

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 83

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "License" and substitute "License, Certificate, Permit, or Registration"; in lines 5 and 6, in each instance, after "license" insert "or certification"; in lines 6 and 7, strike "when the applicant or licensee commits a felony or crime of moral turpitude" and substitute "if the applicant, licensee, or certificate holder is convicted of certain crimes; authorizing the Secretary of the Department of Labor, Licensing, and Regulation to deny an application or renewal of certain licenses or suspend or revoke certain licenses if the applicant or licensee is convicted of certain crimes; authorizing the Director of the Office of Cemetery Oversight to deny a registration or permit or suspend or revoke a registration or permit if the registrant or permit holder is convicted of certain crimes"; in line 7, strike "standard" and substitute "standards"; in line 9, after "licenses" insert ", certificates, registrations, and permits"; in line 12, after "3-311," insert "4-314, 5-314,"; and in line 13, after "15-318," insert "16-701,".

AMENDMENT NO. 2

On page 2, strike beginning with "pleads" in line 9 down through "or" in line 10; in line 12, in each instance, strike the bracket; strike beginning with the "a" in line 13 down through "TURPITUDE" in line 14 and substitute "A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PRACTICE CERTIFIED PUBLIC ACCOUNTANCY"; in line 24, strike "THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT" and substitute "IN ADDITION TO ANY OTHER FACTS THAT THE BOARD CONSIDERS RELEVANT, THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING"; strike beginning with the first "A" in line 26 down through "MORAL TURPITUDE" in line 27 and substitute "A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(3) OF THIS SECTION"; and strike in their entirety lines 31 through 33, inclusive.

On page 3, in lines 1, 3, and 4, strike "(4)", "(5)", and "(6)", respectively, and substitute

(Over)

“(3)”, “(4)”, and “(5)”, respectively; strike beginning with “PLEADS” in line 28 down through “OR” in line 29; and in line 32, strike “A CRIME OF MORAL TURPITUDE” and substitute “A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PRACTICE ARCHITECTURE”.

On page 4, in lines 30 and 31, strike “THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT” and substitute “IN ADDITION TO ANY OTHER FACTS THAT THE BOARD CONSIDERS RELEVANT, THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”.

On page 5, strike beginning with the first “A” in line 1 down through “TURPITUDE” in line 2 and substitute “A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(1)(VII) OF THIS SECTION”; strike in their entirety lines 6 and 7; in lines 8, 10, and 11, strike “(4)”, “(5)”, and “(6)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively; after line 12, insert:

“4-314.

(a) Subject to the hearing provisions of § 4-315 of this subtitle, the Board may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if the applicant or licensee:

(1) fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;

(2) fraudulently or deceptively uses a license;

(3) is incompetent;

(4) habitually is intoxicated or under the influence of any drug;

(5) falsifies a record submitted to the Board;

(6) fails to use proper sanitary methods while practicing barbering;

(7) fails to keep a barbershop in a sanitary condition;

(8) UNDER THE LAWS OF THE UNITED STATES OR OF ANY STATE, IS CONVICTED OF:

(I) A FELONY; OR

(II) A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PRACTICE BARBERING; or

[(8)] (9) violates any provision of this title.

(b) Instead of or in addition to suspending or revoking a license, the Board may impose a penalty not exceeding \$300 for all violations cited on a single date.

(c) In determining the amount of financial penalty to be imposed under this section, the Board shall consider the following:

(1) the seriousness of the violation;

(2) the good faith of the violator;

(3) the violator's history of previous violations;

(4) the deleterious effect of the violation on the complainant, the public, and the barber industry; and

(5) any other factors relevant to the determination of the financial penalty.

(D) IN ADDITION TO ANY OTHER FACTS THAT THE BOARD CONSIDERS, THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING, DENIAL, RENEWAL, SUSPENSION, OR REVOCATION OF A LICENSE WHEN AN APPLICANT OR LICENSEE IS CONVICTED OF A FELONY OR MISDEMEANOR DESCRIBED IN

(Over)

SUBSECTION (A)(8) OF THIS SECTION:

(1) THE NATURE OF THE CRIME;

(2) THE RELATIONSHIP OF THE CRIME TO THE ACTIVITIES AUTHORIZED UNDER THE LICENSE;

(3) OTHER CRIMES OF WHICH THE APPLICANT OR LICENSEE HAS BEEN CONVICTED;

(4) THE LENGTH OF TIME SINCE THE CONVICTION; AND

(5) THE BEHAVIOR AND ACTIVITIES OF THE APPLICANT OR LICENSEE BEFORE AND AFTER THE CONVICTION.

