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**TITLE 878 HOME INSPECTORS LICENSING BOARD**

**Proposed Rule**  
LSA Document #23-42

DIGEST

Adds [878 IAC 1-6](#) concerning convictions of concern and related provisions, implementing [IC 25-1-1.1-6](#). Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

**[878 IAC 1-6](#)**

SECTION 1. [878 IAC 1-6](#) IS ADDED TO READ AS FOLLOWS:

**Rule 6. Convictions of Concern**

**[878 IAC 1-6-1](#) Scope**

Authority: [IC 25-1-1.1-6](#); [IC 25-20.2-3-8](#)

Affected: [IC 25-1-1.1-6](#)

Sec. 1. This rule implements [IC 25-1-1.1-6](#) regarding convictions of concern, which may disqualify an individual for licensure and includes in section 4 of this rule an explicit list of crimes that may disqualify an individual from receiving a license.

*(Home Inspectors Licensing Board; [878 IAC 1-6-1](#))*

**[878 IAC 1-6-2](#) Issuance of license**

Authority: [IC 25-1-1.1-6](#); [IC 25-20.2-3-8](#)

Affected: [IC 25-1-1.1-6](#)

Sec. 2. An applicant for licensure who has a conviction of concern may still be granted a license based on the criteria stated in [IC 25-1-1.1-6\(h\)](#).

*(Home Inspectors Licensing Board; [878 IAC 1-6-2](#))*

**[878 IAC 1-6-3](#) Authority to issue license on probation**

Authority: [IC 25-1-1.1-6](#); [IC 25-20.2-3-8](#)

Affected: [IC 25-1-1.1-6](#); [IC 25-1-11-19](#)

Sec. 3. This rule and [IC 25-1-1.1-6](#) do not limit the authority of a board or committee to issue a license on probation if appropriate under [IC 25-1-11-19](#) or any other applicable statute.

*(Home Inspectors Licensing Board; [878 IAC 1-6-3](#))*

**[878 IAC 1-6-4](#) Convictions of concern**

Authority: [IC 25-1-1.1-6](#); [IC 25-20.2-3-8](#)

Affected: [IC 25-1-1.1-6](#); [IC 35-42-1-1](#); [IC 35-42-1-3](#); [IC 35-42-4-1](#); [IC 35-42-4-3](#)

Sec. 4. The following are convictions of concern:

- (1) Rape ([IC 35-42-4-1](#)).
- (2) Child molesting ([IC 35-42-4-3](#)).
- (3) Murder ([IC 35-42-1-1](#)).
- (4) Voluntary manslaughter ([IC 35-42-1-3](#)).

(Home Inspectors Licensing Board; [878 IAC 1-6-4](#))

**[878 IAC 1-6-5](#) Convictions in another jurisdiction**

Authority: [IC 25-1-1.1-6](#); [IC 25-20.2-3-8](#)

Affected: [IC 25-1-1.1-6](#)

Sec. 5. A crime in any other jurisdiction for which the elements of the crime for which conviction was entered are substantially similar to the elements of a crime included on the list in section 4 of this rule shall also be a crime that may disqualify an individual from receiving a license and therefore included on the list.

(Home Inspectors Licensing Board; [878 IAC 1-6-5](#))

**[878 IAC 1-6-6](#) Prelicensure determinations; fee**

Authority: [IC 25-1-1.1-6](#); [IC 25-20.2-3-8](#)

Affected: [IC 25-1-1.1-6](#)

Sec. 6. The fee for a petition under [IC 25-1-1.1-6\(g\)](#) for a determination as to whether an individual's misdemeanor or felony conviction may disqualify the individual from receiving a license or certification is twenty-five dollars (\$25).

(Home Inspectors Licensing Board; [878 IAC 1-6-6](#))

[Notice of Public Hearing](#)

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