

Colorado Statutes regarding employment of Felons

The attached is a search of the Colorado Revised Statutes (C.R.S.) regarding licensing regulations that effect felons.

Search was based upon the term "convict" to pick up a standard phraseology used in the C.R.S. as follows "...has entered a plea of guilty or nolo contendere to or been convicted of a crime..."

Based upon the Legal Action Center (LAC) national study of reentry issues entitled After Prison: Roadblocks to Reentry. A State-by-State Report Card (<http://lacorg.siteprotect.net/lac/index.php>). I would strongly suggest that Colorado needs to look at revising several existing statutes to allow for more objectivity in allowing felons to apply for licensing in different career fields.

An example already exists in Colorado statutes in C.R.S. Article 12-11-101, Requirements for slaughterer business, under Title 12 Professions and Occupations, as fair and objective language regarding consideration of a Felony in regard to employment.

The prohibition in C.R.S. 12-11-101 is based upon the felony relating to the type of working being applied for.

As a rule I did not include any Statutes dealing with appointed commissions or committees which normally do not allow anyone with a Felony conviction to be appointed, and do have some that relate to directorship positions that are impacted by conviction.

I would point out, that as a sex offender, the agency with the most egregious policy is the Department of Revenue, who in their application for Motor Dealers/Salesperson state explicitly that individuals with specific sex offense convictions need not apply, even though the statute governing these decisions, make no such declaration.

This doesn't mean that they won't turn individuals down indiscriminately, but to blatantly put forth so in the application is contrary to the statute that governs their authority.

I want to close by saying that in Title 24, Article 5, 24-5-101. Effect of criminal conviction on employment rights. There is an annotation that states –

Strong public policy of Colorado is to aid ex-offenders in their rehabilitation to society and to insure that they are not discriminated against solely because they, at one time, were convicted of crimes. Watson v. Cronin, 384 F. Supp. 652 (D. Colo. 1974).

It's just too bad that legislation since that time has done more to go counter to that argument than support it.

If the state wants to be true to the sentiment that is addressed in the above referenced annotation, then consideration strongly needs to be given to revising the method for how felons are evaluated for licensing under state statutes.

Sincerely,

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TITLE 6 CONSUMER AND COMMERCIAL AFFAIRS - CHARITABLE SOLICITATIONS**ARTICLE 16 COLORADO CHARITABLE SOLICITATIONS ACT****6-16-104.3. Professional fundraising consultants - annual registration - fees.**

(4)(d) Whether the applicant or any of its owners, officers, directors, trustees, or employees have, within the immediately preceding five years, been convicted of, found guilty of, pled guilty or nolo contendere to, been adjudicated a juvenile violator of, or been incarcerated for any felony involving fraud, theft, larceny, embezzlement, fraudulent conversion, or misappropriation of property or any crime arising from the conduct of a solicitation for a charitable organization or sponsor, under the laws of this or any other state or of the United States, and if so, the name of such person, the nature of the offense, the date of the offense, the court having jurisdiction in the case, the date of conviction or other disposition, and the disposition of the offense;

TITLE 10 INSURANCE : LICENSES**10-2-801. Licenses - denial, suspension, revocation, termination - reporting of actions.**

(1)(g)(I) Conviction of a felony or misdemeanor involving moral turpitude.

(II) For the purposes of this paragraph (g), "moral turpitude" shall include any sexual offense against a child as defined in section 18-3-411, C.R.S.

10-3-112. Directors - terms - election - conflicts of interest - recovery of profits.**Statute text**

(1) (a) The business of insurance companies incorporated under the laws of this state shall be managed by a board of directors consisting of such number of directors, not less than three, as may be prescribed by the articles of incorporation or bylaws, and said directors shall hold office until their successors are duly elected and qualified. Such directors shall be nominated and elected in the manner prescribed by the bylaws of the company not inconsistent with the laws of this state. No director may serve who has been convicted of fraud involving any financial institution or of a felony, but the commissioner may waive this provision regarding a felony if he or she determines that the particular felony does not jeopardize the person's ability to act as a director.

10-7-604. Licensure - refusal to issue - suspension - revocation - refusal to renew.

(1)(d) The licensee or any of its officers, partners, members, or key management personnel has been found guilty of, or has pleaded guilty or nolo contendere to, any felony, or to a misdemeanor involving fraud or moral turpitude, regardless of whether a judgment or conviction has been entered by the court;

TITLE 11 FINANCIAL INSTITUTIONS : BANKS AND INDUSTRIAL BANKS**11-30-106. Examinations - reports - powers of commissioner.**

(8) (a) (II) The commissioner may suspend or remove any director, officer, or employee of a credit union who, under the laws of this state, the United States, or any other state or territory of the United States:

(A) Has entered a plea of guilty or nolo contendere to or been convicted of a crime involving theft or fraud that is classified as a felony; or

(B) Is subject to an order removing or suspending such individual from office, or prohibiting such individual's participation in the conduct of the affairs of any credit union, savings and loan association, bank, or other financial institution.

11-103-501. Directors and officers.

(1) The affairs of a state bank shall be managed by a board of directors, which shall exercise its powers and be responsible for the discharge of its duties. The number of directors, not less than three nor more than twenty-five, shall be as fixed by the bylaws, and the number so fixed shall be the board, regardless of vacancies. At least three-fourths of the directors shall be citizens of the United States, two-thirds shall be residents of this state, and a majority shall reside within one hundred miles of the place of business of the bank; except that, if the bank is organized solely to do business with other financial institutions, is owned primarily by the financial institutions with which it does business, and does not do business with the general public, at least three-fourths of the directors shall be citizens of the United States and a majority shall be residents of this state. A director need not own shares. No director may serve who has been convicted of fraud involving any financial institution or of a felony, but the banking board may waive this provision regarding a felony if it determines that the particular felony does not jeopardize the person's ability to act as a director. A director who is disqualified may be removed by the board of directors or by the banking board. No action taken by a director prior to his or her resignation or removal shall be subject to attack on the ground of his or her disqualification.

