

25103192D

SENATE BILL NO. 1362

Offered January 13, 2025

Prefiled January 13, 2025

A BILL to amend the Code of Virginia by adding a section numbered 54.1-2105.05, relating to Department of Professional and Occupational Regulation; real estate brokers, sales persons, and rental location agents; criminal history information; self-certification.

Patron—Pillion

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 54.1-2105.05 as follows:****§ 54.1-2105.05. Criminal history information; self-certification.**

A. The Real Estate Board (the Board) shall require each applicant for licensure as a real estate broker, salesperson, or rental location agent to submit fingerprints and provide personal descriptive information to be forwarded along with his fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding the applicant. The cost of fingerprinting and the criminal history record search shall be paid by the applicant.

B. The Central Criminal Records Exchange shall forward the results of the state and federal criminal history record search to the Board, which shall be a governmental entity. If an applicant is denied licensure because of information appearing on his criminal history record and the applicant disputes the information upon which the denial was based, the Central Criminal Records Exchange shall, upon written request, furnish to the applicant the procedures for obtaining a copy of the criminal history record from the Federal Bureau of Investigation and the Central Criminal Records Exchange. The information shall not be disseminated except as provided in this section.

C. The Board shall require each applicant for licensure to self-certify on his application whether he has any prior criminal convictions. If the Board has not yet received an applicant's criminal history record but his application is otherwise complete and Board approved and such applicant has certified that he has no prior criminal history, the Board shall issue a real estate license to such applicant. If the Board later receives such applicant's criminal history record and it indicates a previously undisclosed criminal history, the Board shall immediately terminate such applicant's license and refer the application for further review. If an applicant certifies on the application that he has a prior criminal history, the Board shall refer the application for further review to determine whether a license shall be issued.

INTRODUCED

SB1362