

I_132_0251-2

132nd General Assembly
Regular Session
2017-2018

Sub. H. B. No. 75

A BILL

To amend sections 5903.01 and 5903.04, and to enact
section 5903.06 of the Revised Code to establish
an expedited process to grant a professional
license to an individual who is on active duty
as a member of the armed forces of the United
States, or is the spouse of such an individual,
and holds a valid license in another state.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 5903.01 and 5903.04 be amended
and section 5903.06 of the Revised Code be enacted to read as
follows:

Sec. 5903.01. As used in this chapter:

"Armed forces" means the armed forces of the United
States, including the army, navy, air force, marine corps, coast
guard, or any reserve components of those forces; the national
guard of any state; the commissioned corps of the United States
public health service; the merchant marine service during
wartime; such other service as may be designated by congress; or



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the Ohio organized militia when engaged in full-time national 18
guard duty for a period of more than thirty days. 19

"License" means a license, certificate, permit, or other 20
authorization issued or conferred by a licensing agency under 21
which a licensee may engage in a profession, occupation, or 22
occupational activity. 23

"License by endorsement" means a temporary license issued 24
by a licensing agency in accordance with division (E) of section 25
5903.06 of the Revised Code that permits the license holder to 26
engage in a licensable profession in this state for a period of 27
not more than twelve months without prior examination or other 28
similar requirement. 29

"Licensee" means a person to whom all of the following 30
apply: 31

(A) The person has been issued a license by a licensing 32
agency. 33

(B) The person has been a member of the armed forces. 34

(C) The person has served on active duty, whether inside 35
or outside the United States, for a period in excess of thirty- 36
one days. 37

"Licensing agency" means any state department, division, 38
board, commission, agency, or other state governmental unit 39
authorized by the Revised Code to issue a license. 40

"Service member" means any person who is serving in the 41
armed forces. 42

"Merchant marine" includes the United States army 43
transport service and the United States naval transport service. 44

"Veteran" means any person who has completed service in the armed forces, including the national guard of any state, or a reserve component of the armed forces, who has been discharged under honorable conditions from the armed forces or who has been transferred to the reserve with evidence of satisfactory service.

Sec. 5903.04. Each licensing agency shall adopt rules under Chapter 119. of the Revised Code to establish and implement all of the following:

(A) A process to obtain from each applicant documentation and additional information necessary to determine if the applicant is a service member or veteran, or the spouse or surviving spouse of a service member or veteran, or is eligible for a license under section 5903.06 of the Revised Code;

(B) A process to record, track, and monitor applications that have been received from a service member, veteran, or the spouse or surviving spouse of a service member or veteran, including applications received under section 5903.06 of the Revised Code; and

(C) A process to prioritize and expedite certification or licensing, including the renewal of a license or certificate under section 5903.10 of the Revised Code, for each applicant who is a service member, veteran, or the spouse or a surviving spouse of a service member or veteran.

In establishing these processes, the licensing agency shall include any special accommodations that may be appropriate for applicants facing imminent deployment.

Sec. 5903.06. (A) (1) Notwithstanding any provision of the Revised Code to the contrary, a licensing agency shall grant a

license in accordance with divisions (D) and (E) of this section 74
to an individual who holds a comparable license in another state 75
if either of the following are true: 76

(a) The individual is on active duty as a member of the 77
armed forces at the time of application; or 78

(b) The individual is the spouse of an individual 79
described in division (A)(1)(a) of this section. 80

(2) Except as otherwise provided in division (E) of this 81
section for a license by endorsement, beginning on the date of 82
issue of the license, the license holder may engage in the 83
licensable profession in this state without prior examination or 84
other similar requirement. 85

(B) Before issuing a license under this section, the 86
licensing agency shall do all of the following: 87

(1) Verify that the applicant is otherwise eligible for 88
the applicable license under Title XLVII of the Revised Code and 89
rules adopted under that title, including any required 90
background checks; 91

(2) Make a determination that the requirements to obtain 92
the license in the other state are one of the following: 93

(a) Substantially equivalent to or more stringent than the 94
requirements to obtain the applicable license under Title XLVII 95
of the Revised Code and rules adopted under that title; 96

(b) Less stringent than the requirements to obtain the 97
applicable license under Title XLVII of the Revised Code and 98
rules adopted under that title. 99

(3) Require the applicant to pay the license fee 100
prescribed for the applicable license under Title XLVII of the 101

Revised Code or rules adopted under that title. 102

(C) The licensing agency shall complete the verification 103
required by division (B)(1) of this section and make the 104
determination required by division (B)(2) of this section not 105
later than thirty days after the date the agency receives the 106
application. 107

(D) If, in the determination made under division (B)(2) of 108
this section, the licensing agency finds that the requirements 109
for licensure under the laws or regulations of the other state 110
are substantially equivalent to or more stringent than the 111
requirements for the applicable license under Title XLVII of the 112
Revised Code and the corresponding rules, the agency shall issue 113
to the individual the applicable license under Title XLVII of 114
the Revised Code and the individual shall be considered a 115
licensee for the purposes of this chapter. 116

(E) If, in the determination made under division (B)(2) of 117
this section, the licensing agency finds that the requirements 118
for licensure under the laws or regulations of the other state 119
are less stringent than the requirements under Title XLVII of 120
the Revised Code and the corresponding rules, the licensing 121
agency shall issue to the individual a license by endorsement 122
that is valid for a period of twelve months beginning on the 123
date of issue of the license. An individual holding a license by 124
endorsement is not a licensee for the purposes of this chapter. 125

(1) A license by endorsement expires on the first day 126
occurring after a twelve-month period beginning on the date of 127
issue of the license. 128

(2) No individual holding a license by endorsement under 129
this section may engage in professional activities outside of 130

the scope of the professional activities permitted under the 131
individual's license in the other state. 132

(3) The licensing agency shall provide to the individual 133
named in the license by endorsement written notification that 134
the individual must meet the requirements for the applicable 135
license under Title XLVII of the Revised Code and the 136
corresponding rules not later than twelve months after the 137
license's date of issue, or the license by endorsement will 138
expire and the individual will no longer be permitted to engage 139
in the licensable profession in this state. The notification 140
shall be in writing and shall be provided to the individual at 141
the same time as the license by endorsement. 142

(4) If the individual meets the requirements described in 143
division (E) (3) of this section within the twelve-month period, 144
the licensing agency shall issue to the individual the 145
applicable license under Title XLVII of the Revised Code and the 146
corresponding rules. The individual is exempt from any 147
requirement to complete continuing education, as defined in 148
division (A) of section 5903.12 of the Revised Code, for this 149
twelve-month period. 150

(F) Except as provided for licenses by endorsement in 151
division (E) of this section and subject to section 5903.10 of 152
the Revised Code, an individual holding a license issued under 153
this section shall comply with the renewal procedures 154
established under Title XLVII of the Revised Code and rules 155
adopted under that title for the applicable license. 156

(G) A license issued to an individual described in 157
division (A) (2) of this section is not invalidated by the death 158
of or divorce from the member of the armed forces. 159

(H) This section does not apply to attorneys licensed by 160
the Ohio supreme court. 161

(I) Each licensing agency except the Ohio supreme court, 162
not later than January 1, 2018, shall adopt rules under Chapter 163
119. of the Revised Code as necessary to implement the 164
provisions of this section. 165

Section 2. That existing sections 5903.01 and 5903.04 of 166
the Revised Code are hereby repealed. 167