

SENATE BILL 942

By Southerland

AN ACT to amend Tennessee Code Annotated, Title 62,
Chapter 13, Part 3, relative to licensure.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-13-303, is amended by adding the following as a new, appropriately designated subsection:

(l)

(1) The commission shall require all applicants for a license issued under this chapter on or after the effective date of this act, and all current licensees that appear before the commission for an infraction to submit a complete and legible set of fingerprints, on a form prescribed by the commission, to the commission or to the Tennessee bureau of investigation for the purpose of obtaining a criminal background check from the Tennessee bureau of investigation and the federal bureau of investigation.

(2) The commission shall refuse to issue a license to applicants or renew the licenses of current licensees who do not comply with subdivision (l)(1).

(3) The commission shall conduct a criminal background check of each applicant and licensee described in subdivision (l)(1) by using information:

(A) Provided by the applicant or licensee under this subsection (l); and

(B) Made available to the commission by the Tennessee bureau of investigation, the federal bureau of investigation and any other criminal justice agency.

(4) The commission may:

(A) Enter into an agreement with the Tennessee bureau of investigation to administer a criminal background check required under this subsection (l); and

(B) Authorize the Tennessee bureau of investigation to collect from each applicant the costs incurred by the department in conducting the criminal background check.

SECTION 2. The Tennessee Real Estate Commission is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect January 1, 2014, the public welfare requiring it.