[(d)] (E) The Board shall commence proceedings under this section on a complaint to the Board by a member of the Board or any person.

[(e)] (F) (1) A complaint shall:

(i) be in writing;

(ii) be signed by the complainant;

(iii) state specifically the facts on which the complaint is based;

(iv) be submitted to the Executive Director of the Board; and

(v) be served on the person to whom it is directed:

1. personally; or

2. by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to the person's last known address as shown on the Board's records.

(2) If service is made by certified mail, the person who mails the document shall file with the Board verified proof of mailing.

(3) If a complaint is made by any person other than a member of the Board, the complaint shall be made under oath by the person who submits the complaint.

[(f)] (G) (1) Except as provided in subsection [(g)] (H) of this section, if the Board finds that a complaint alleges facts that are adequate grounds for action under this section, the Board shall act on the complaint as provided under § 4-315 of this subtitle to deny, suspend, or revoke a license, reprimand a licensee, or assess a penalty.

(2) If the Board does not make the finding, the Board shall dismiss the complaint.

[(g)] (H) (1) If the Board makes the finding under subsection [(f)] (G)(1) of this section for a violation that relates to the sanitary practice of barbering, the Board shall provide the licensee an opportunity to correct the alleged violation.

(2) If the licensee fails to correct each alleged violation within 10 days of written notification of the violation by the Board, the Board shall act on the complaint as provided under § 4-315 of this subtitle.

(3) If the licensee corrects each alleged violation within 10 days of notice, the Board shall:

(i) dismiss the complaint; and

(ii) provide the licensee written notification of the dismissal.

5-314.

(a) Subject to the hearing provisions of § 5-315 of this subtitle, the Board may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if the applicant or

(Over)

licensee:

(1) fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;

(2) fraudulently or deceptively uses a license;

(3) is incompetent;

(4) engages in dishonest, unethical, immoral, or unprofessional conduct;

(5) is addicted to alcohol or drugs to the extent of being unfit to practice cosmetology;

(6) advertises by means of knowingly false or deceptive statements;

(7) UNDER THE LAWS OF THE UNITED STATES OR OF ANY STATE, IS CONVICTED OF:

(I) A FELONY; OR

(II) A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PRACTICE COSMETOLOGY; or

[(7)] (8) violates any provision of this title or any regulation adopted by the Board under this title.

(b) Instead of or in addition to suspending or revoking a license, the Board may impose a penalty not exceeding \$300 for all violations cited on a single day.

(c) In determining the amount of financial penalty to be imposed under this section, the Board shall consider the following:

(1) the seriousness of the violation;

(2) the good faith of the violator;

(3) the violator's history of previous violations;

(4) the deleterious effect of the violation on the complainant, the public, and the cosmetology industry; and

(5) any other factors relevant to the determination of the financial penalty.

(D) IN ADDITION TO ANY OTHER FACTS THAT THE BOARD CONSIDERS RELEVANT, THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING, DENIAL, RENEWAL, SUSPENSION, OR REVOCATION OF A LICENSE WHEN AN APPLICANT OR LICENSEE IS CONVICTED OF A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(7) OF THIS SECTION:

(1) THE NATURE OF THE CRIME;

(2) THE RELATIONSHIP OF THE CRIME TO THE ACTIVITIES AUTHORIZED BY THE LICENSE;

(3) OTHER CRIMES OF WHICH THE APPLICANT OR LICENSEE HAS BEEN CONVICTED;

(4) THE LENGTH OF TIME SINCE THE CONVICTION; AND

(5) THE BEHAVIOR AND ACTIVITIES OF THE APPLICANT OR LICENSEE BEFORE AND AFTER THE CONVICTION.

[(d)] (E) The Board shall commence proceedings under this section on a complaint to the Board by a member of the Board or any person.

(1) A complaint shall:

(Over)

(i) be in writing;

(ii) be signed by the complainant;

(iii) state specifically the facts on which the complaint is based;

(iv) be submitted to the Executive Director of the Board; and

(v) be served on the person to whom it is directed:

1. personally; or

2. by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to the person's last known address as shown on the Board's records.

(2) If service is made by certified mail, the person who mails the document shall file with the Board verified proof of mailing.

[(e)] (F) (1) Except as provided in subsection [(f)] (G) of this section, if the Board finds that a complaint alleges facts that are adequate grounds for action under this section, the Board shall act on the complaint as provided under § 5-315 of this subtitle to deny, suspend, or revoke a license, reprimand a licensee, or assess a penalty.

(2) If the Board does not make the finding, the Board shall dismiss the complaint.

[(f)] (G) (1) If the Board makes the finding under subsection [(e)] (F)(1) of this section for a violation that relates to the sanitary practice of cosmetology, the Board shall provide the licensee an opportunity to correct the alleged violation.

