

HOUSE BILL No. 1234

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-0.5-10-1; IC 25-1-21.

Synopsis: Occupational licensure reciprocity. Requires a board that issues a license for certain regulated occupations to issue a license to an individual who: (1) is licensed in another state or jurisdiction in the regulated occupation; (2) has established residency in Indiana; (3) has passed a substantially equivalent examination as determined by the appropriate board; (4) is and has been in good standing; (5) pays a fee; and (6) completes the licensure application form. Allows for a board that requires an applicant to submit to a national criminal history background check to maintain that requirement even if an individual who applies for a license for a regulated occupation meets all of the license endorsement requirements. Provides that nothing in this bill prevents or supersedes a: (1) compact; or (2) reciprocity or comity agreement; if established by the board or the general assembly. Provides that, if a board has entered into a national reciprocal or endorsement agreement or a reciprocal or endorsement agreement with one or more states, then those agreements remain in effect.

Effective: July 1, 2022.

Carbaugh

January 6, 2022, read first time and referred to Committee on Employment, Labor and Pensions.



Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1234

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-0.5-10-1, AS AMENDED BY P.L.177-2015,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2022]: Sec. 1. As used in IC 25-1-1.1, **and** IC 25-1-8-6, **and**
4 **IC 25-1-21**, "board" means any of the entities described in this chapter.
5 SECTION 2. IC 25-1-21 IS ADDED TO THE INDIANA CODE AS
6 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
7 1, 2022]:
8 **Chapter 21. Endorsement of Licenses**
9 **Sec. 1. (a) This chapter does not apply to criteria for a license**
10 **that is established by an interstate compact.**
11 **(b) This chapter does not prohibit an individual from**
12 **proceeding under other licensure, certification, registration, or**
13 **permit requirements established by a board.**
14 **Sec. 2. As used in this chapter, "board" means any of the**
15 **following:**
16 **(1) An entity described in IC 25-0.5-10.**
17 **(2) The state police department (IC 10-11-2-4).**



- 1 (3) The department of natural resources (IC 14-9-1-1).
- 2 (4) The mining board (IC 22-10-1.5-2).
- 3 **Sec. 3. As used in this chapter, "license" means:**
- 4 (1) an unlimited license, certificate, registration, or permit;
- 5 (2) a limited or probationary license, certificate, registration,
- 6 or permit;
- 7 (3) a temporary license, certificate, registration, or permit;
- 8 (4) an intern permit; or
- 9 (5) a provisional license;
- 10 issued by a board regulating a profession or an occupation.
- 11 **Sec. 4. As used in this chapter, "regulated occupation" means a**
- 12 **profession or occupation in which an individual must be licensed.**
- 13 **Sec. 5. (a) Except as provided in subsection (b) and section 6 of**
- 14 **this chapter and notwithstanding any other law, the board shall**
- 15 **issue a license for a regulated occupation to an individual if the**
- 16 **individual applies for the license with the appropriate board and**
- 17 **meets the following requirements, if such requirements are**
- 18 **applicable to the appropriate board:**
- 19 (1) Has a valid license to practice from another state or
- 20 jurisdiction for the same regulated occupation that is
- 21 substantially equivalent to the license type being applied for.
- 22 (2) Has documented the individual's residency in Indiana,
- 23 which may include evidence of a valid Indiana driver's license
- 24 or identification card.
- 25 (3) Has passed an examination that the appropriate board has
- 26 determined to be substantially equivalent to the level of
- 27 license for which a license is being applied.
- 28 (4) Does not have a pending complaint, allegation,
- 29 investigation, or disciplinary proceeding in another state or
- 30 jurisdiction.
- 31 (5) Has not had a license revoked or suspended and has not
- 32 voluntarily surrendered a license in any other state or
- 33 jurisdiction while under investigation for unprofessional
- 34 conduct.
- 35 (6) Has not had discipline imposed by the regulating entity in
- 36 another state or jurisdiction.
- 37 (7) Pays a fee determined by the board that is reviewing the
- 38 application.
- 39 (8) Completes the licensure application form as required by
- 40 the board.
- 41 **(b) If a board described in subsection (a) requires that an**
- 42 **individual submit to a national criminal history background check**



1 (as defined in IC 25-1-1.1-4(b)) to issue the individual a license for
2 a regulated occupation, the board may still maintain this
3 requirement, even if the individual applies for the license and
4 meets the requirements set forth in subsection (a).

5 Sec. 6. (a) If a board has entered into a:
6 (1) national reciprocal or endorsement agreement; or
7 (2) reciprocal or endorsement agreement with one (1) or more
8 states;
9 those agreements remain in effect.

10 (b) Nothing in this chapter prevents or supersedes a:
11 (1) compact; or
12 (2) reciprocity or comity agreement;
13 established by the general assembly or a board.

