

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.

## HOUSE ENROLLED ACT No. 1392

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

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

SECTION 1. IC 25-1-17-8, AS AMENDED BY P.L.89-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. (a) Notwithstanding any other law, an applicant for a license is entitled to a provisional license in the regulated occupation applied for and at the same practice level as determined by the board, without an examination, if all of the following conditions are met:

- (1) The person submits a signed affidavit affirming, under the penalties for perjury, the following:
  - (A) The person is the spouse of ~~an active duty~~ a member of the **armed forces military service** assigned to Indiana.
  - (B) The person is in good standing in all states in which the person holds a license for the regulated occupation applied for.
  - (C) The person has not had a license revoked and has not voluntarily surrendered a license in another state or country while under investigation for unprofessional conduct.
  - (D) The person has not had discipline imposed by the regulating entity for the regulated occupation in another state or country.
  - (E) The person does not have an investigation pending before the regulating entity in another state or country that relates to

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unprofessional conduct.

(2) The person submits verification that the person is currently licensed in at least one (1) other state in the regulated occupation applied for.

(3) The person ~~submits to a national criminal history background check (as defined in IC 25-1-1.1-4)~~ and does not have a disqualifying criminal history, as determined by the board, **if a national criminal history background check (as defined in IC 25-1-1.1-4) is required under IC 25-1-1.1-4 for the regulated occupation for which the applicant seeks a license.**

(4) The person has submitted an application for a license with the board and has paid any application fee.

(b) An applicant who has met the requirements in subsection (a) shall be issued a provisional license not more than thirty (30) days after the requirements are met.

(c) A provisional license expires three hundred sixty-five (365) days after it is issued.

(d) In addition to any other penalties for perjury, a person who violates this section commits a Class A infraction.

(e) If the board discovers that any of the information submitted under this section is false, the board may immediately revoke the person's provisional license.

(f) This section does not apply to a license that is established by or recognized through an interstate compact, a reciprocity agreement, or a comity agreement that is established by a board or a law.

(g) This section does not prohibit an individual from proceeding under other licensure, certification, registration, or permit requirements established by a board or a law.



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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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