

HB 3097 Makes inquiring after applicant's conviction history and certain activities related to conducting criminal records check on prospective employee unlawful employment practice.

## Insurance Agents

**744.001 License application; fees.** (1) ORS 744.001 to 744.009, 744.011, 744.013, 744.014, 744.018, 744.022 to 744.033 and 744.037 govern the licensing of adjusters and insurance consultants.

(2) An applicant for a license as an adjuster or an insurance consultant shall apply for the license to the Director of the Department of Consumer and Business Services. The applicant shall include the following information:

(a) The applicant's name, business address, residence address, present occupation, occupation for the last 12 months, the portion of time to be devoted to the insurance business, previous insurance experience and the names of employers during the preceding five years. The applicant shall include the business address of the principal place of business and the business address of each additional location at which the applicant will transact business under the license.

(b) All assumed business names and other names under which the applicant will engage in business under the license.

(c) Whether the applicant has ever been convicted of or is under indictment for a crime, whether the applicant has ever had a judgment entered against the applicant for fraud, whether any insurer or insurance producer claims the applicant is indebted to it and the details of any such indebtedness, and whether any license of the applicant to act in any occupational or professional capacity has ever been refused, revoked or suspended in this or any other state.

(d) The applicant's fingerprints, if the applicant is applying for a resident license. An applicant applying for a nonresident license shall provide the applicant's fingerprints only if the director so requests.

(e) The class or classes of insurance to be transacted under the license.

(f) Any other information that the director requires by rule.

(3) If the applicant for a license under this section is a firm or corporation, the application shall show, in addition, the names of all members, officers and directors. If the applicant is a corporation, the application shall state the names of all stockholders who own, directly or indirectly, more than 10 percent of any class of any equity security of the corporation, and shall designate each individual who is to exercise the powers to be conferred by the license upon the firm or corporation.

(4) Each application shall be accompanied by the applicable fees established by the director. [1989 c.701 §§13,81g; 2001 c.191 §26; 2003 c.364 §117; 2007 c.71 §241]

## Hazardous Materials Drivers

### **Both state and federal issues with convicted criminals**

**480.435 Licenses; revocation; suspension; refusal to issue or renew.** In accordance with ORS chapter 183, the State Fire Marshal may revoke or suspend or may refuse to issue or renew a license required pursuant to ORS 480.410 to 480.460, or may place the licensee in a probationary status subject to specified conditions, if the State Fire Marshal finds that the person to whom the license was issued:

- (1) Deliberately falsified the application form for the LP gas license or examination;
- (2) Has committed a violation of ORS 162.305;
- (3) Failed to comply with any provision of ORS 480.410 to 480.460, or any rule adopted pursuant thereto; or
- (4) Failed to maintain the status required under ORS 480.434. [1987 c.346 §3]

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**162.305 Tampering with public records.** (1) A person commits the crime of tampering with public records if, without lawful authority, the person knowingly destroys, mutilates, conceals, removes, makes a false entry in or falsely alters any public record, including records relating to the Oregon State Lottery.

(2)(a) Except as provided in paragraph (b) of this subsection, tampering with public records is a Class A misdemeanor.

(b) Tampering with records relating to the Oregon State Lottery is a Class C felony. [1971 c.743 §205; 1991 c.962 §16]



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