TITLE 12 PROFESSIONS AND OCCUPATIONS**ARTICLE 2 ACCOUNTANTS :****12-2-123. Grounds for disciplinary action - administrative penalties.**

(1) After notice and hearing as provided in section 12-2-125, the board may deny the issuance of, refuse to renew, revoke, or suspend any certificate of a certified public accountant issued under this article or any prior law of this state or may fine, censure, issue a letter of admonition to, or place on probation the holder of any certificate and impose other conditions or limitations for any of the following causes:

(1)(e) Conviction of a felony under the laws of any state or of the United States, and, for the purposes of this paragraph (e), a plea of guilty or a plea of nolo contendere accepted by the court shall be considered as a conviction;

(1)(f) Conviction of any crime, an element of which is dishonesty or fraud, under the laws of any state or of the United States, and, for the purposes of this paragraph (f), a plea of guilty or a plea of nolo contendere accepted by the court shall be considered as a conviction;

ARTICLE 3 ALCOHOL - MANUFACTURE - SALE

REPEALED

ARTICLE 4 ARCHITECTS

REPEALED

ARTICLE 5 ATTORNEYS-AT-LAW

No restrictions

ARTICLE 5.5 AUDIOLOGISTS**PART 1 AUDIOLOGISTS****12-5.5-105. Grounds for discipline - disciplinary actions.**

(1) (a) If, after investigation, notice, and the opportunity for hearing in accordance with article 4 of title 24, C.R.S., the director determines that an applicant or registrant has committed any of the acts specified in paragraph (b) of this subsection (1), the director may:

(IV) Deny, refuse to renew, revoke, or suspend the registration of an applicant or registrant; or

(1) (b) The following acts shall constitute grounds for discipline:

(1) (b) (II) Conviction or acceptance of a plea of guilty or nolo contendere or receipt of a deferred sentence in any court to a crime involving fraud, deception, false pretense, theft, misrepresentation, false advertising, or dishonest dealing;

(1) (b) (VI) Employing a sales agent or employee who violates any provision of this part 1;

ARTICLE 5.5 AUDIOLOGISTS AND HEARING AID PROVIDERS**PART 2 HEARING AID PROVIDERS :****12-5.5-205. Grounds for discipline - disciplinary actions.**

(1) (a) If, after investigation, notice, and the opportunity for hearing in accordance with article 4 of title 24, C.R.S., the director determines that an applicant, registrant, trainee, or associate has committed any of the acts specified in paragraph (b) of this subsection (1), the director may:

(1) (a) (IV) Deny, refuse to renew, revoke, or suspend the registration of an applicant or registrant;

(1) (a) (V) Deny, revoke, or suspend the certificate of a registered hearing aid provider trainee or associate; or

(b) The following acts shall constitute grounds for discipline:

(b) (VII) Conviction or acceptance of a plea of guilty or nolo contendere or receipt of a deferred sentence in any court to a crime involving fraud, deception, false pretense, theft, misrepresentation, false advertising, or dishonest dealing;

ARTICLE 6 AUTOMOBILES

PART 1 AUTOMOBILE DEALERS

12-6-118. Licenses - grounds for denial, suspension, or revocation.

(3) A motor vehicle dealer's, wholesale motor vehicle auction dealer's, wholesaler's, buyer agent's, or used motor vehicle dealer's license may be denied, suspended, or revoked on the following grounds:

(3) (d) Having been convicted of or pled nolo contendere to any felony, or any crime pursuant to article 3, 4, or 5 of title 18, C.R.S., or any like crime pursuant to federal law or the law of any other state. A certified copy of the judgment of conviction by a court of competent jurisdiction shall be conclusive evidence of such conviction in any hearing held pursuant to this article.

(5) The license of a motor vehicle salesperson may be denied, revoked, or suspended on the following grounds:

(5) (j) Having been convicted of or pled nolo contendere to any felony, or any crime pursuant to article 3, 4, or 5 of title 18, C.R.S., or any like crime pursuant to federal law or the law of any other state. A certified copy of the judgment of conviction by a court of competent jurisdiction shall be conclusive evidence of such conviction in any hearing held pursuant to this article.

12-6-120. Unlawful acts.

(1)(d)(III) The following conduct by a motor vehicle dealer shall constitute just cause for termination without consideration of other factors:

(A) Conviction of, or a plea of guilty or nolo contendere to, a felony;

ARTICLE 7 BAIL BONDING AGENTS

12-7-103. License requirements - application - qualification bond - forfeiture.

(1) Any person desiring to engage in the business of bail bonding agent in this state shall supply the following information to the division:

(c) Whether the applicant has been convicted of a felony, entered a guilty plea to a felony, accepted a plea of nolo contendere to a felony, or engaged in or committed an act described in section 12-7-106 (1) during the previous ten years;

[Section does not specific license prohibition for felony]

12-7-105.5. Bail recovery services - requirements.

(1) On or after October 1, 1998, prior to hiring, contracting with, or paying any compensation to any individual other than another licensed bail bonding agent for bail recovery services, a licensed bail bonding agent shall take all of the following actions:

(a) The agent shall contact the Colorado bureau of investigation pursuant to the requirements of subsection (3) of this section to confirm that the person has submitted fingerprints to the bureau for a criminal background check and to confirm that such person has not been convicted of or pled guilty or nolo contendere to any felony under federal or state law.

12-7-106. Denial, suspension, revocation, and refusal to renew license - hearing - alternative civil penalty.

1) The division shall deny, suspend, revoke, or refuse to renew, as may be appropriate, the license of any person engaged in the business of bail bonding agent for any of the following reasons:

(1)(e) Conviction of a felony, a guilty plea to a felony, or a plea of nolo contendere to a felony within the last ten years, regardless of whether the conviction or plea resulted from conduct in or conduct related to the bail bond business;

(1)(f) Service of a sentence upon a conviction of a felony in a correctional facility, city or county jail, or community correctional facility or under the supervision of the state board of parole or any probation department within the last ten years;

ARTICLE 8 BARBERS AND COSMETOLOGIST

12-8-132. Grounds for denial, revocation, or suspension of license.

Statute text

(1) The director may deny, revoke, suspend, or make probationary any license issued under the director's authority pursuant to this article upon proof that the licensee:

(a) Has been convicted of or has entered a plea of nolo contendere to a felony. In considering the conviction of or such plea to any such crime, the director shall be governed by the provisions of section 24-5-101, C.R.S.

ARTICLE 9 BINGO AND RAFFLES LAW

12-9-105.1. Games managers - certification.

(2) A person shall not be eligible for certification or act as a games manager in the conduct of any game of chance pursuant to this article if such person has been convicted of any felony or any offense involving gambling.

12-9-105.3. Application for landlord license - fee.

(3) There shall be attached to each application an affidavit signed by the applicant stating that the landlord has not been convicted of any felony or any gambling-related offense as defined in article 10 of title 18, C.R.S. If the landlord is a corporation, limited liability company, or partnership, such affidavit shall make such verification as to each officer and director of such corporation, each member and manager of such limited liability company, or each partner and associate of such partnership.12-9-105.7. Application for supplier license.

(2) To each application for a supplier license shall be attached a statement that the applicant or its owners or its officers or directors if a corporation, or its members, managers, partners, or associates if another business entity, has not been convicted of any felony or any offense involving gambling as defined in article 10 of title 18, C.R.S.

