

# SENATE BILL REPORT

## SB 5253

---

As Passed Senate, March 9, 1999

**Title:** An act relating to grounds for disciplinary action against real estate brokers or salespersons.

**Brief Description:** Preventing a registered sex offender from holding a real estate license.

**Sponsors:** Senators Benton, Prentice, Winsley, Shin, Deccio, Heavey, Rasmussen, West, T. Sheldon, Hale, Gardner, Rossi and Oke; by request of Department of Licensing.

**Brief History:**

**Committee Activity:** Commerce, Trade, Housing & Financial Institutions: 1/28/99, 2/4/99 [DP].

Passed Senate, 3/9/99, 49-0.

---

### SENATE COMMITTEE ON COMMERCE, TRADE, HOUSING & FINANCIAL INSTITUTIONS

**Majority Report:** Do pass.

Signed by Senators Prentice, Chair; Shin, Vice Chair; Benton, Deccio, Gardner, Hale, Rasmussen, T. Sheldon, West and Winsley.

**Staff:** Catherine Mele (786-7470)

**Background:** The Department of Licensing administers the real estate broker and salesperson licensing program. The department administers a test to each license applicant and insures that applicants meet certain admission standards. The department also disciplines brokers and salespersons if the director finds a violation of one of the various grounds for discipline. Once the director finds that an individual violates one of the grounds for discipline, the director may levy a fine, require completion of a course relevant to the violation, or deny, suspend, or revoke the individual's license.

One of the grounds for discipline is commission of a crime involving moral turpitude. Sex offenses are one of the crimes that the department considers in the moral turpitude category of crimes. Persons convicted of sex offenses must register with the sheriff in the county of their residence when released from incarceration. Depending on the level of the crime committed, sex offenders register for life, 15 years, or ten years.

The director's ability to deny a license to someone who has committed a crime of moral turpitude is limited by the general restriction that convictions more than ten years old may not be used as a basis to deny a professional license. As a result, the department cannot deny an application or suspend the license of a registered sex offender who was convicted more than ten years ago.

**Summary of Bill:** The director may suspend, deny, or revoke the license of a sex offender regardless of the date of the offender's conviction.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Registered sex offenders should not be able to open lock boxes and enter peoples' homes. Children are often left home alone and lock boxes allow easy access. The Department of Licensing must be able to protect people from registered sex offenders, and this bill provides this protection.

**Testimony Against:** None.

**Testified:** PRO: Bob Mitchell, Real Estate Program, Dept. of Licensing; Evangeline Anderson, Vice-Chairman, WA Real Estate Commission; Roni Strupat, Windemere/Seattle-King Co. Assn. of Realtors.