(2) If the licensee fails to correct each alleged violation within 10 days of written notification of the violation by the Board, the Board shall act on the complaint as provided under § 5-315 of this subtitle.

(3) If the licensee corrects each alleged violation within 10 days of notice, the Board shall:

(i) dismiss the complaint; and

(ii) provide the licensee written notification of the dismissal.”;

strike beginning with “PLEADS” in line 26 down through “OR” in line 27; and in line 29, strike “A CRIME OF MORAL TURPITUDE” and substitute “A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PROVIDE ELECTRICAL SERVICES”.

On page 6, in line 10, strike “THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT” and substitute “IN ADDITION TO ANY OTHER FACTS THAT THE BOARD CONSIDERS RELEVANT, THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; strike beginning with the first “A” in line 12 down through “TURPITUDE” in line 13 and substitute “A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(6) OF THIS SECTION”; strike in their entirety lines 17 through 19, inclusive; and in lines 20, 22, and 23, strike “(4)”, “(5)”, and “(6)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively.

On page 7, strike beginning with “pleads” in line 2 down through “or” in line 3; in line 5, strike “a crime involving moral turpitude” and substitute “A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PRACTICE FORESTRY”; in line 20, strike “THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT” and substitute “IN ADDITION TO ANY OTHER FACTS THAT THE BOARD CONSIDERS RELEVANT, THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; strike beginning with the first “A” in line 22 down through “TURPITUDE” in line 23 and substitute “A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A) (4) OF THIS SECTION”; strike in their entirety lines 27 and 28; and in lines 29, 31, and 32, strike “(4)”, “(5)”, and “(6)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively.

(Over)

On page 8, strike beginning with “pleads” in line 9 down through “or” in line 11; in line 13, strike “a crime involving moral turpitude” and substitute “A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR CERTIFICATE HOLDER TO PERFORM CERTIFIED INTERIOR DESIGN SERVICES”; in line 26, strike “THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT” and substitute “IN ADDITION TO ANY OTHER FACTS THAT THE BOARD CONSIDERS RELEVANT, THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; strike beginning with “LICENSE” in line 27 down through “TURPITUDE” in line 29 and substitute “CERTIFICATE WHEN AN APPLICANT OR CERTIFICATE HOLDER IS CONVICTED OF A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(3) OF THIS SECTION”; in line 32, strike “LICENSE” and substitute “CERTIFICATE”.

On page 9, strike in their entirety lines 1 through 3, inclusive; in lines 4, 6, and 7, strike “(4)”, “(5)”, and “(6)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively; in line 4, strike “LICENSEE” and substitute “CERTIFICATE HOLDER”; in line 7, strike “LICENSEE” and substitute “CERTIFICATE HOLDER”; strike beginning with “pleads” in line 17 down through “or” in line 18; in line 20, strike “a crime involving moral turpitude” and substitute “A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PRACTICE LANDSCAPE ARCHITECTURE”.

On page 10, in line 13, strike “THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT” and substitute “IN ADDITION TO ANY OTHER FACTS THAT THE BOARD CONSIDERS NECESSARY, THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; strike beginning with the first “A” in line 15 down through “TURPITUDE” in line 16 and substitute “A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(3) OF THIS SECTION”; strike in their entirety lines 20 through 22, inclusive; and in lines 23, 25, and 26, strike “(4)”, “(5)”, and “(6)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively.

On page 11, strike beginning with “PLEADS” in line 3 down through “OR” in line 4; in line 6, strike “A CRIME OF MORAL TURPITUDE” and substitute “A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PROVIDE PILOTAGE”.

On page 12, in line 1, strike “THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT” and substitute “IN ADDITION TO ANY OTHER FACTS THAT THE BOARD CONSIDERS RELEVANT, THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; strike beginning with the first “A” in line 3 down through “TURPITUDE” in line 4 and substitute “A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(3) OF THIS SECTION”; strike in their entirety lines 8 and 9; in lines 10, 12, and 13, strike “(4)”, “(5)”, and “(6)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively; strike beginning with “PLEADS” in line 28 down through “OR” in line 29; in line 31, strike “A CRIME OF MORAL TURPITUDE” and substitute “A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PROVIDE PLUMBING SERVICES”.

On page 13, in line 10, strike “THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT” and substitute “IN ADDITION TO ANY OTHER FACTS THAT THE BOARD CONSIDERS, THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; strike beginning with the first “A” in line 12 down through “TURPITUDE” in line 13 and substitute “A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(5) OF THIS SECTION”; strike in their entirety lines 17 and 18; in lines 19, 21, and 22, strike “(4)”, “(5)”, and “(6)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively; strike beginning with “pleads” in line 32 down through “or” in line 33; and in line 35, strike “a crime involving moral turpitude” and substitute “A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PRACTICE ENGINEERING”.

