SENATE FILE 567
BY COMMITTEE ON LABOR AND
BUSINESS RELATIONS

(SUCCESSOR TO SSB 1112)

(As Amended and Passed by the Senate March 18, 2019)

_____ = New Language by the Senate

A BILL FOR

An Act relating to disqualifications from holding certain professional licenses for persons convicted of certain felonies.

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

Section 1. Section 103.6, subsection 1, Code 2019, is amended by adding the following new paragraph:

NEW PARAGRAPH. *e.* Adopt rules to identify which felonies are violent or sexual in nature. Conviction of such a felony shall be grounds for denial, revocation, or suspension of a license. The board may grant an exception for a person who would otherwise be denied a license due to conviction of a felony that is violent or sexual in nature, provided that there is an extenuating circumstance that justifies the exemption.

Sec. 2. Section 103.9, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 3. Conviction of a felony that is violent or sexual in nature shall be grounds for denial, revocation, or suspension of a license. Conviction for any other felony shall not be grounds for denial, revocation, or suspension.

Sec. 3. Section 103.10, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 6. Conviction of a felony that is violent or sexual in nature shall be grounds for denial, revocation, or suspension of a license. Conviction for any other felony shall not be grounds for denial, revocation, or suspension.

Sec. 4. Section 103.12, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 6. Conviction of a felony that is violent or sexual in nature shall be grounds for denial, revocation, or suspension of a license. Conviction for any other felony shall not be grounds for denial, revocation, or suspension.

Sec. 5. Section 103.12A, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 4. Conviction of a felony that is violent or sexual in nature shall be grounds for denial, revocation, or suspension of a license. Conviction for any other felony shall not be grounds for denial, revocation, or suspension.

Sec. 6. Section 103.13, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 4. Conviction of a felony that is violent or sexual in nature shall be grounds for denial, revocation, or suspension of a license. Conviction for any other felony shall not be grounds for denial, revocation, or suspension.

Sec. 7. Section 103.15, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 7. Conviction of a felony that is violent or sexual in nature shall be grounds for denial, revocation, or suspension of a license. Conviction for any other felony shall not be grounds for denial, revocation, or suspension.

Sec. 8. Section 103.35, subsection 5, Code 2019, is amended by striking the subsection.

Sec. 9. Section 105.10, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The board shall adopt rules to identify which felonies are violent or sexual in nature. Conviction of such a felony shall be grounds for denial, revocation, or suspension of a license. The board may grant an exception for a person who would otherwise be denied a license due to conviction of a felony that is violent or sexual in nature, provided that there is an extenuating circumstance that justifies the exemption.

Sec. 10. Section 105.18, subsection 1, Code 2019, is amended to read as follows:

1. *General qualifications.* The board shall adopt, by rule, general qualifications for licensure. ~~The board may consider the past felony record of an applicant only if the felony conviction relates to the practice of the profession for which the applicant requests to be licensed.~~ References may be required as part of the licensing process.

Sec. 11. Section 105.22, subsection 4, Code 2019, is amended to read as follows:

4. Conviction of a felony ~~related to the profession or occupation of the licensee or the conviction of any felony that would affect the licensee's ability to practice within~~

~~the profession~~ that is violent or sexual in nature shall be grounds for denial, revocation, or suspension of a license. Conviction of any other felony shall not be grounds for denial, revocation, or suspension. A copy of the record of conviction or plea of guilty shall be conclusive evidence of such conviction.

Sec. 12. NEW SECTION. **904.707 Apprenticeship programs — limitations.**

An inmate shall not be enrolled in an apprenticeship program if the inmate would be unable to obtain a necessary license to practice the profession to which the apprenticeship relates due to the inmate's conviction of a felony. Prior to enrolling an inmate in an apprenticeship program, the department of corrections shall receive written confirmation from the appropriate licensing board that the inmate would be able to receive a necessary license to practice the profession to which the apprenticeship relates if it appears to the department that the inmate may be disqualified from receiving such a license.