

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**S. B. No. 320**

**Senators Beagle, Lehner**

**Cosponsors: Senators Eklund, Gardner, Hackett, Hoagland, LaRose, Schiavoni,  
Sykes, Terhar, Uecker, Williams, Wilson**

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**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 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 individual is in good standing in the state or jurisdiction of licensure or certification. 47  
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(3) The individual presents adequate proof to the department, agency, or office that the individual or the individual's spouse is a member of the uniformed services and is on active military duty in this state; and 50  
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(4) The individual presents adequate proof to the department, agency, or office that the individual moved to this state from the state or jurisdiction in which the individual holds a current license or certificate. 54  
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(C) A temporary license or certificate issued under this section is void if any of the following circumstances occur: 58  
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(1) The individual's license or certificate issued by another state or jurisdiction expires, is revoked, or is not in good standing. 60  
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(2) Six months have elapsed since the individual or the individual's spouse was ordered to active military duty in another state or jurisdiction, or is discharged from active military duty; 63  
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(3) Six years have elapsed since the individual or the individual's spouse was ordered to serve in an active military duty position in this state; or 67  
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(4) With respect to an individual who was eligible for a temporary license under this section as the spouse of a member of the uniformed services, six months have elapsed since the divorce, dissolution, or annulment of the marriage. 70  
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(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