

As Passed by the House

133rd General Assembly

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Am. H. B. No. 133

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, Smith, T., Strahorn, Baldrige, Blair, Boggs, Boyd, Brent, Callender, Carruthers, Clites, Crossman, Denson, DeVitis, Edwards, Galonski, Ghanbari, Grendell, Hambley, Hicks-Hudson, Hillyer, Howse, Jones, Jordan, Leland, Lepore-Hagan, Lightbody, Liston, Manning, G., Miller, J., Miranda, O'Brien, Oelslager, Patton, Robinson, Roemer, Ryan, Skindell, Smith, K., Stoltzfus, Sweeney, Sykes, Upchurch, Wilkin

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. 1 2 3 4 5 6 7 8

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: 9 10 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: 37

"Active guard and reserve" has the meaning defined in 10 38
U.S.C. 101. 39

"Military duty" includes service in the uniformed services 40

on active duty, in the active guard and reserve, and as a 41
military technician dual status under 10 U.S.C. 10216. 42

"Uniformed services" has the meaning defined in 10 U.S.C. 43
101. 44

(B) Pursuant to division (D) of section 4743.04 of the 45
Revised Code, a department, agency, or office of this state 46
shall issue a temporary license or certificate to practice a 47
trade or profession to an individual, provided that all of the 48
following qualifications are met: 49

(1) The individual holds a valid license or certificate to 50
practice the trade or profession issued by any other state or 51
jurisdiction. 52

(2) The license or certificate is current, and the 53
individual is in good standing in the state or jurisdiction of 54
licensure or certification. 55

(3) The individual presents adequate proof to the 56
department, agency, or office that the individual or the 57
individual's spouse is on military duty in this state; and 58

(4) The individual presents adequate proof to the 59
department, agency, or office that the individual moved to this 60
state from the state or jurisdiction in which the individual 61
holds a current license or certificate. 62

(C) A department, agency, or office of this state shall, 63
in accordance with Chapter 119. of the Revised Code, deny an 64
individual a temporary license or certificate issued under this 65
section or revoke an individual's temporary license or 66
certificate issued under this section if any of the following 67
circumstances occur: 68

(1) The individual's license or certificate issued by 69
another state or jurisdiction expires, is revoked, or is not in 70
good standing. 71

(2) Six months have elapsed since the individual or the 72
individual's spouse was on military duty in this state; 73

(3) Six years have elapsed since the individual or the 74
individual's spouse began military duty in this state; or 75

(4) 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

(D) A department, agency, or office shall, not less than 80
once per year, verify the standing of a license or certificate 81
that was issued by another state or jurisdiction for each 82
individual to whom it has issued a temporary license or 83
certificate under this section. The department, agency, or 84
office shall revoke the temporary license or certificate of any 85
individual whose license or certificate issued by another state 86
or jurisdiction is not in good standing, or if any of the 87
disqualifying circumstances under division (C) of this section 88
have occurred. 89

(E) An individual with a temporary license or certificate 90
issued under this section may practice the trade or profession 91
in this state only within the scope and practice that the 92
license or certificate from the other state permits, provided 93
that the practice is within the scope of practice allowable for 94
an individual who holds the applicable license or certificate 95
issued by this state. 96

(F) Notwithstanding any other provision of the Revised 97

Code, a department, agency, or office may charge a fee for a 98
temporary license or certificate issued under this section. The 99
fee shall be not more than one-third of the fee charged in this 100
state for the license or certificate, rounded up to the nearest 101
dollar. 102

(G) Each department, agency, or office that issues a 103
license or certificate to practice a trade or profession shall 104
adopt rules under Chapter 119. of the Revised Code as necessary 105
to implement this section. 106

(H) Each department, agency, or office that issues a 107
license or certificate to practice a trade or profession, shall, 108
upon the conclusion of the state fiscal year, prepare a report 109
on the number and type of temporary licenses or certificates 110
that were issued during the fiscal year under this section. The 111
report shall be provided to the director of veterans services 112
not later than thirty days after the end of the fiscal year. The 113
director shall compile the reports and make them available to 114
the public. 115

Sec. 5903.04. Each licensing agency shall adopt rules 116
under Chapter 119. of the Revised Code to establish and 117
implement all of the following: 118

(A) A process to obtain from each applicant documentation 119
and additional information necessary to determine if the 120
applicant is a service member or veteran, or the spouse or 121
surviving spouse of a service member or veteran; 122

(B) A process to record, track, and monitor applications 123
that have been received from a service member, veteran, or the 124
spouse or surviving spouse of a service member or veteran; and 125

(C) A process to prioritize and expedite certification or 126

licensing for each applicant who is a service member, veteran, 127
or the spouse or a surviving spouse of a service member or 128
veteran. 129

In establishing these processes, the licensing agency 130
shall include any special accommodations that may be appropriate 131
for applicants facing imminent deployment, and for applicants 132
for a temporary license or certificate under division (D) of 133
section 4743.04 of the Revised Code. 134

Section 2. That existing sections 4743.04 and 5903.04 of 135
the Revised Code are hereby repealed. 136