12-9-105.9. Application for manufacturer's agent license or supplier's agent license.

(2) To each agent's application shall be attached a statement that the applicant has not been convicted of any felony or any offense involving gambling as defined in article 10 of title 18, C.R.S.

12-9-107. Persons permitted to conduct games of chance - premises - equipment - expenses.

(19) (a) No person shall act as a caller or assistant to the caller in the conduct of any game of bingo unless such person has been a member in good standing of the bingo-raffle licensee conducting such game or one of its licensed auxiliaries for at least three months immediately prior to the date of such game, is of good moral character, and never has been convicted of a felony or a crime involving gambling.

ARTICLE 10 BOXING

12-10-107.1. Grounds for discipline.

(1) The director may deny, suspend, revoke, place on probation, or issue a letter of admonition against the license of an applicant or licensee if the applicant or licensee:

(1) (c) Is convicted of or has entered a plea of nolo contendere or guilty to a felony; except that the director shall be governed by the provisions of section 24-5-101, C.R.S., in considering such conviction or plea;

ARTICLE 11 SLAUGHTERERS

12-11-101. Requirements for slaughterer business.

(1) Every person carrying on the trade or business of a slaughterer of livestock in this state:

(2) The department of agriculture may deny any application for a license, or may refuse to renew a license, or may revoke or suspend a license, or may place a licensee on probation, as the case may require, if a licensee:

(2)(b) Has been convicted of, or pled guilty or nolo contendere to a felony under the laws of this state, or of any other state, or of the United States which is related to the ability to carry on the business of a slaughterer;

(2)(c) Has had a license to operate as a slaughterer suspended, revoked, or denied in another state, or has been subjected to other disciplinary action in another state, if the basis for such suspension, revocation, denial, or other action is also a violation of Colorado law. For purposes of this paragraph (c), evidence of any adverse or disciplinary action taken by another state against a person for an action conducted while carrying on the trade or business of a slaughterer for an action which is a violation of Colorado law shall be prima facie evidence of violation of Colorado law; or

(2)(d) Has had a license to operate as a slaughterer suspended, revoked, or denied, or who has been subjected to other disciplinary action pursuant to the federal "Packers and Stockyards Act, 1921", as amended, if the basis for such suspension, revocation, denial, or other action is also a violation of Colorado law.

ARTICLE 12 CEMETERIES

No statutes

ARTICLE 13 LIFE CARE INSTITUTIONS

No statutes

ARTICLE 14 COLORADO FAIR DEBT COLLECTION PRACTICES ACT

12-14-119. Collection agency license - requirements - application - fee - expiration.

Statute text

(1) As requisites for licensure, the applicant for a collection agency license shall:

(2) Each applicant for a collection agency license shall submit an application providing all information in the form and manner the administrator shall designate, including, but not limited to:

(2) (d) For the principals and the collections manager of the applicant:

(2) (d) (I) The conviction of any felony or the acceptance by a court of competent jurisdiction of a plea of guilty or nolo contendere to any felony;

[Section does not specific license prohibition for felony]

ARTICLE 15 COMMERCIAL DRIVING SCHOOLS

No statutes

ARTICLE 16 FARM PRODUCTS AND FARM COMMODITY WAREHOUSES**PART 1 FARM PRODUCTS****2-16-108. Disciplinary powers - licenses.**

(1) The commissioner may deny any application for a license, or may refuse to renew a license, or may revoke or suspend a license, or may place a licensee on probation, as the case may require, if the licensee or applicant has:

(1) (b) Been convicted of a felony under the laws of this state, or of any other state, or of the United States; except that, in considering a conviction of a felony, the commissioner shall be governed by the provisions of section 24-5-101, C.R.S.;

PART 2 COMMODITY WAREHOUSES**12-16-206.5. Disciplinary powers - licenses.**

(1) The commissioner may deny any application for a license, or may refuse to renew a license, or may revoke or suspend a license, or may place a licensee on probation, as the case may require, if the licensee or applicant has:

(1) (c) Been convicted of a felony under the laws of this state, or of any other state, or of the United States; except that, in consideration of the conviction of a felony, the commissioner shall be governed by the provisions of section 24-5-101, C.R.S.;

ARTICLE 17 COSMETOLOGISTS**REPEALED****ARTICLE 18 DANCE HALLS**

No restrictions

ARTICLE 19 DANCE SCHOOLS**REPEALED****ARTICLE 20 DEBT MANAGEMENT****REPEALED****ARTICLE 21 DETECTIVES****REPEALED****ARTICLE 22 PHARMACEUTICALS AND PHARMACISTS**

12-22-125. Unprofessional conduct - grounds for discipline.

(1) The board may suspend, revoke, refuse to renew, or otherwise discipline any license or registration issued by it, after a hearing held in accordance with the provisions of this section, upon proof that the licensee or registrant:

(1)(b) Is guilty of the commission of a felony or has had accepted by a court a plea of guilty or nolo contendere to a felony or has received a deferred judgement and sentence for a felony;

ARTICLE 23 - ELECTRICIANS

No restrictions

Article 24 – EMPLOYMENT AGENCIES**REPEALED****ARTICLE 25 - ENGINEERS, SURVEYORS, AND ARCHITECTS****PART 1 ENGINEERS**

12-25-108. Disciplinary actions - grounds for discipline.

(1) The board has the power to deny, suspend, revoke, or refuse to renew the license and certificate of licensure or enrollment of, limit the scope of practice of, or place on probation, any professional engineer or engineer-intern who is found guilty of:

(1)(c) A felony that is related to the ability to practice engineering; except that the board shall be governed by the provisions of section 24-5-101, C.R.S., in considering such conviction or plea. A certified copy of the judgment of a court of competent jurisdiction of such conviction or plea shall be presumptive evidence of such conviction or plea for the purposes of any hearing under this part 1. A plea of nolo contendere, or its equivalent, accepted by the court shall be considered as a conviction.

12-25-110. Application for license and certificates.

(1) The board shall prescribe and furnish application forms. All applications shall be made under oath and shall be accompanied by the appropriate fee. Each application shall contain a statement indicating whether the applicant has ever been convicted of a felony in this or any other state, or has ever had a license to practice engineering revoked or suspended in this or any other state. Applications that are not complete shall be deemed defective and shall not be accepted by the board. The board shall take no action on defective applications, except to give notice to the applicant of defects. The board shall retain all fees submitted with applications, whether or not such applications are acted upon.

(4) Whenever the board is reviewing or considering the conviction of a crime, it shall be governed by the provisions of section 24-5-101, C.R.S.

