



March 19, 2021

ENGROSSED HOUSE BILL No. 1392

DIGEST OF HB 1392 (Updated March 18, 2021 1:52 pm - DI 119)

Citations Affected: IC 25-1.

Synopsis: Occupational licensure of military spouses. Amends as follows the law under which a provisional occupational license may be issued to the spouse of an active duty member of the armed forces assigned to Indiana: (1) Provides that the law applies to the spouse of any active military service member, including a member of a reserve component of the United States armed forces or a member of the National Guard. (2) Eliminates a provision under which a military spouse applying for a provisional occupational license is required to submit to a national criminal history background check, and provides instead that a military spouse applying for a provisional occupational license must be determined by the appropriate professional board to not have a disqualifying criminal history if a national criminal history background check is required for the regulated occupation for which the military spouse seeks a provisional license.

Effective: July 1, 2021.

Zent, Frye R, Judy, Andrade

(SENATE SPONSORS — BUCHANAN, NIEZGODSKI, FORD J.D.)

January 14, 2021, read first time and referred to Committee on Veterans Affairs and Public Safety.

February 9, 2021, reported — Do Pass.

February 11, 2021, read second time, ordered engrossed. Engrossed.

February 18, 2021, read third time, passed. Yeas 95, nays 0.

SENATE ACTION

February 24, 2021, read first time and referred to Committee on Commerce and Technology.

March 18, 2021, amended, reported favorably — Do Pass.

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March 19, 2021

First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1392

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 25-1-17-8, AS AMENDED BY P.L.89-2020,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: Sec. 8. (a) Notwithstanding any other law, an applicant
4 for a license is entitled to a provisional license in the regulated
5 occupation applied for and at the same practice level as determined by
6 the board, without an examination, if all of the following conditions are
7 met:
8 (1) The person submits a signed affidavit affirming, under the
9 penalties for perjury, the following:
10 (A) The person is the spouse of ~~an active duty~~ a member of the
11 ~~armed forces~~ **military service** assigned to Indiana.
12 (B) The person is in good standing in all states in which the
13 person holds a license for the regulated occupation applied for.
14 (C) The person has not had a license revoked and has not
15 voluntarily surrendered a license in another state or country
16 while under investigation for unprofessional conduct.
17 (D) The person has not had discipline imposed by the

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- 1 regulating entity for the regulated occupation in another state
2 or country.
- 3 (E) The person does not have an investigation pending before
4 the regulating entity in another state or country that relates to
5 unprofessional conduct.
- 6 (2) The person submits verification that the person is currently
7 licensed in at least one (1) other state in the regulated occupation
8 applied for.
- 9 (3) The person ~~submits to a national criminal history background~~
10 ~~check (as defined in IC 25-1-1.1-4) and~~ does not have a
11 disqualifying criminal history, as determined by the board, **if a**
12 **national criminal history background check (as defined in**
13 **IC 25-1-1.1-4) is required under IC 25-1-1.1-4 for the**
14 **regulated occupation for which the applicant seeks a license.**
- 15 (4) The person has submitted an application for a license with the
16 board and has paid any application fee.
- 17 (b) An applicant who has met the requirements in subsection (a)
18 shall be issued a provisional license not more than thirty (30) days after
19 the requirements are met.
- 20 (c) A provisional license expires three hundred sixty-five (365) days
21 after it is issued.
- 22 (d) In addition to any other penalties for perjury, a person who
23 violates this section commits a Class A infraction.
- 24 (e) If the board discovers that any of the information submitted
25 under this section is false, the board may immediately revoke the
26 person's provisional license.
- 27 (f) This section does not apply to a license that is established by or
28 recognized through an interstate compact, a reciprocity agreement, or
29 a comity agreement that is established by a board or a law.
- 30 (g) This section does not prohibit an individual from proceeding
31 under other licensure, certification, registration, or permit requirements
32 established by a board or a law.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1392, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1392 as introduced.)

FRYE R

Committee Vote: Yeas 12, Nays 0

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred House Bill No. 1392, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 10, strike "an active duty" and insert "a".

Page 1, line 11, strike "armed forces" and insert "**military service**".

and when so amended that said bill do pass.

(Reference is to HB 1392 as printed February 9, 2021.)

PERFECT, Chairperson

Committee Vote: Yeas 11, Nays 0.