On page 14, in line 27, strike “THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT” and substitute “IN ADDITION TO ANY OTHER FACTS THAT THE BOARD CONSIDERS RELEVANT, THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; strike beginning with the first “A” in line 29 down through “TURPITUDE” line 30 and substitute “A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(3) OF THIS SECTION”.

On page 15, strike in their entirety lines 1 and 2; in lines 3, 5, and 6, strike “(4)”, “(5)”, and

(Over)

“(6)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively; strike beginning with “pleads” in line 16 down through “or” in line 17; in line 19, strike “a crime involving moral turpitude” and substitute “A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PRACTICE LAND SURVEYING OR PROPERTY LINE SURVEYING”.

On page 16, in line 11, strike “THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT” and substitute “IN ADDITION TO ANY OTHER FACTS THAT THE BOARD CONSIDERS RELEVANT, THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; strike beginning with the first “A” in line 13 down through “TURPITUDE” in line 14 and substitute “A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(3) OF THIS SECTION”; strike in their entirety lines 18 through 20, inclusive; in lines 21, 23, and 24, strike “(4)”, “(5)”, and “(6)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively; and after line 25 insert:

“16-701.

(A) Subject to the hearing provisions of § 16-602 of this title, the Commission may deny a license to any applicant, deny a certificate to any applicant, reprimand any licensee, reprimand any certificate holder, suspend or revoke a license or certificate, or impose a fine of not more than \$5,000, if the applicant, license holder, or certificate holder:

(1) fraudulently or deceptively obtains or attempts to obtain a license or certificate for the applicant, licensee, certificate holder, or for another;

(2) fraudulently or deceptively uses a license or certificate;

(3) commits an act or makes an omission in the provision of real estate appraisal services or certified real estate appraisal services that is an act of dishonesty, fraud, or misrepresentation if the applicant, licensee, or certificate holder intends:

(i) to benefit substantially the applicant, licensee, certificate holder, or another person; or

(ii) to injure substantially another person;

(4) is held civilly or criminally liable for deceit, fraud, or misrepresentation in the provision of real estate appraisal services or certified real estate appraisal services;

(5) [is convicted of a crime that is related substantially to the qualifications, functions, or duties of a person who develops real estate appraisals or communicates real estate appraisals to others;] UNDER THE LAWS OF THE UNITED STATES OR OF ANY STATE, IS CONVICTED OF A:

(I) FELONY; OR

(II) MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT, LICENSEE, OR CERTIFICATE HOLDER TO PROVIDE REAL ESTATE APPRAISAL SERVICES;

(6) pays a finder's fee or a referral fee to a person who lacks a license;

(7) makes a false or misleading statement in:

(i) the part of a written appraisal report about professional qualifications; or

(ii) testimony about professional qualifications;

(8) violates the confidential nature of governmental records to which a licensee or certificate holder gained access in the provision of real estate appraisal services or certified real estate services;

(9) accepts a fee for providing an independent appraisal service in violation of this title;

(10) fails to exercise reasonable diligence to develop, prepare, or communicate an appraisal;

(Over)

(11) commits negligence or incompetence in developing, preparing, or communicating an appraisal;

(12) violates any other provision of this title; or

(13) violates any regulation adopted under this title.

(B) IN ADDITION TO ANY OTHER FACTS THAT THE COMMISSION CONSIDERS RELEVANT, THE COMMISSION SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING, DENIAL, RENEWAL, SUSPENSION, OR REVOCATION OF A LICENSE OR CERTIFICATE WHEN AN APPLICANT, CERTIFICATE HOLDER, OR LICENSEE IS CONVICTED OF A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(5) OF THIS SECTION:

(1) THE NATURE OF THE CRIME;

(2) THE RELATIONSHIP OF THE CRIME TO THE ACTIVITIES AUTHORIZED BY THE LICENSE OR CERTIFICATE;

(3) OTHER CRIMES OF WHICH THE APPLICANT, LICENSEE, OR CERTIFICATE HOLDER HAS BEEN CONVICTED;

(4) THE LENGTH OF TIME SINCE THE CONVICTION; AND

(5) THE BEHAVIOR AND ACTIVITIES OF THE APPLICANT, LICENSEE, OR CERTIFICATE HOLDER BEFORE AND AFTER THE CONVICTION.”.

