

As Introduced

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Representatives Perales, Weinstein

Cosponsors: Representatives Butler, Merrin, Crawley, Holmes, A., Manning, D., Miller, A., Lanese, Richardson, Sheehy, Sobecki, Wiggam, Antani, Arndt, Becker, Brown, Carfagna, Cross, Cupp, Dean, Ginter, Green, Greenspan, Holmes, G., Hood, Hoops, Kent, Kick, Koehler, Lang, LaTourette, Lipps, McClain, Patterson, Plummer, Reineke, Riedel, Rogers, Romanchuk, Russo, Scherer, Seitz, Smith, R., Stein, Vitale, West, Zeltwanger

A BILL

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

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

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

Sec. 4743.04. (A) The renewal 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 5903.10 of the Revised Code relating to service in the

armed forces. 16

(B) Continuing education requirements applicable to the 17
licensees under Title XLVII of the Revised Code are subject to 18
the provisions of section 5903.12 of the Revised Code relating 19
to active duty military service. 20

(C) A department, agency, or office ~~of this state or of~~ 21
any political subdivision of this state that issues a license or 22
certificate to practice a trade or profession may, pursuant to 23
rules adopted by the department, agency, or office, issue a 24
temporary license or certificate to practice the trade or 25
profession to a person whose spouse is on active military duty 26
in this state. 27

(D) A department, agency, or office of this state that 28
issues a license or certificate to practice a trade or 29
profession shall issue a temporary license or certificate to 30
practice the trade or profession as provided in section 4743.041 31
of the Revised Code. 32

(E) The issuance of a license or other authorization to 33
practice a trade or profession issued under Title XLVII of the 34
Revised Code is subject to the provisions of section 5903.03 of 35
the Revised Code relating to service in the armed forces. 36

Sec. 4743.041. (A) As used in this section, "uniformed 37
services" has the same meaning as in 10 U.S.C. 101. 38

(B) Pursuant to division (D) of section 4743.04 of the 39
Revised Code, a department, agency, or office of this state 40
shall issue a temporary license or certificate to practice a 41
trade or profession to an individual, provided that all of the 42
following qualifications are met: 43

(1) The individual holds a valid license or certificate to 44

practice the trade or profession issued by any other state or 45
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, or is a military 53
technician dual status under 10 U.S.C. 10216 and was transferred 54
to duty in this state; and 55

(4) The individual presents adequate proof to the 56
department, agency, or office that the individual moved to this 57
state from the state or jurisdiction in which the individual 58
holds a current license or certificate. 59

(C) A department, agency, or office of this state shall, 60
in accordance with Chapter 119. of the Revised Code, deny an 61
individual a temporary license or certificate issued under this 62
section or revoke an individual's temporary license or 63
certificate issued under this section if any of the following 64
circumstances occur: 65

(1) The individual's license or certificate issued by 66
another state or jurisdiction expires, is revoked, or is not in 67
good standing. 68

(2) Six months have elapsed since the individual or the 69
individual's spouse was ordered to active military duty, or was 70
transferred to duty, in another state or jurisdiction, is 71
discharged from active military duty, or whose standing as a 72
military technician dual status has ended; 73

(3) Six years have elapsed since the individual or the 74
individual's spouse was ordered to serve in an active military 75
duty position, or was transferred to duty, in this state; or 76

(4) With respect to an individual who was eligible for a 77
temporary license under this section as the spouse of a member 78
of the uniformed services, or of a military technician dual 79
status, six months have elapsed since the divorce, dissolution, 80
or annulment of the marriage. 81

(D) A department, agency, or office shall, not less than 82
once per year, verify the standing of a license or certificate 83
that was issued by another state or jurisdiction for each 84
individual to whom it has issued a temporary license or 85
certificate under this section. The department, agency, or 86
office shall revoke the temporary license or certificate of any 87
individual whose license or certificate issued by another state 88
or jurisdiction is not in good standing, or if any of the 89
disqualifying circumstances under division (C) of this section 90
have occurred. 91

(E) An individual with a temporary license or certificate 92
issued under this section may practice the trade or profession 93
in this state only within the scope and practice that the 94
license or certificate from the other state permits, provided 95
that the practice is within the scope of practice allowable for 96
an individual who holds the applicable license or certificate 97
issued by this state. 98

(F) Notwithstanding any other provision of the Revised 99
Code, a department, agency, or office may charge a fee for a 100
temporary license or certificate issued under this section. The 101
fee shall be not more than one-third of the fee charged in this 102
state for the license or certificate, rounded up to the nearest 103

dollar. 104

(G) Each department, agency, or office that issues a 105
license or certificate to practice a trade or profession shall 106
adopt rules under Chapter 119. of the Revised Code as necessary 107
to implement this section. 108

(H) Each department, agency, or office that issues a 109
license or certificate to practice a trade or profession, shall, 110
upon the conclusion of the state fiscal year, prepare a report 111
on the number and type of temporary licenses or certificates 112
that were issued during the fiscal year under this section. The 113
report shall be provided to the director of veterans services 114
not later than thirty days after the end of the fiscal year. The 115
director shall compile the reports and make them available to 116
the public. 117

Sec. 5903.04. Each licensing agency shall adopt rules 118
under Chapter 119. of the Revised Code to establish and 119
implement all of the following: 120

(A) A process to obtain from each applicant documentation 121
and additional information necessary to determine if the 122
applicant is a service member or veteran, or the spouse or 123
surviving spouse of a service member or veteran; 124

(B) A process to record, track, and monitor applications 125
that have been received from a service member, veteran, or the 126
spouse or surviving spouse of a service member or veteran; and 127

(C) A process to prioritize and expedite certification or 128
licensing for each applicant who is a service member, veteran, 129
or the spouse or a surviving spouse of a service member or 130
veteran. 131

In establishing these processes, the licensing agency 132

shall include any special accommodations that may be appropriate 133
for applicants facing imminent deployment, and for applicants 134
for a temporary license or certificate under division (D) of 135
section 4743.04 of the Revised Code. 136

Section 2. That existing sections 4743.04 and 5903.04 of 137
the Revised Code are hereby repealed. 138