

BY: Conference Committee

AMENDMENTS TO SENATE BILL NO. 115

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “License” and substitute “License, Certificate, Permit, or Registration and Reprimand”; strike beginning with “of” in line 5 down through “revocation” in line 8 and substitute “of certain licenses and certificates and to suspend or revoke certain licenses and certificates, if the applicant, licensee, or certificate holder is convicted of certain crimes; authorizing certain units within the Department of Labor, Licensing, and Regulation to reprimand certain licensees and certificate holders who are convicted of certain crimes; authorizing the Secretary of the Department of Labor, Licensing, and Regulation to deny an application or renewal of certain licenses and to suspend or revoke certain licenses if the applicant or licensee is convicted of certain crimes; authorizing the Secretary of the Department of Labor, Licensing, and Regulation to reprimand certain licensees who are convicted of certain crimes; authorizing the Director of the Office of Cemetery Oversight to deny certain registrations or permits and to suspend or revoke certain registrations or permits if the applicant, registrant, or permit holder is convicted of certain crimes; authorizing the Director of the Office of Cemetery Oversight to reprimand certain registrants and permit holders who are convicted of certain crimes; requiring certain facts to be considered under certain circumstances in the granting, denial, suspension, or revocation of certain licenses, certificates, registrations, and permits; requiring certain facts to be considered under certain circumstances in the reprimand of certain licensees, certificate holders, permit holders, and registrants”; in line 9, after “licenses” insert “, certificates, registrations, and permits and the reprimand of certain licensees, certificate holders, registrants, or permit holders”; and in line 12, after “3-311,” insert “4-314, 5-314,”.

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 “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

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STANDARDS SHALL BE CONSIDERED IN THE GRANT” and substitute “THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; in line 25, after “LICENSE” insert “OR THE REPRIMAND OF A LICENSEE”; strike beginning with “, A” in line 26 down through “TURPITUDE” in line 27 and substitute “OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(3) OF THIS SECTION”; and in line 31, after “(3)” insert “WITH RESPECT TO A FELONY,”.

On page 3, 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 “THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”.

On page 5, in line 1, after “LICENSE” insert “OR THE REPRIMAND OF A LICENSEE”; 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”; in line 6, after “(3)” insert “WITH RESPECT TO A FELONY,”; 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

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

(D) THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING, DENIAL, RENEWAL, SUSPENSION, OR REVOCATION OF A LICENSE OR THE REPRIMAND OF A LICENSEE WHEN AN APPLICANT OR LICENSEE IS CONVICTED OF A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(8) OF THIS SECTION:

(1) THE NATURE OF THE CRIME;

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

(3) WITH RESPECT TO A FELONY, THE RELEVANCE OF THE CONVICTION TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PRACTICE BARBERING;

(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

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(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 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) THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING, DENIAL, RENEWAL, SUSPENSION, OR REVOCATION OF A LICENSE OR THE REPRIMAND OF A LICENSEE 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) WITH RESPECT TO A FELONY, THE RELEVANCE OF THE CONVICTION TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PRACTICE COSMETOLOGY;

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

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(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:

(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 “THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; in line 11, after “LICENSE” insert “OR THE REPRIMAND OF A LICENSEE”; 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”; in line 17, after “(3)” insert “WITH RESPECT TO A FELONY”.

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 “THE BOARD SHALL CONSIDER

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THE FOLLOWING FACTS IN THE GRANTING"; in line 21, after "LICENSE" insert "OR THE REPRIMAND OF A LICENSEE"; 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"; in line 27, after "(3)" insert "WITH RESPECT TO A FELONY,".

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 "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 OR THE REPRIMAND OF A CERTIFICATE HOLDER WHEN AN APPLICANT OR CERTIFICATE HOLDER IS CONVICTED OF A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(3) OF THIS SECTION"; and in line 32, strike "LICENSE" and substitute "CERTIFICATE".

On page 9, in line 1, after "(3)" insert "WITH RESPECT TO A FELONY,"; in line 8, strike "LICENSEE" and substitute "CERTIFICATE HOLDER"; strike beginning with "pleads" in line 17 down through "or" in line 18; and 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 "THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING"; in line 14, after "LICENSE" insert "OR THE REPRIMAND OF A LICENSEE"; 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"; in line 20, after "(3)" insert "WITH RESPECT TO A FELONY,".

On page 11, strike beginning with "PLEADS" in line 3 down through "OR" in line 4; and 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 “THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING,”; in line 2, after “LICENSE” insert “OR THE REPRIMAND OF A LICENSEE”; 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”; in line 8, after “(3)” insert “WITH RESPECT TO A FELONY,”; strike beginning with “PLEADS” in line 28 down through “OR” in line 29; and 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 “THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; in line 11, after “LICENSE” insert “OR THE REPRIMAND OF A LICENSEE”; 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”; in line 17, after “(3)” insert “WITH RESPECT TO A FELONY,”; 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 “THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; in line 28, after “LICENSE” insert “OR THE REPRIMAND OF A LICENSEE”; and strike beginning with the first “A” in line 29 down through “TURPITUDE” in line 30 and substitute “A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(3) OF THIS SECTION”.

