

522B.5A Criminal history check.

1. In determining eligibility for licensure, the commissioner is authorized to require an applicant pursuant to [subsection 2](#) to provide to the commissioner the applicant's fingerprints and reasonable fees required to perform a state criminal history check through the department of public safety, division of criminal investigation, and a national criminal history check through the federal bureau of investigation. By submitting such fingerprints, the applicant authorizes the commissioner to do all of the following:

a. Submit the applicant's fingerprints to the department of public safety, division of criminal investigation, for submission to the federal bureau of investigation for the purpose of conducting a national criminal history check.

b. Receive the results of the state and national criminal history checks.

2. The commissioner is authorized to require a state and national criminal history check on each applicant that applies for any of the following:

a. An initial license in Iowa as a resident insurance producer.

b. An initial license or an additional line of authority under a nonresident insurance producer license if a state and national criminal history check has not already been completed.

c. A renewal, reinstatement, or reissuance of a license if the license of a producer has been revoked or suspended pursuant to [section 522B.11](#), the license of a public adjuster has been revoked or suspended pursuant to [section 522C.6](#), or the license of a viatical settlement provider or viatical settlement broker has been revoked or suspended pursuant to [section 508E.4](#).

d. An initial license as a viatical settlement provider or viatical settlement broker in this state.

e. An initial license as a public adjuster in this state.

3. The commissioner shall require an applicant pursuant to [subsection 2](#) to submit a full set of fingerprints and any other required identifying information to the commissioner on a form prescribed by the department of public safety.

4. The commissioner may contract with a third-party vendor for the collection and transmission of an applicant's fingerprints for the purpose of conducting a state and national criminal history check. The commissioner may agree to reasonable fees to be charged by the third-party vendor and may require such reasonable fees to be paid by the applicant directly to the third-party vendor.

5. The results of a criminal history check conducted pursuant to [this section](#) shall not be considered a public record pursuant to [chapter 22](#). An applicant's fingerprints and any criminal history check information shall not be subject to subpoena, other than a subpoena issued in a criminal action or investigation, shall be confidential by law and privileged, and shall not be subject to discovery or be admissible in evidence in a private civil action.

[2020 Acts, ch 1016, §7](#)

Referred to in [§508E.3](#), [522B.5](#), [522C.5](#)

NEW section