) Payment of any licensing fee by check that is returned by the bank-  
21 ing institution due to insufficient funds, unless the reason for not  
22 paying on the check is the fault of the banking institution, or by any  
23 other type of insufficient payment; or

24 (e) There exist any other specific facts about the applicant that cause  
25 the commission to reasonably conclude that granting the applicant's re-  
26 quest for Idaho licensure is not in the best interests of the citizens of  
27 the state of Idaho.

28 (2) Where any of the facts referenced above warranting denial of the ap-  
29 plication are not discovered or determined by the commission until after the  
30 license has been issued, such facts may be grounds for the inactivation, ex-  
31 piration, termination, suspension or revocation of the license.