



AMERICAN COUNCIL OF ENGINEERING COMPANIES
of Ohio

**House Commerce and Labor Committee
regarding House Bill 263
November 5, 2019**

Chair Manning, Vice Chair Dean, Ranking Member Lepore-Hagan and members of the House Commerce and Labor committee, on behalf of the American Council of Engineering Companies of Ohio (ACEC Ohio) we are writing to express concerns regarding House Bill 263 as currently written.

ACEC Ohio is the voice of Ohio's engineering industry, comprised of 140 firms representing over 8000 employees that provide a wide array of engineering and other professional services for all types of construction and environmental improvement projects

House Bill 263 (HB 263) would require the State Licensing Authorities to adopt a list of specific criminal offenses for which a conviction, judicial finding of guilt or plea of guilty may disqualify an individual from obtaining a license. The bill prohibits the state licensing authority from refusing to issue an initial license to an individual based solely on being charged with or convicted of a criminal offense or a non-specific qualification such as "moral turpitude" or lack of "moral character."

ACEC Ohio agrees that individuals should be given a "fresh start" as the bill sponsor has outlined. However, we ask the committee to look at the impact of this bill on professional licensure involving engineers and surveyors. The State Board of Registration for Professional Engineers and Surveyors currently has the ability to review those individuals applying for licensure and licensees convicted of crimes facing possible disciplinary action on a case by case basis. Individuals denied the opportunity to sit for an exam or facing disciplinary action against their professional license are able to request a hearing and utilize an appeals process. Ohio Revised Code Chapter 119 permits individuals to appeal to the judicial system if they feel they have been treated in a manner that is unfair or inconsistent with law.

By requiring a state licensing authority to make a list of disqualifying offenses, it may remove the flexibility of granting a license or permitting an applicant to sit for an exam because their offense is on the disqualifying list. Again, the fresh start is not given if this individual has taken actions and made changes in their life that may permit a second chance. Crimes and offenses are not a one size fits all and there are mitigating circumstances to consider when evaluating criminal acts.

The work that professional engineers and surveyors perform each day impacts the public's health, safety and welfare. To limit the requirement that the professional licensees be of good moral character and good reputation does not make sense. These professionals are designing water treatment facilities, nuclear power plants, telecommunications facilities, roads, bridges, and buildings. We feel the current process for review, evaluation and licensure of professional engineers and surveyors works. Please consider what occupations and professionals are expressly affected by House Bill 263 and consider those that are impacting the health, safety and welfare of Ohio's citizens be considered exempted occupations. It is for these reasons that ACEC Ohio respectfully requests the committee to consider removing professional engineers and surveyors from the list of professions affected by this bill.

Beth Easterday, President
ACEC Ohio

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