

**As Reported by the House Armed Services, Veterans Affairs, and
Homeland Security Committee**

132nd General Assembly

**Regular Session
2017-2018**

Am. 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, Bocchieri, Wiggam, Kick, Seitz, Thompson, Johnson, Brown,
Landis, Riedel, Smith, T.**

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; 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, a department, agency, or office may charge a fee for a 92
temporary license or certificate issued under this section. The 93
fee shall be not more than one-third of the fee charged in this 94
state for the license or certificate, rounded up to the nearest 95
dollar. 96

(G) Each department, agency, or office that issues a 97
license or certificate to practice a trade or profession shall 98
adopt rules under Chapter 119. of the Revised Code as necessary 99
to implement this section. 100

(H) Each department, agency, or office that issues a 101

license or certificate to practice a trade or profession, shall, 102
upon the conclusion of the state fiscal year, prepare a report 103
on the number and type of temporary licenses or certificates 104
that were issued during the fiscal year under section 4743.041 105
of the Revised Code. The report shall be provided to the 106
director of veterans services not later than thirty days after 107
the end of the fiscal year. The director shall compile the 108
reports and make them available to the public. 109

Sec. 5903.04. Each licensing agency shall adopt rules 110
under Chapter 119. of the Revised Code to establish and 111
implement all of the following: 112

(A) A process to obtain from each applicant documentation 113
and additional information necessary to determine if the 114
applicant is a service member or veteran, or the spouse or 115
surviving spouse of a service member or veteran; 116

(B) A process to record, track, and monitor applications 117
that have been received from a service member, veteran, or the 118
spouse or surviving spouse of a service member or veteran; and 119

(C) A process to prioritize and expedite certification or 120
licensing for each applicant who is a service member, veteran, 121
or the spouse or a surviving spouse of a service member or 122
veteran. 123

In establishing these processes, the licensing agency 124
shall include any special accommodations that may be appropriate 125
for applicants facing imminent deployment, and for applicants 126
for a temporary license or certificate under division (D) of 127
section 4743.04 of the Revised Code. 128

Section 2. That existing sections 4743.04 and 5903.04 of 129
the Revised Code are hereby repealed. 130