

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE BILL 913

By: Branan

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5
6 AS INTRODUCED

7 An Act relating to Oklahoma Real Estate Commission;
8 amending 59 O.S. 2011, Sections 858-301.1 and 858-
9 307.4, which relates to background checks; modifying
10 language; and providing an effective date.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 59 O.S. 2011, Section 858-301.1,
13 is amended to read as follows:

14 Section 858-301.1. A. Any applicant convicted of any crimes
15 defined in Section 13.1 of Title 21 of the Oklahoma Statutes shall
16 not be eligible to obtain a real estate license within twenty (20)
17 years of the completion of any criminal sentence, including parole
18 and probation.

19 B. Any applicant convicted of a felony involving forgery,
20 embezzlement, obtaining money under false pretense, extortion,
21 conspiracy to defraud, fraud, or any other similar offense or
22 offenses shall not be eligible to obtain a real estate license
23 within ten (10) years of the completion of any criminal sentence,
24 including parole and probation.

1 C. Any applicant convicted of any other felony shall not be
2 allowed to obtain a real estate license within five (5) years of the
3 completion of any criminal sentence, including parole and probation.

4 D. For the purposes of this section, the term "applicant" shall
5 mean any person making an application for original licensure as a
6 provisional sales associate, sales associate, broker associate, or
7 broker, and shall not apply to any licensee seeking renewal of a
8 current license.

9 E. Any applicant with a felony conviction shall not
10 automatically receive a license after the timelines set forth in
11 this section, but may be licensed in accordance with the licensing
12 provisions set forth in the Oklahoma Real Estate License Code and
13 Rules.

14 F. The Oklahoma Real Estate Commission shall require any
15 applicant to undergo a criminal history records check for
16 eligibility for licensure and to pay the required fee as part of the
17 application for licensure as stated in Section 858-307.4 of this
18 title.

19 SECTION 2. AMENDATORY 59 O.S. 2011, Section 858-307.4,
20 is amended to read as follows:

21 Section 858-307.4. A. Prior to the issuance of a license
22 pursuant to ~~this~~ the Oklahoma Real Estate License Code, each
23 applicant shall submit to a national criminal history record check,
24 as defined by Section 150.9 of Title 74 of the Oklahoma Statutes.

1 B. Upon receipt by the Oklahoma Real Estate Commission of the
2 criminal history report, the Commission shall conduct an
3 investigation in accordance with rules promulgated by the
4 Commission.

5 C. The costs associated with the national criminal history
6 record check shall be paid by the applicant.

7 SECTION 3. This act shall become effective November 1, 2013.

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