PART 2 SURVEYORS**12-25-208. Disciplinary actions - grounds for discipline.**

(1) The board has the power to deny, suspend, revoke, or refuse to renew the license of, or place on probation, limit the scope of practice of, or require additional training of any professional land surveyor or land surveyor-intern who is found guilty of:

(1)(c) A felony that is related to the ability to practice land surveying. A certified copy of the judgment of a court of competent jurisdiction of such conviction or plea shall be presumptive evidence of such conviction or plea for the purposes of any hearing under this part 2. A plea of nolo contendere, or its equivalent, accepted by the court shall be considered as a conviction.

12-25-210. Application for licensing or certification.

(1) Each application for licensing or certification shall be on a form furnished by the board and shall contain statements made under oath showing the applicant's education and showing a detailed summary of such applicant's surveying experience. Each application shall contain a statement indicating whether the applicant has ever been convicted of a felony in this or in any other state, or has ever had a surveyor's license or registration revoked, suspended, or not renewed, or has been reprimanded or fined relative to surveying in this or any other state. Applications that are not complete shall be deemed defective, and the board shall take no action on defective applications except to give notice to the applicant of the defects. A nonrefundable application fee in an amount set by the board shall accompany each application.

(3) Whenever the board is reviewing or considering the conviction of a crime, it shall be governed by the provisions of section 24-5-101, C.R.S.

PART 3 ARCHITECT**12-25-308. Disciplinary actions - grounds for discipline.**

(1) The board may deny, suspend, revoke, or refuse to renew the license of, place on probation, or limit the scope of practice of a licensee for the following:

(1)(c) Conviction of, or pleading guilty or nolo contendere to, a felony in Colorado concerning the practice of architecture or an equivalent crime outside Colorado. A certified copy of the judgment of a court of competent jurisdiction of such conviction or plea shall be presumptive evidence of such conviction or plea in any hearing under this part 3. The board shall be governed by section 24-5-101, C.R.S., in considering such conviction or plea.

12-25-310. Application for licensing.

(1) An applicant shall submit an application that includes evidence of education and practical experience as required by section 12-25-314 and the rules of the board. Such application shall also include a signed statement that the applicant has never been denied licensure as an architect or been disciplined with regard to the practice of architecture or practiced architecture in violation of the law. If the board determines that an applicant has committed any of the acts specified as grounds for discipline under section 12-25-308 (1), it may deny an application for examination or licensure. If the applicant has not complied with subsection (3) of this section, the board shall deny an application for examination or licensure.

(2) When the board is reviewing or considering conviction of a crime, it shall be governed by section 24-5-101, C.R.S.

ARTICLE 25.5 - ESCORT SERVICES**12-25.5-109. Persons prohibited as licensees.**

(1) No license provided by this article shall be issued to or held by:

(1)(c) Any person employing, assisted by, or financed in whole or in part by any other person who is not of good moral character;

(1)(e) Any person unless he is of good moral character.

(2) For purposes of determining good moral character, the local licensing authority may consider the criminal record of all applicants, including, but not limited to, any conviction or guilty plea to a charge based on acts of dishonesty, fraud, deceit, sexual misconduct, or prostitution-related misconduct of any kind, whether or not the acts were committed in this state.

Art. 26.1. Background Checks - Gun Shows, 12-26.1-101 to 12-26.1-108.**Art. 26.5. Handguns - Statewide Instant Criminal Background Check System (REPEALED).****Art. 27. Firearms - Purchase in Contiguous State, 12-27-101 to 12-27-104.**

The above governed by Federal and State regulations concerning firearm possession by Felons.

ARTICLE 28 FIREWORKS**12-28-111. Denial, suspension, or revocation of or refusal to renew license.**

(1) The executive director of the department of public safety may deny, suspend, revoke, or refuse to renew any license issued or applied for under the provisions of this article for any of the following reasons:

(1)(b) A conviction of any felony, but subject to the provisions of section 24-5-101, C.R.S.;

(1)(c) A conviction pursuant to section 12-28-110;

HEALTH CARE**ARTICLE 29 BASIC SCIENCES**

As a general rule, any use of illegal narcotics, unauthorized usage of or sale of prescription drugs will result in denial of license. Abuse of alcohol is also considered a reason for denial.

ARTICLE 29.5 ACUPUNCTURISTS**12-29.5-106. Grounds for disciplinary action.**

(1) The director may deny licensure to or take disciplinary action against an acupuncturist pursuant to section 24-4-105, C.R.S., if the director finds that the acupuncturist has committed any of the following acts:

(1)(n) Committed and been convicted of a felony or entered a plea of guilty or nolo contendere to a felony; and

Article 30 - Cancer Cure Control

No applicable clauses

Article 31 - Child Health Associates**REPEALED****ARTICLE 32 - PODIATRISTS****PART I GENERAL PROVISIONS****12-32-107. Issuance, revocation, or suspension of license - probation - immunity in professional review.**

(1) (a) If the Colorado podiatry board determines that an applicant possesses the qualifications required by this article, has paid a fee to be determined and collected pursuant to section 24-34-105, C.R.S., and is entitled to a license to practice podiatry, the board shall issue such license, which shall be signed by its president or vice-president and attested to by its secretary.

(2) The Colorado podiatry board may refuse to issue or may revoke, suspend, or refuse to renew the license to practice podiatry issued to any person; or the board may issue a letter of admonition or a letter of concern to or place on probation any person who, while holding such a license, is guilty of any unprofessional conduct.

(3) "Unprofessional conduct" as used in this article means:

(e) Conviction of a felony or any crime that would constitute a violation of this article. For purposes of this paragraph (e), "conviction" includes the entry of a plea of guilty or nolo contendere or the imposition of a deferred sentence.

ARTICLE 33 CHIROPRACTOR**12-33-117. Discipline of licensees - letters of admonition, suspension, revocation, denial, and probation - grounds.**

(1)(c) Conviction of a felony or any crime that would constitute a violation of this article. For purposes of this subsection (1), "conviction" includes the acceptance of a guilty plea or a plea of nolo contendere or the

ARTICLE 34 DEAD HUMAN BODIES

No restrictions

ARTICLE 35 DENTISTS AND DENTAL HYGIENISTS**PART 1 GENERAL PROVISIONS****12-35-105. Qualifications of board members.**

(1) A person shall be qualified to be appointed to the board if such person:

(2) Notwithstanding subsection (1) of this section or section 24-5-101, C.R.S., a person convicted of a felony in Colorado or any other state or of violating this article or any law governing the practice of dentistry shall not be appointed to or serve on the board.

12-35-129. Causes for denial of issuance or renewal - suspension or revocation of licenses - other disciplinary action - unprofessional conduct defined - disciplinary panels.

