

As Passed by the House

133rd General Assembly

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Sub. S. B. No. 7

Senators Lehner, Hackett

Cosponsors: Senators McColley, Hoagland, Huffman, S., Roegner, Fedor, Maharath, Craig, Uecker, Hottinger, Kunze, Antonio, Brenner, Burke, Coley, Dolan, Eklund, Gavarone, Hill, Huffman, M., Manning, Obhof, O'Brien, Peterson, Rulli, Sykes, Terhar, Thomas, Williams, Wilson, Yuko Representatives Perales, Miller, A., Russo, Sheehy, Abrams, Antani, Baldrige, Blair, Boggs, Brent, Brown, Butler, Callender, Carfagna, Carruthers, Cera, Clites, Crawley, Cross, Crossman, Cupp, Dean, Denson, DeVitis, Edwards, Galonski, Ghanbari, Ginter, Green, Greenspan, Hambley, Hicks-Hudson, Hillyer, Holmes, A., Hood, Hoops, Howse, Ingram, Jones, Jordan, Kick, Koehler, Lanese, Lang, LaRe, Leland, Lepore-Hagan, Lightbody, Lipps, Liston, Manning, D., Manning, G., McClain, Merrin, Miller, J., Miranda, O'Brien, Oelslager, Patterson, Patton, Plummer, Powell, Reineke, Richardson, Riedel, Roemer, Rogers, Romanchuk, Ryan, Scherer, Seitz, Smith, K., Smith, T., Sobecki, Stein, Stephens, Stoltzfus, Swearingen, Sweeney, Sykes, Upchurch, West, Wiggam

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 military
duty.

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

Section 1. That sections 4743.04 and 5903.04 be amended

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and section 4743.041 of the Revised Code be enacted to read as follows: 10
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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: 37

"Active guard and reserve" has the meaning defined in 10 38

<u>U.S.C. 101.</u>	39
<u>"Military duty" includes service in the uniformed services</u>	40
<u>on active duty, in the active guard and reserve, and as a</u>	41
<u>military technician dual status under 10 U.S.C. 10216.</u>	42
<u>"Uniformed services" has the meaning defined in 10 U.S.C.</u>	43
<u>101.</u>	44
<u>(B) Pursuant to division (D) of section 4743.04 of the</u>	45
<u>Revised Code, a department, agency, or office of this state</u>	46
<u>shall issue a temporary license or certificate to practice a</u>	47
<u>trade or profession to an individual, provided that all of the</u>	48
<u>following qualifications are met:</u>	49
<u>(1) The individual holds a valid license or certificate to</u>	50
<u>practice the trade or profession issued by any other state or</u>	51
<u>jurisdiction;</u>	52
<u>(2) The license or certificate is current, and the</u>	53
<u>individual is in good standing in the state or jurisdiction of</u>	54
<u>licensure or certification; and</u>	55
<u>(3) The individual presents adequate proof to the</u>	56
<u>department, agency, or office that the individual or the</u>	57
<u>individual's spouse is on military duty in this state.</u>	58
<u>(C) A temporary license or certificate issued under this</u>	59
<u>section shall be issued in accordance with the existing license</u>	60
<u>or certification issuance schedule of the department, agency, or</u>	61
<u>office. The department, agency, or office shall verify the</u>	62
<u>standing of the license or certificate issued by another state</u>	63
<u>or jurisdiction when the temporary license is up for renewal. No</u>	64
<u>temporary license shall be valid for a period of more than six</u>	65
<u>years.</u>	66

(D) A department, agency, or office of this state shall, 67
in accordance with Chapter 119. of the Revised Code, deny an 68
individual a temporary license or certificate issued under this 69
section or revoke an individual's temporary license or 70
certificate issued under this section if either of the following 71
circumstances occur: 72

(1) The individual's license or certificate issued by 73
another state or jurisdiction expires, is revoked, or is not in 74
good standing; or 75

(2) With respect to an individual who was eligible for a 76
temporary license under this section as the spouse of an 77
individual on military duty, six months have elapsed since the 78
divorce, dissolution, or annulment of the marriage. 79

(E) The department, agency, or office shall revoke the 80
temporary license or certificate of any individual whose license 81
or certificate issued by another state or jurisdiction is not in 82
good standing, or if any of the disqualifying circumstances 83
under division (D) of this section have occurred. 84

(F) An individual with a temporary license or certificate 85
issued under this section may practice the trade or profession 86
in this state only within the scope and practice that the 87
license or certificate from the other state permits, provided 88
that the practice is within the scope of practice allowable for 89
an individual who holds the applicable license or certificate 90
issued by this state. 91

(G) Notwithstanding any other provision of the Revised 92
Code, a department, agency, or office may charge a fee for a 93
temporary license or certificate issued under this section. The 94
fee shall be not more than one-third of the fee charged in this 95

state for the license or certificate, rounded up to the nearest 96
dollar. 97

(H) Each department, agency, or office that issues a 98
license or certificate to practice a trade or profession shall 99
adopt rules under Chapter 119. of the Revised Code as necessary 100
to implement this section. 101

(I) Each department, agency, or office that issues a 102
license or certificate to practice a trade or profession, shall, 103
upon the conclusion of the state fiscal year, prepare a report 104
on the number and type of temporary licenses or certificates 105
that were issued during the fiscal year under this section. The 106
report shall be provided to the director of veterans services 107
not later than thirty days after the end of the fiscal year. The 108
director shall compile the reports and make them available to 109
the public. 110

Sec. 5903.04. Each licensing agency shall adopt rules 111
under Chapter 119. of the Revised Code to establish and 112
implement all of the following: 113

(A) A process to obtain from each applicant documentation 114
and additional information necessary to determine if the 115
applicant is a service member or veteran, or the spouse or 116
surviving spouse of a service member or veteran; 117

(B) A process to record, track, and monitor applications 118
that have been received from a service member, veteran, or the 119
spouse or surviving spouse of a service member or veteran; and 120

(C) A process to prioritize and expedite certification or 121
licensing for each applicant who is a service member, veteran, 122
or the spouse or a surviving spouse of a service member or 123
veteran. 124

In establishing these processes, the licensing agency 125
shall include any special accommodations that may be appropriate 126
for applicants facing imminent deployment, and for applicants 127
for a temporary license or certificate under division (D) of 128
section 4743.04 of the Revised Code. 129

Section 2. That existing sections 4743.04 and 5903.04 of 130
the Revised Code are hereby repealed. 131