

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

HOUSE BILL 2371

AN ACT

AMENDING SECTION 32-2123, ARIZONA REVISED STATUTES; RELATING TO REAL ESTATE LICENSING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-2123, Arizona Revised Statutes, is amended to
3 read:

4 32-2123. Application for license as broker or salesperson

5 A. Every application for an original license shall be either
6 submitted in writing and signed by the applicant or submitted
7 electronically and contain an electronic or digital identifier that the
8 commissioner deems appropriate. The application shall be accompanied by
9 all applicable fees.

10 B. An application for an original license as a broker or
11 salesperson shall set forth:

12 1. The APPLICANT'S RESIDENCE ADDRESS AND legal name ~~and residence~~
13 ~~address of the applicant~~ AND ANY DERIVATIVE OF THE APPLICANT'S FIRST NAME
14 OR MIDDLE NAME OR A NICKNAME THAT THE APPLICANT REGULARLY USES FOR
15 ADVERTISING PURPOSES.

16 2. The applicant's employers and employment history for the
17 immediately preceding ten years and any experience in real estate sales,
18 appraisals, transfers or similar business in which the applicant
19 previously engaged, if the commissioner determines that this information
20 is needed to reasonably evaluate the good moral character of the
21 applicant.

22 3. The name and place of business of the applicant's present
23 employer, if any.

24 4. Whether the applicant has ever been convicted of a felony and,
25 if so, the nature of the felony, where and when committed and the
26 disposition of the conviction, or whether the applicant has been disbarred
27 or suspended from the practice of law.

28 5. Whether the applicant has ever been refused a broker's or
29 salesperson's license or any other occupational license in this or any
30 other state, whether the applicant's license as a broker or salesperson
31 has been revoked or suspended in this or any other state or whether the
32 applicant has had any other occupational or professional license,
33 certificate or registration revoked or suspended in this or any other
34 state.

35 6. The name of any corporation, company or partnership that is or
36 ever has been licensed by the department in which the applicant exercised
37 any control.

38 7. If the applicant is a natural person, the applicant's social
39 security number. If the applicant, due to bona fide religious convictions
40 or other bona fide reasons that the applicant documents on the application
41 to the satisfaction of the commissioner, does not have a social security
42 number, the applicant may provide the applicant's federal tax
43 identification number with the application. The state real estate
44 department shall use the applicant's social security number or federal tax
45 identification number to aid the department of economic security in

1 locating noncustodial parents or the assets of noncustodial parents, and
2 for no other purpose.

3 C. An application for a license as a broker additionally shall set
4 forth:

5 1. The name under which the business is to be conducted.
6 2. The situs and mailing address of the applicant's place of
7 business, or if more than one, the situs and mailing addresses of each.

8 D. An applicant for a broker's or salesperson's license shall
9 provide information that the commissioner determines is reasonably
10 necessary to establish the character of the applicant. The information
11 may include but shall not be limited to:

12 1. Prior criminal records.
13 2. A valid fingerprint clearance card issued pursuant to section
14 41-1758.03.
15 3. An affidavit setting out whether the applicant has participated
16 in, operated or held an interest in any land development company which has
17 filed, or is subject to, a petition under any chapter of the federal
18 bankruptcy act.

19 E. Each person licensed pursuant to this article, whether the
20 license is active or inactive, shall have available for the licensee's use
21 a current copy of the department's statutes, rules and annotations
22 pertaining to real estate laws. Failure to comply with this requirement
23 shall not be deemed grounds for a civil penalty or for denial, suspension
24 or revocation of a license.