(1) The board may deny the issuance or renewal of, suspend for a specified time period, or revoke any license provided for by this article or may reprimand, censure, or place on probation any licensed dentist or dental hygienist after notice and hearing, which may be conducted by an administrative law judge, pursuant to the provisions of article 4 of title 24, C.R.S., or it may issue a letter of admonition without a hearing by certified mail (except that any licensed dentist or dental hygienist to whom such a letter of admonition is sent may, within twenty days after receipt of the letter, request in writing to the board a formal hearing thereon, and the letter of admonition shall be deemed vacated, and the board shall, upon such request, hold such a hearing) for any of the following causes:

(b) Any conviction of a felony or any crime that would constitute a violation of this article. For purposes of this paragraph (b), conviction includes the entry of a plea of guilty or nolo contendere or a deferred sentence.

ARTICLE 36 MEDICAL PRACTICE**12-36-106. Practice of medicine defined - exemptions from licensing requirements - unauthorized practice by physician assistant - penalties - repeal.**

(d) The board may determine whether any applicant for licensure as a physician assistant possesses education, experience, or training in health care that is sufficient to be accepted in lieu of the qualifications required for licensure under subparagraph (I) of paragraph (c) of this subsection (5). Every person who desires to qualify for practice as a physician assistant within this state shall file with the secretary of the board his or her written application for licensure, on which application he or she shall list any act the commission of which would be grounds for disciplinary action against a licensed physician assistant under section 12-36-117, along with an explanation of the circumstances of such act. The board may deny licensure to any applicant who has performed any act that constitutes unprofessional conduct, as defined in section 12-36-117.

12-36-117. Unprofessional conduct.

(1) "Unprofessional conduct" as used in this article means:

(f) Any conviction of an offense of moral turpitude, a felony, or a crime that would constitute a violation of this article. For purposes of this paragraph (f), "conviction" includes the entry of a plea of guilty or nolo contendere or the imposition of a deferred sentence.

ARTICLE 37 - MIDWIVES**12-37-107. Disciplinary action authorized - grounds for discipline.**

(1) If a direct-entry midwife has violated any of the provisions of section 12-37-103, 12-37-104, 12-37-105, or 12-37-109 (3), the director may deny, revoke, or suspend any registration, issue a letter of admonition to a registrant, place a registrant on probation, or apply for a temporary or permanent injunction against a direct-entry midwife, through the attorney general, in any court of competent jurisdiction, enjoining such direct-entry midwife from practicing midwifery or committing any violation of the provisions of the said section 12-37-103, 12-37-104, 12-37-105, or 12-37-109

(3). Such injunctive proceedings shall be in addition to and not in lieu of any other penalties or remedies provided in this article.

(3) The director has the power to deny, revoke, or suspend any registration or to issue a letter of admonition or place a registrant on probation for any of the following acts or omissions:

(d) Habitual intemperance with regard to or excessive use of a habit-forming drug, a controlled substance as defined in section 12-22-303 (7), or an alcoholic beverage;

(g) Violation of any law or regulation governing the practice of direct-entry midwifery in another state or jurisdiction. A plea of nolo contendere or its equivalent accepted by any state agency of another state or jurisdiction may be considered to be the same as a finding of violation for purposes of a proceeding under this article.

(i) Has been convicted of a felony or has had accepted by a court a plea of guilty or nolo contendere to a felony. A certified copy of the judgment of a court of competent jurisdiction of such conviction or plea shall be prima facie evidence of such conviction.

ARTICLE 38 - NURSES

12-38-117. Grounds for discipline.

(1) "Grounds for discipline", as used in this article, means any action by any person who:

(1)(b) (I) Has been convicted of a felony or any crime that would constitute a violation of this article.

(II) (A) For purposes of this paragraph (b), "conviction" includes the entry of a plea of guilty or nolo contendere or the imposition of a deferred sentence.

(d) Has had a license to practice nursing or any other health care occupation suspended or revoked in any jurisdiction. A certified copy of the order of suspension or revocation shall be prima facie evidence of such suspension or revocation.

nursing practice or licensure;

(i) Is addicted to or dependent on alcohol or habit-forming drugs, is a habitual user of controlled substances, as defined in section 12-22-303 (7), or other drugs having similar effects, or is diverting controlled substances, as defined in section 12-22-303 (7), or other drugs having similar effects from the licensee's place of employment; except that the board has the discretion not to discipline the licensee if such licensee is participating in good faith in a program approved by the board designed to end such addiction or dependency;

(l) Has engaged in any conduct which would constitute a crime as defined in title 18, C.R.S., and which conduct relates to such person's employment as a practical or professional nurse. In conjunction with any disciplinary proceeding pertaining to this paragraph (l), the board shall be governed by the provisions of section 24-5-101, C.R.S.

(m) (I) Has violated abuse of health insurance pursuant to section 18-13-119, C.R.S.; or

Annotations

[I couldn't help but leave this in to show how absurd the license boards get.]

If it was held to be the rule that profanity is a ground for revoking a license, then there could be a serious depletion in the ranks of all professions. Colo. State Bd. of Nurse Exam'rs v. Hohu, 129 Colo. 195, 268 P.2d 401 (1954).

ARTICLE 38.1 – NURSE AIDES

12-38.1-111. Grounds for discipline.

(1) The board may suspend, revoke, or deny any certification to practice as a nurse aide or any authority to practice as a medication aide or issue a letter of admonition upon proof that such person:

(1)(b) Has been convicted of a felony or has had a court accept a plea of guilty or nolo contendere to a felony. A certified copy of such conviction or plea from a court of competent jurisdiction shall be prima facie evidence of such conviction or plea. In considering discipline based on the grounds

specified in this paragraph (b), the board shall be governed by the provisions of section 24-5-101, C.R.S.

(n) Has engaged in any conduct that would constitute a crime as defined in title 18, C.R.S., if such conduct relates to the person's ability to practice as a nurse aide. In considering discipline based upon the grounds specified in this paragraph (n), the board shall be governed by the provisions of section 24-5-101, C.R.S.

ARTICLE 39 – NURSING HOME ADMINISTRATORS

12-39-111. Grounds for discipline.

(1) The board has the power to revoke, suspend, withhold, or refuse to renew any license, to place on probation a licensee or temporary license holder, or to issue a letter of admonition to a licensee in accordance with the procedures set forth in subsection (3) of this section, upon proof that such person:

(b) Has been convicted of a felony or pled guilty or nolo contendere to a felony. A certified copy of the judgment of conviction by a court of competent jurisdiction shall be prima facie evidence of such conviction. In considering a possible revocation, suspension, or nonrenewal of a license or temporary license the board shall be governed by the provisions of section 24-5-101, C.R.S.

