

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

**133rd General Assembly**

**Regular Session  
2019-2020**

**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**

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**A BILL**

To amend sections 4743.04 and 5903.04 and to enact 1  
section 4743.041 of the Revised Code to require 2  
state occupational licensing agencies, under 3  
certain circumstances, to issue temporary 4  
licenses or certificates to members of the 5  
military and spouses who are licensed in another 6  
jurisdiction and have moved to Ohio for military 7  
duty. 8

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

**Section 1.** That sections 4743.04 and 5903.04 be amended 9  
and section 4743.041 of the Revised Code be enacted to read as 10  
follows: 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

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

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