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On page 15, in line 1, after “(3)” insert “WITH RESPECT TO A FELONY,”; strike beginning with “pleads” in line 16 down through “or” in line 17; and 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 “THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; in line 12, after “LICENSE” insert “OR THE REPRIMAND OF A LICENSEE”; 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”; and in line 18, after “(3)” insert “WITH RESPECT TO A FELONY,”.

On page 17, strike in their entirety lines 11 through 13, inclusive; in lines 14 and 19, strike “(6)” and “(7)”, respectively, and substitute “(5)” and “(6)”, respectively; strike beginning with “PLEADS” in line 15 down through “OR” in line 16; in line 18, strike “A CRIME OF MORAL TURPITUDE” and substitute “A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT, LICENSEE, OR CERTIFICATE HOLDER TO PROVIDE REAL ESTATE APPRAISAL SERVICES”; in lines 20, 24, 27, 29, 31, 33, and 34, in each instance, strike the bracket; and in lines 20, 24, 27, 29, 31, 33, and 34, strike “(8)”, “(9)”, “(10)”, “(11)”, “(12)”, “(13)”, and “(14)”, respectively.

On page 18, strike beginning with the first “THE” in line 1 down through “TURPITUDE” in line 6 and substitute “THE COMMISSION SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING, DENIAL, RENEWAL, SUSPENSION, OR REVOCATION OF A LICENSE OR CERTIFICATE OR THE REPRIMAND OF A LICENSEE OR CERTIFICATE HOLDER WHEN AN APPLICANT, CERTIFICATE HOLDER, OR LICENSEE IS CONVICTED OF A FELONY OR A MISDEMEANOR DESCRIBED IN SUBSECTION (A)(5) OF THIS SECTION”; in line 10, after “(3)” insert “WITH RESPECT TO A FELONY,”; and in line 15, strike “, AND SUBSEQUENT TO,” and substitute “AND AFTER”.

On page 21, strike beginning with “pleads” in line 9 down through “or” in line 11; strike in their entirety lines 13 through 15, inclusive, and substitute:

“(II) A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PROVIDE REAL ESTATE BROKERAGE SERVICES; OR”;

and in line 16, strike “(IV)” and substitute “(III)”.

On page 22, in line 17, strike “THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT” and substitute “THE COMMISSION SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; in line 18, after “LICENSE” insert “OR THE REPRIMAND OF A LICENSEE”; strike beginning with “A” in line 19 down through “TURPITUDE” in line 21 and substitute “A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (B)(24)(I) AND (II) OF THIS SECTION”; in line 25, after “(3)” insert “WITH RESPECT TO A FELONY,”.

On page 23, in line 11, strike “is convicted of a felony, theft offense, or crime of moral turpitude” and substitute “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, REGISTRANT, OR PERMIT HOLDER TO OWN OR OPERATE A CEMETERY OR PROVIDE BURIAL GOODS”.

On page 24, in line 22, strike “THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT” and substitute “THE DIRECTOR SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; in line 23, after “PERMIT” insert “OR THE REPRIMAND OF A REGISTRANT OR PERMIT HOLDER”; strike beginning with “A” in line 26 down through “TURPITUDE” in line 27 and substitute “A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(3) OF THIS SECTION”; in line 31, after “(3)” insert “WITH RESPECT TO A FELONY,”.

On page 25, in line 19, after “(5)” insert “UNDER THE LAWS OF THE UNITED STATES

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OR OF ANY STATE.”; strike beginning with “felony” in line 19 down through “transaction” in line 20 and substitute “:

(I) FELONY; OR

(II) MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO ENGAGE IN HOME IMPROVEMENT SERVICES”.

On page 26, in line 10, strike “THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT” and substitute “THE COMMISSION SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING”; in line 11, after “LICENSE” insert “OR THE REPRIMAND OF A LICENSEE”; strike beginning with the first “A” in line 12 down through “TRANSACTION” in line 14 and substitute “A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(5) OF THIS SECTION”; in line 18, after “(3)” insert “WITH RESPECT TO A FELONY.”.

On page 27, strike beginning with “PLEADS” in line 2 down through “OR” in line 3; in line 5, 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”; in line 24, strike “THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT,” and substitute “THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING.”; in line 25, after “LICENSE” insert “OR THE REPRIMAND OF A LICENSEE”; in lines 26 and 27, strike “A FELONY OR A CRIME OF MORAL TURPITUDE” and substitute “A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(5) OF THIS SECTION”; and in line 31, after “(3)” insert “WITH RESPECT TO A FELONY.”.

On page 28, strike beginning with “pleads” in line 18 down through “turpitude” in line 19 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"; and strike beginning with "has" in line 21 down through "turpitude" in line 22 and substitute ", UNDER THE LAWS OF THE UNITED STATES OR OF ANY STATE, IS CONVICTED OF:

1. A FELONY; OR

2. A 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 29, in line 10, strike "THE FOLLOWING STANDARDS SHALL BE CONSIDERED IN THE GRANT," and substitute "THE SECRETARY SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING,"; in line 11, after "LICENSE" insert "OR THE REPRIMAND OF A LICENSEE"; strike beginning with "A" in line 12 down through "TURPITUDE" in line 13 and substitute "A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(2)(IV) OF THIS SECTION"; and in line 17, after "(3)" insert "WITH RESPECT TO A FELONY,".