ARTICLE 40 - OPTOMETRISTS

12-40-118. Unprofessional conduct defined.

(1) The term "unprofessional conduct", as used in this article, means:

(t) Conviction of a felony or the acceptance of a plea of guilty or nolo contendere, or a plea resulting in a deferred sentence to a felony;

ARTICLE 41 – PHYSICAL THERAPISTS

12-41-115. Grounds for disciplinary action.

(1) The director is authorized to take disciplinary action in accordance with section 12-41-116 against any person who has:

(q) Been convicted of a felony or pled guilty or nolo contendere to a felony or committed any act specified in section 12-41-121. A certified copy of the judgment of a court of competent jurisdiction of such conviction or plea shall be conclusive evidence of such conviction or plea. In considering the disciplinary action, the director shall be governed by the provisions of section 24-5-101, C.R.S.

ARTICLE 41.5 – RESPIRATORY THERAPY PRACTICE

12-41.5-109. Grounds for action - disciplinary proceedings.

(2) The director has the power to revoke, suspend, deny, or refuse to renew a license, place on probation a licensee, or issue a letter of admonition to a licensee in accordance with subsections (3), (4), (5), and (6) of this section upon proof that such person:

(b) (I) Has been convicted of or has entered and had accepted by a court a plea of guilty or nolo contendere to:

(A) A felony pursuant to section 18-1.3-401, C.R.S.; or

(B) Any crime as defined in title 18, C.R.S., that relates to such person's employment as a respiratory therapist.

(II) A certified copy of the judgment of a court of competent jurisdiction of such conviction or plea shall be prima facie evidence of such conviction. In conjunction with any disciplinary proceeding pertaining to this paragraph (b), the director shall be governed by section 24-5-101, C.R.S.

ARTICLE 42 – PSYCHIATRIC TECHNICIANS**12-42-113. Grounds for discipline.**

- (1) "Grounds for discipline", as used in this article, means any action by any person who:
- (b) (I) Has been convicted of a felony or any crime that would constitute a violation of this article.
 - (II) (A) For purposes of this paragraph (b), a conviction includes a plea of guilty or nolo contendere

ARTICLE 43 – MENTAL HEALTH**GENERAL PROVISIONS****12-43-222. Prohibited activities - related provisions.**

- (1) A person licensed, registered, or regulated under part 3, 4, 5, 6, or 7 of this article is in violation of this article if such person:
- (a) Has been convicted of a felony or has had accepted by a court a plea of guilty or nolo contendere to a felony if the felony is related to the ability to practice under this article. A certified copy of the judgment of a court of competent jurisdiction of such conviction or plea shall be conclusive evidence of such conviction or plea. In considering the disciplinary action, each board shall be governed by the provisions of section 24-5-101, C.R.S.

ARTICLE 43.5 – PROFESSIONAL REVIEW – HEALTH CARE

REPEALED

ARTICLE 43.9 – COLORADO HOSPITAL COMMISSION

REPEALED

ARTICLE 44 – HOTELS AND FOOD SERVICE ESTABLISHMENTS

No Restrictons

ARTICLE 44.5 – INDIAN ART AND CRAFT SALES

No Restrictions

ARTICLE 45 – LANDSCAPE ARCHITECTS

REPEALED

ARTICLE 46 – FERMENTED MALT BEVERAGES**12-46-104. Licenses - state license fees - requirements.**

- (1) The licenses to be granted and issued by the state licensing authority pursuant to this article for the manufacture, importation, and sale of fermented malt beverages shall be as follows:
- (a) A manufacturer's license shall be granted and issued to any person, partnership, association, organization, or corporation qualifying under section 12-47-301 and not prohibited from licensure under section 12-47-307 to manufacture and sell fermented malt beverages upon the payment of an annual license fee of one hundred fifty dollars to the state licensing authority. A manufacturer so licensed may have additional warehouses in the state upon payment of the wholesaler's license fee as provided in this section.
 - (b) A wholesaler's license shall be granted and issued to any person, partnership, association, organization, or corporation qualifying under section 12-47-301 and not prohibited from licensure under section 12-47-307 to sell fermented malt beverages upon the payment of an annual license fee of one hundred fifty dollars to the state licensing authority. Each wholesaler's license application shall designate the territory within which the licensee may sell the designated products of any manufacturer, as agreed upon by the licensee and the manufacturer of such products.

(c) A retailer's license shall be granted and issued to any person, partnership, association, organization, or corporation qualifying under section 12-47-301 and not prohibited from licensure under section 12-47-307 to sell at retail the said fermented malt beverages upon paying an annual license fee of seventy-five dollars to the state licensing authority.

ARTICLE 47 – ALCOHOL BEVERAGES

12-47-307. Persons prohibited as licensees.

(1) (a) No license provided by this article or article 46 or 48 of this title shall be issued to or held by:

(II) Any person who is not of good moral character;

(III) Any corporation, any of whose officers, directors, or stockholders holding ten percent or more of the outstanding and issued capital stock thereof are not of good moral character;

(IV) Any partnership, association, or company, any of whose officers, or any of whose members holding ten percent or more interest therein, are not of good moral character;

(V) Any person employing, assisted by, or financed in whole or in part by any other person who is not of good character and reputation satisfactory to the respective licensing authorities;

(VI) Any person unless such person's character, record, and reputation are satisfactory to the respective licensing authority;

(b) (I) In making a determination as to character or when considering the conviction of a crime, a licensing authority shall be governed by the provisions of section 24-5-101, C.R.S.

Annotations

Only offenses involving "moral turpitude" basis for denial. This section as "governed" and modified by § 24-5-101 requires that only those offenses involving "moral turpitude" can serve as justification for denial of a liquor license. *Hartman v. Wadlow*, 37 Colo. App. 90, 545 P.2d 735 (1975), *aff'd*, 191 Colo. 196, 551 P.2d 201 (1976).

ARTICLE 47.1 – COLORADO LIMITED GAMING ACT

12-47.1-505. Operator, slot machine manufacturer or distributor, key employee, support licensee, or retailer - qualifications for licensure.

Prior to a person's licensure as an operator, slot machine manufacturer or distributor, key employee, support licensee, or retailer, such person shall, in addition to meeting any other requirements imposed by this article, the commission, or any rule or regulation promulgated pursuant to this article, show that he is of good moral character. Such person has the burden of proving his qualifications to the satisfaction of the commission. Such person shall submit to and pay for any background investigations as may be ordered by the commission. All such payments shall be deposited into the limited gaming fund.

Source: L. 91: Entire article added, p. 1540, § 1, effective June 4.

