

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 716

Representatives Butler, Perales

**Cosponsors: Representatives Becker, Cera, Lang, Merrin, Gavarone, Vitale,
Lanese, Huffman, Schaffer, Brenner, Retherford, Green, Roegner, Craig, Miller,
Fedor, Sheehy, Boccieri, Wiggam, Kick, Seitz, Thompson, Johnson**

A BILL

To amend sections 4743.04 and 5903.04 and to enact 1
section 4743.041 of the Revised Code to require 2
state occupational licensing agencies, under 3
certain circumstances, to issue temporary 4
licenses or certificates to members of the 5
military and spouses who are licensed in another 6
jurisdiction and have moved to Ohio for active 7
duty. 8

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

Section 1. That sections 4743.04 and 5903.04 be amended 9
and section 4743.041 of the Revised Code be enacted to read as 10
follows: 11

Sec. 4743.04. (A) The renewal of a license or other 12
authorization to practice a trade or profession issued under 13
Title XLVII of the Revised Code is subject to the provisions of 14
section 5903.10 of the Revised Code relating to service in the 15
armed forces. 16

(B) Continuing education requirements applicable to the licensees under Title XLVII of the Revised Code are subject to the provisions of section 5903.12 of the Revised Code relating to active duty military service.

(C) A department, agency, or office ~~of this state or of~~ any political subdivision of this state that issues a license or certificate to practice a trade or profession may, pursuant to rules adopted by the department, agency, or office, issue a temporary license or certificate to practice the trade or profession to a person whose spouse is on active military duty in this state.

(D) A department, agency, or office of this state that issues a license or certificate to practice a trade or profession shall issue a temporary license or certificate to practice the trade or profession as provided in section 4743.041 of the Revised Code.

(E) The issuance of a license or other authorization to practice a trade or profession issued under Title XLVII of the Revised Code is subject to the provisions of section 5903.03 of the Revised Code relating to service in the armed forces.

Sec. 4743.041. (A) As used in this section, "uniformed services" has the same meaning as in 10 U.S.C. 101.

(B) Pursuant to division (D) of section 4743.04 of the Revised Code, a department, agency, or office of this state shall issue a temporary license or certificate to practice a trade or profession to an individual, provided that all of the following qualifications are met:

(1) The individual holds a valid license or certificate to practice the trade or profession issued by any other state or

jurisdiction. 46

(2) The license or certificate is current, and the 47
individual is in good standing in the state or jurisdiction of 48
licensure or certification. 49

(3) The individual presents adequate proof to the 50
department, agency, or office that the individual or the 51
individual's spouse is a member of the uniformed services and is 52
on active military duty in this state; and 53

(4) The individual presents adequate proof to the 54
department, agency, or office that the individual moved to this 55
state from the state or jurisdiction in which the individual 56
holds a current license or certificate. 57

(C) A temporary license or certificate issued under this 58
section is void if any of the following circumstances occur: 59

(1) The individual's license or certificate issued by 60
another state or jurisdiction expires, is revoked, or is not in 61
good standing. 62

(2) Six months have elapsed since the individual or the 63
individual's spouse was ordered to active military duty in 64
another state or jurisdiction, or is discharged from active 65
military duty; 66

(3) Six years have elapsed since the individual or the 67
individual's spouse was ordered to serve in an active military 68
duty position in this state; or 69

(4) With respect to an individual who was eligible for a 70
temporary license under this section as the spouse of a member 71
of the uniformed services, six months have elapsed since the 72
divorce, dissolution, or annulment of the marriage. 73

(D) A department, agency, or office shall, not less than 74
once per year, verify the standing of a license or certificate 75
that was issued by another state or jurisdiction for each 76
individual to whom it has issued a temporary license or 77
certificate under this section. The department, agency, or 78
office shall revoke the temporary license or certificate of any 79
individual whose license or certificate issued by another state 80
or jurisdiction is not in good standing, or if any of the 81
disqualifying circumstances under division (C) of this section 82
have occurred. 83

(E) An individual with a temporary license or certificate 84
issued under this section may practice the trade or profession 85
in this state only within the scope and practice that the 86
license or certificate from the other state permits, provided 87
that the practice is within the scope of practice allowable for 88
an individual who holds the applicable license or certificate 89
issued by this state. 90

(F) Notwithstanding any other provision of the Revised 91
Code, the fee to be charged for a temporary license or 92
certificate issued under this section shall be one-third of the 93
fee charged in this state for the license or certificate, 94
rounded up to the nearest dollar. 95

(G) Each department, agency, or office that issues a 96
license or certificate to practice a trade or profession shall 97
adopt rules under Chapter 119. of the Revised Code as necessary 98
to implement this section. 99

(H) Each department, agency, or office that issues a 100
license or certificate to practice a trade or profession, shall, 101
upon the conclusion of the state fiscal year, prepare a report 102
on the number and type of temporary licenses or certificates 103

that were issued during the fiscal year under section 4743.041 104
of the Revised Code. The report shall be provided to the 105
director of veterans services not later than thirty days after 106
the end of the fiscal year. The director shall compile the 107
reports and make them available to the public. 108

Sec. 5903.04. Each licensing agency shall adopt rules 109
under Chapter 119. of the Revised Code to establish and 110
implement all of the following: 111

(A) A process to obtain from each applicant documentation 112
and additional information necessary to determine if the 113
applicant is a service member or veteran, or the spouse or 114
surviving spouse of a service member or veteran; 115

(B) A process to record, track, and monitor applications 116
that have been received from a service member, veteran, or the 117
spouse or surviving spouse of a service member or veteran; and 118

(C) A process to prioritize and expedite certification or 119
licensing for each applicant who is a service member, veteran, 120
or the spouse or a surviving spouse of a service member or 121
veteran. 122

In establishing these processes, the licensing agency 123
shall include any special accommodations that may be appropriate 124
for applicants facing imminent deployment, and for applicants 125
for a temporary license or certificate under division (D) of 126
section 4743.04 of the Revised Code. 127

Section 2. That existing sections 4743.04 and 5903.04 of 128
the Revised Code are hereby repealed. 129