

**As Reported by the Committee of Conference**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Am. 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**

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**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 individual is in good standing in the state or</u>	53
<u>jurisdiction of licensure or certification;</u>	54
<u>(3) The individual presents adequate proof to the</u>	55
<u>department, agency, or office of this state that the individual</u>	56
<u>or the individual's spouse is on military duty in this state;</u>	57
<u>and</u>	58
<u>(4) The individual complies with sections 4776.01 to</u>	59
<u>4776.04 of the Revised Code if a department, agency, or office</u>	60
<u>of this state requires an applicant under the law governing the</u>	61
<u>applicable trade or profession to submit to a criminal records</u>	62
<u>check to receive a license or certificate.</u>	63
<u>(C) A department, agency, or office of this state may,</u>	64
<u>under this section, issue a regular license or certificate in</u>	65
<u>lieu of issuing a temporary license or certificate, provided</u>	66

that the applicant meets the requirements of this section, and 67  
provided that the regular license is issued by the deadline 68  
specified in division (D) of this section. 69

(D) If the department, agency, or office of this state 70  
requires an individual under the law governing the applicable 71  
trade or profession to submit to a criminal records check to 72  
receive a license or certificate, and the individual applies for 73  
a license or certificate under this section, the department, 74  
agency, or office of this state shall, within twenty-four hours 75  
after receiving the report under division (A) of section 4776.04 76  
of the Revised Code, notify the applicant that the department, 77  
agency, or office of this state has received the results of a 78  
criminal records check. A department, agency, or office of this 79  
state shall issue a temporary license or certificate or a 80  
regular license under this section, provided that the applicant 81  
meets the requirements of this section, within thirty days of 82  
having received an application, or, if the applicant is subject 83  
to a criminal records check, within fourteen days of having 84  
received the results of a criminal records check. If the 85  
department, agency, or office of this state finds that the 86  
individual is under investigation by the licensing agency of any 87  
other state or jurisdiction, the department, agency, or office 88  
of this state may postpone issuing the license or certificate 89  
until the investigation is complete and the licensing agency of 90  
the other state or jurisdiction confirms that the individual is 91  
in good standing. The department, agency, or office of this 92  
state shall verify the standing of the license or certificate 93  
issued by another state or jurisdiction when the temporary 94  
license is up for renewal. No temporary license shall be valid 95  
for a period of more than six years. 96

(E) A department, agency, or office of this state shall, 97

in accordance with Chapter 119. of the Revised Code, deny an 98  
individual a temporary license or certificate issued under this 99  
section or revoke an individual's temporary license or 100  
certificate issued under this section if any of the following 101  
circumstances occur: 102

(1) The individual's license or certificate issued by 103  
another state or jurisdiction expires or is revoked, or the 104  
individual is not in good standing; 105

(2) With respect to an individual who was eligible for a 106  
temporary license under this section as the spouse of an 107  
individual on military duty, six months have elapsed since the 108  
divorce, dissolution, or annulment of the marriage; 109

(3) The individual is disqualified from obtaining a 110  
license in the trade or profession because of a conviction, 111  
judicial finding of guilt, or plea of guilty to a disqualifying 112  
criminal offense specified on the list the department, agency, 113  
or office of this state makes available pursuant to division (C) 114  
of section 9.78 of the Revised Code. 115

(F) An individual with a temporary license or certificate 116  
or a regular license issued under this section may practice the 117  
trade or profession in this state only within the scope and 118  
practice that is permitted under Ohio law and that does not 119  
exceed the individual's training. 120

(G) Notwithstanding any other provision of the Revised 121  
Code, a department, agency, or office of this state shall waive 122  
all fees associated with the issuance of a temporary license or 123  
certificate issued under this section. 124

(H) Each department, agency, or office of this state that 125  
issues a license or certificate to practice a trade or 126

profession shall adopt rules under Chapter 119. of the Revised 127  
Code as necessary to implement this section. 128

(I) Each department, agency, or office of this state that 129  
issues a license or certificate to practice a trade or 130  
profession, shall, upon the conclusion of the state fiscal year, 131  
prepare a report on the number and type of temporary licenses or 132  
certificates that were issued during the fiscal year under this 133  
section. The report shall be provided to the director of 134  
veterans services not later than thirty days after the end of 135  
the fiscal year. The director shall compile the reports and make 136  
them available to the public. 137

(J) A license or certificate issued under this section 138  
shall be considered a license issued under the laws regulating 139  
the practice of the applicable occupation or profession in this 140  
state. Provisions of law applicable to a license issued to an 141  
applicant who does not obtain a license under this section apply 142  
in the same manner to licenses issued under this section. 143

**Sec. 5903.04.** Each licensing agency shall adopt rules 144  
under Chapter 119. of the Revised Code to establish and 145  
implement all of the following: 146

(A) A process to obtain from each applicant documentation 147  
and additional information necessary to determine if the 148  
applicant is a service member or veteran, or the spouse or 149  
surviving spouse of a service member or veteran; 150

(B) A process to record, track, and monitor applications 151  
that have been received from a service member, veteran, or the 152  
spouse or surviving spouse of a service member or veteran; and 153

(C) A process to prioritize and expedite certification or 154  
licensing for each applicant who is a service member, veteran, 155

or the spouse or a surviving spouse of a service member or 156  
veteran. 157

In establishing these processes, the licensing agency 158  
shall include any special accommodations that may be appropriate 159  
for applicants facing imminent deployment, and for applicants 160  
for a temporary license or certificate under division (D) of 161  
section 4743.04 of the Revised Code. 162

**Section 2.** That existing sections 4743.04 and 5903.04 of 163  
the Revised Code are hereby repealed. 164