ANNOTATION

Commission has statutory authority to consider any criminal history of an applicant that could be inimical to the purposes of the Limited Gaming Act, including an examination of a criminal record of seven arrests, conviction of three misdemeanors, and deferred sentences on two other misdemeanors. *Moya v. Colo. Gaming Comm'n*, 870 P.2d 620 (Colo. App. 1994).

12-47.1-515. License - grounds for approval or denial.

The commission may approve or deny any application for a license, in addition to all other conditions and requirements set forth in this article and the rules and regulations promulgated pursuant thereto, on the basis of whether it deems the applicant a suitable person to hold the license applied for and whether it considers the proposed location, retail floor plan, or any other conditions suitable. Refusal of an applicant to provide all information requested by the commission or to allow investigation into the applicant's background is grounds for denial of a license.

Information requested from the applicant by the commission shall include the applicant's date of birth in addition to other information necessary to identify and investigate fully the record and relevant history of the applicant.

ANNOTATION

Commission has statutory authority to consider any criminal history of an applicant that could be inimical to the purposes of the Gaming Act, including an examination of a criminal record of seven arrests, conviction of three misdemeanors, and deferred sentences on two other misdemeanors. *Moya v. Colo. Gaming Comm'n*, 870 P.2d 620 (Colo. App. 1994).

Commission acted within its discretion and properly determined the applicant's unsuitability due to evidence presented of the applicant's propensity to steal based on applicant's several theft convictions. *Moya v. Colo. Gaming Comm'n*, 870 P.2d 620 (Colo. App. 1994).

Commission's order adequately specified both the statutory authority and the facts it relied on when making its decision to deny applicant a license, as the order stated that applicant had failed to meet the burden to prove applicant's qualification to hold a license and that applicant was not a suitable person to hold a license and as the Commission determined that applicant's criminal history established a pattern of disregard for lawful conduct. *Moya v. Colo. Gaming Comm'n*, 870 P.2d 620 (Colo. App. 1994).

Note: Federal regulations may apply

ARTICLE 47.2 – TRIBAL-STATE GAMING COMPACT

No restrictions, however, Federal guidelines may apply

ARTICLE 48 – SPECIAL EVENTS PERMITS

No restrictions

ARTICLE 48.5 – MESSAGE PARLOR CODE

12-48.5-108. Persons prohibited as licensees.

(1) No license provided by this article shall be issued to or held by:

(a) Any corporation, any of whose officers, directors, or stockholders holding over ten percent of the outstanding initial capital stock thereof are not of good moral character;

(b) Any partnership, association, or company, any of whose officers, or any of whose members holding more than ten percent interest therein, are not of good moral character;

(c) Any person employing, assisted by, or financed in whole or in part by any other person who is not of good moral character satisfactory to the local licensing authority;

(e) Any person unless such person is of moral character and has a record that is satisfactory to the local licensing authority.

Source: **L. 77:** Entire article added, p. 736, § 1, effective July 1. **L. 2002:** (1)(c) and (1)(e) amended, p. 116, § 4, effective March 26. **L. 2003:** (1)(d) amended, p. 1631, § 74, effective August 6.

ANNOTATION

Standard of conduct in this section is sufficiently defined to provide adequate notice to license applicants and their employees. *R & F Enters., Inc. v. Bd. of County Comm'rs*, 199 Colo. 137, 606 P.2d 64 (1980).

Local government must state standards for determining whether an applicant's character and reputation is satisfactory for the granting of a license under the Colorado Massage Parlor Code. *Hide-A-Way Massage Parlor, Inc. v. Bd. of County Comm'rs*, 198 Colo. 175, 597 P.2d 564 (1979).

"Reputation", is unconstitutionally vague and cannot suffice as standard of conduct since it connotes merely an "opinion of the community". *R & F Enters., Inc. v. Bd. of County Comm'rs*, 199 Colo. 137, 606 P.2d 64 (1980).

Meaning of "good moral character", "good character", or "character" includes the applicant's, or his employees', propensities toward criminal conduct and a criminal record, if any, taking into account such record as ameliorated by any rehabilitation. The criminal conduct referred to is limited to felonies or other offenses involving moral turpitude. R & F Enters., Inc. v. Bd. of County Comm'rs, 199 Colo. 137, 606 P.2d 64 (1980).

"Record", as used in the Massage Parlor Code, refers to the criminal record of the applicant, or that of his employee when determining the "good character" of the employee. R & F Enters., Inc. v. Bd. of County Comm'rs, 199 Colo. 137, 606 P.2d 64 (1980).

Employee who engaged in act of prostitution is "not of good character" within the meaning of this section. R & F Enters., Inc. v. Bd. of County Comm'rs, 199 Colo. 137, 606 P.2d 64 (1980).

Board of county commissioners is not restricted to inquiring into prior felony convictions in making an examination of an applicant for a massage parlor license. JRM, Inc. v. Bd. of County Comm'rs, 200 Colo. 384, 615 P.2d 31 (1980).

ARTICLE 49 – MERCHANTS – CHAIN STORE LICENSE

REPEALED

ARTICLE 50 – MERCHANTS – DEALERS, TRANSIENT

REPEALED

ARTICLE 51 – MERCANTILE LICENSES

REPEALED

ARTICLE 51.5 – MANUFACTURED HOUSING

REPEALED

ARTICLE 52 – MONEY TRANSMITTERS

12-52-108. Issuance of license.

(1) Upon the filing of an application, the commissioner shall investigate the applicant. If the banking board finds that the applicant is of good moral character and financially responsible and can comply with this article, the banking board shall approve the application and notify the applicant in writing, who shall within ninety days post the required bond and pay the license fee, whereupon the banking board shall issue to the applicant a license to engage in the business of selling or issuing exchange subject to the provisions of this article.

ARTICLE 53 – MOTOR CLUBS AND SIMILAR ORGANIZATIONS

REPEALED

ARTICLE 54 – MORTUARIES

No restrictions

ARTICLE 55 – NOTARIES PUBLIC

12-55-104. Application.

(1) Every applicant for appointment and commission as a notary public shall complete an application form furnished by the secretary of state to be filed with the secretary of state, stating:

(e) That the applicant has not been convicted of a felony or, in the prior five years, a misdemeanor that disqualifies him or her from being a notary public pursuant to section 12-55-107 (1) (b).

ARTICLE 55.5 OUTFITTERS AND GUIDES**12-55.5-106. Disciplinary actions - grounds for discipline.**

(1) The director may deny, suspend, revoke, or place on probation an outfitter's registration if the applicant or holder:

(d) Is convicted of or has entered a plea of nolo contendere or guilty to a felony; except that the director shall be governed by the provisions of section 24-5-101, C.R.S., in considering such conviction or plea;

(i) Has been convicted of second or third degree criminal trespass pursuant to section 18-4-503 or 18-4-504, C.R.S.; except that the director shall be governed by the provisions of section 24-5-101, C.R.S., in considering such conviction;

ARTICLE 56 - PAWNBROKERS

No restrictions, however, local communities have right to establish regulatory lines.