On page 19, strike beginning with “pleads” in line 23 down through “or” in line 25; strike beginning with “forgery” in line 27 down through “title” in line 31 and substitute “A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PROVIDE REAL ESTATE BROKERAGE SERVICES; OR

(III) A CRIME THAT CONSTITUTES A VIOLATION OF ANY

PROVISION OF THIS TITLE".

On page 20, in line 30, strike "THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT" and substitute "IN ADDITION TO ANY OTHER FACTS THAT THE COMMISSION CONSIDERS RELEVANT, THE COMMISSION SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING"; strike beginning with "A" in line 32 down through "TURPITUDE" in line 34 and substitute "A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (B)(24)(I) AND (II) OF THIS SECTION".

On page 21, strike in their entirety lines 3 through 5, inclusive; in lines 6, 8, and 9, strike "(4)", "(5)", and "(6)", respectively, and substitute "(3)", "(4)", and "(5)", respectively; in line 21, strike "is convicted of a felony, theft offense, or crime of moral turpitude" and substitute "IS CONVICTED OF A:

(I) FELONY; OR

(II) MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT, REGISTRANT, OR PERMIT HOLDER TO OWN OR OPERATE A CEMETERY OR SELL PRENEED GOODS".

On page 22, in line 32, strike "THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT" and substitute "IN ADDITION TO ANY OTHER FACTS THAT THE DIRECTOR CONSIDERS RELEVANT, THE DIRECTOR SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING".

On page 23, strike beginning with "A" in line 2 down through "TURPITUDE" in line 3 and substitute "A FELONY OR MISDEMEANOR UNDER SUBSECTION (A)(3) OF THIS SECTION"; strike in their entirety lines 7 through 10, inclusive; in lines 11, 14, and 15, strike "(4)", "(5)", and "(6)", respectively, and substitute "(3)", "(4)", and "(5)", respectively; strike beginning with "felony" in line 29 down through "transaction" in line 30 and substitute ":

(I) FELONY; OR

(II) MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS

(Over)

AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO ENGAGE IN HOME IMPROVEMENT SERVICES”.

On page 24, in line 20, strike “THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT” and substitute “IN ADDITION TO ANY OTHER FACTS THAT THE COMMISSION CONSIDERS RELEVANT, THE COMMISSION SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; strike beginning with the first “A” in line 22 down through “TRANSACTION” in line 24 and substitute “A FELONY OR A MISDEMEANOR DESCRIBED UNDER SUBSECTION (A)(5) OF THIS SECTION”; strike in their entirety lines 28 through 30, inclusive; and in lines 31, 33, and 34, strike “(4)”, “(5)”, and “(6)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively.

On page 25, strike beginning with “PLEADS” in line 12 down through “OR” in line 13; in line 15, strike “A CRIME OF MORAL TURPITUDE” and substitute “A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PROVIDE HEATING, VENTILATION, AIR-CONDITIONING, OR REFRIGERATION SERVICES”; and in line 34, strike “THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT” and substitute “IN ADDITION TO ANY OTHER FACTS THAT THE BOARD CONSIDERS RELEVANT, THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”.

On page 26, strike beginning with the first “A” in line 1 down through “TURPITUDE” in line 2 and substitute “A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(5) OF THIS SECTION”; strike in their entirety lines 6 through 8, inclusive; in lines 9, 11, and 12, strike “(4)”, “(5)”, and “(6)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively; strike beginning with “pleads” in line 29 down through “turpitude” in line 30 and substitute “IS CONVICTED OF A:

1. FELONY; OR

2. MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO BE INVOLVED IN A PAWN TRANSACTION OR THE SALE OR ACQUISITION OF SECONDHAND PRECIOUS METALS”;

strike beginning with “has” in line 32 down through “turpitude” in line 33 and substitute “IS CONVICTED OF A:”

1. FELONY; OR

2. MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE EMPLOYEE TO BE INVOLVED IN A PAWN TRANSACTION OR THE SALE OR ACQUISITION OF SECONDHAND PRECIOUS METALS”.

On page 27, in line 21, strike “THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT” and substitute “IN ADDITION TO ANY OTHER FACTS THAT THE SECRETARY CONSIDERS RELEVANT, THE SECRETARY SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; strike beginning with “A” in line 23 down through “TURPITUDE” in line 24 and substitute “A FELONY OR A MISDEMEANOR DESCRIBED IN SUBSECTION (A)(2)(IV) OF THIS SECTION”; strike in their entirety lines 28 through 30, inclusive; and in lines 31 and 33, strike “(4)” and “(5)”, respectively, and substitute “(3)” and “(4)”, respectively.

On page 28, in line 1, strike “(6)” and substitute “(5)”.