ARTICLE 57 – PET SHOPS AND BOARDING KENNELS

REPEALED

ARTICLE 58 - PLUMBERS**12-58-110. Disciplinary action by board - licenses or registrations denied, suspended, or revoked - cease and desist orders.**

(1) The board may deny, suspend, revoke, or refuse to renew any license or registration issued or applied for under the provisions of this article or place a licensee on probation for any of the following reasons:

(b) Violation of the rules and regulations or orders promulgated by the board in conformity with the provisions of this article or aiding or abetting in such violation;

(f) Conviction of or acceptance of a plea of guilty or nolo contendere by a court to a felony. In considering the disciplinary action, the board shall be governed by the provisions of section 24-5-101, C.R.S.

ARTICLE 59 – PRIVATE OCCUPATIONAL SCHOOLS**12-59-112. Denial of application for certificate of approval or agent's permit.**

(4) Notwithstanding the provisions of subsections (1), (2), and (3) of this section, the provisions of the "State Administrative Procedure Act", article 4 of title 24, C.R.S., shall apply to the denial of an application for a certificate of approval submitted by a new school and to the denial of an initial application for an agent's permit.

ARTICLE 60 - RACING**12-60-507. Investigation - denial, suspension, and revocation actions against licensees - unlawful acts.**

(1) The commission upon its own motion may, and upon complaint in writing of any person shall, investigate the activities of any licensee or applicant within the state or any person upon the premises of any facility licensed pursuant to this article. In addition to its authority under any other provision of this article, the commission may issue a letter of admonition to a licensee, fine a licensee, suspend a license, deny an application for a license, or revoke a license, if such person has committed any of the following violations:

(b) Been convicted of, or entered a plea of guilty or nolo contendere to, a criminal charge under the laws of this or any other state or of the United States, or entered into a plea bargain for acts or omissions that, if committed in Colorado, would have been grounds for discipline in this state. A certified copy of the judgment of the court in which any such conviction occurred shall be

presumptive evidence of such conviction in any hearing under this article. This paragraph (b) shall be applied in accordance with section 24-5-101, C.R.S.

12-60-507.5. License - mandatory disqualification - criteria.

(1) The commission shall deny a license to any applicant on the basis of any of the following criteria:

(c) Conviction of the applicant, or any of its officers or directors, or any of its general partners, or any stockholders, limited partners, or other persons having a financial or equity interest of five percent or greater in the applicant, of any of the following:

(I) Any gambling-related offense or theft by deception;

(II) Any crime involving fraud or misrepresentation committed within ten years prior to the date of the application, notwithstanding the provisions of section 24-5-101, C.R.S.;

ARTICLE 60,1 – RACING – SWEEPSTAKES ACT

REPEALED

ARTICLE 61 – REAL ESTATE

2-61-103. Application for license.

(1)(b) (I) Prior to submitting an application for a license pursuant to paragraph (a) of this subsection (1), each applicant shall submit a set of fingerprints to the Colorado bureau of investigation for the purpose of conducting a state and national fingerprint-based criminal history record check utilizing records of the Colorado bureau of investigation and the federal bureau of investigation. The applicant shall pay the fee established by the Colorado bureau of investigation for conducting the fingerprint-based criminal history record check to the bureau. Upon completion of the criminal history record check, the bureau shall forward the results to the real estate commission.

(3) The commission is authorized by this section to require and procure any such proof as is necessary in reference to the truthfulness, honesty, and good moral character of any applicant for a real estate broker's license or, if the applicant is a partnership, limited liability company, or corporation, of any partner, manager, director, officer, member, or stockholder if such person has, either directly or indirectly, a substantial interest in such applicant prior to the issuance of such license.

ANNOTATION

There is no requirement that a real estate salesman hold a real estate broker's license issued in his own name. *White v. Minissale*, 155 Colo. 257, 394 P.2d 126 (1964).

12-61-113. Investigation - revocation - actions against licensee - repeal.

(1) The commission, upon its own motion, may, and, upon the complaint in writing of any person, shall, investigate the activities of any licensee or any person who assumes to act in such capacity within the state, and the commission, after the holding of a hearing pursuant to section 12-61-114, has the power to impose an administrative fine not to exceed two thousand five hundred dollars for each separate offense and to censure a licensee, to place the licensee on probation and to set the terms of probation, or to temporarily suspend or permanently revoke a license when the licensee has performed, is performing, or is attempting to perform any of the following acts and is guilty of:

(m) Conviction of, entering a plea of guilty to, or entering a plea of nolo contendere to any crime in article 3 of title 18, C.R.S., in parts 1, 2, 3, and 4 of article 4 of title 18, C.R.S., in part 1, 2, 3, 4, 5, 7, or 8 of article 5 of title 18, C.R.S., in part 3 of article 8 of title 18, C.R.S., in article 15 of title 18, C.R.S., in article 17 of title 18, C.R.S., or any other like crime under Colorado law, federal law, or the laws of other states. A certified copy of the judgment of a court of competent jurisdiction of such conviction or other official record indicating that such plea was entered shall be conclusive evidence of such conviction or plea in any hearing under this part 1.

(m.6) Failing to immediately notify the commission in writing of a conviction, plea, or violation pursuant to paragraph (m) or (m.5) of this subsection (1);

12-61-710. Prohibited activities - grounds for disciplinary actions - procedures.

(1) A real estate appraiser is in violation of this part 7 if the appraiser:

(a) Has been convicted of a felony or has had accepted by a court a plea of guilty or nolo contendere to a felony if the felony is related to the ability to act as a real property appraiser. A certified copy of the judgment of a court of competent jurisdiction of such conviction or plea shall be conclusive evidence of such conviction or plea. In considering the disciplinary action, the board shall be governed by the provisions of section 24-5-101, C.R.S.

ARTICLE 62 – SANITARIANS

REPEALED

ARTICLE 63 – SHORTHAND REPORTERS

REPEALED

ARTICLE 63.5 – SOCIAL WORKERS

REPEALED

ARTICLE 64 - VETERINARIANS

No direct restriction, however, disciplinary regulations allow for penalty for failure to divulge past convictions related to the practice of veterinary science,

ARTICLE 65 – HEARING AID DEALERS

REPEALED

ARTICLE 66 – WHOLESALE REPRESENTATIVES

12-66-104. Liquor licensees excepted.

This article shall not apply to any person licensed under article 46 or 47 of this title.