

As Passed by the House

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Am. H. B. No. 716

Representatives Butler, Perales

Cosponsors: Representatives Becker, Cera, Lang, Merrin, Gavarone, Vitale, Lanese, Huffman, Schaffer, Brenner, Retherford, Green, Roegner, Craig, Miller, Fedor, Sheehy, Bocchieri, Wiggam, Kick, Seitz, Thompson, Johnson, Brown, Landis, Riedel, Smith, T., Anielski, Antani, Antonio, Arndt, Blessing, Boggs, Boyd, Carfagna, Celebrezze, Cupp, Dean, Duffey, Edwards, Faber, Ginter, Greenspan, Hagan, Henne, Holmes, Hoops, Hughes, Ingram, Kent, Koehler, LaTourette, Leland, Lepore-Hagan, McClain, O'Brien, Patterson, Patton, Pelanda, Ramos, Reineke, Rogers, Romanchuk, Ryan, Schuring, Slaby, Smith, K., Sprague, Stein, Strahorn, Sykes, Young, Zeltwanger, Speaker Smith

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 active 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, "uniformed 37
services" has the same meaning as in 10 U.S.C. 101. 38

(B) Pursuant to division (D) of section 4743.04 of the 39
Revised Code, a department, agency, or office of this state 40
shall issue a temporary license or certificate to practice a 41

trade or profession to an individual, provided that all of the 42
following qualifications are met: 43

(1) The individual holds a valid license or certificate to 44
practice the trade or profession issued by any other state or 45
jurisdiction. 46

(2) The license or certificate is current, and the 47
individual is in good standing in the state or jurisdiction of 48
licensure or certification. 49

(3) The individual presents adequate proof to the 50
department, agency, or office that the individual or the 51
individual's spouse is a member of the uniformed services and is 52
on active military duty in this state, or is a military 53
technician dual status under 10 U.S.C. 10216 and was transferred 54
to duty in this state; and 55

(4) The individual presents adequate proof to the 56
department, agency, or office that the individual moved to this 57
state from the state or jurisdiction in which the individual 58
holds a current license or certificate. 59

(C) A temporary license or certificate issued under this 60
section is void if any of the following circumstances occur: 61

(1) The individual's license or certificate issued by 62
another state or jurisdiction expires, is revoked, or is not in 63
good standing. 64

(2) Six months have elapsed since the individual or the 65
individual's spouse was ordered to active military duty, or was 66
transferred to duty, in another state or jurisdiction, or is 67
discharged from active military duty; 68

(3) Six years have elapsed since the individual or the 69

individual's spouse was ordered to serve in an active military 70
duty position, or was transferred to duty, in this state; or 71

(4) With respect to an individual who was eligible for a 72
temporary license under this section as the spouse of a member 73
of the uniformed services, six months have elapsed since the 74
divorce, dissolution, or annulment of the marriage. 75

(D) A department, agency, or office shall, not less than 76
once per year, verify the standing of a license or certificate 77
that was issued by another state or jurisdiction for each 78
individual to whom it has issued a temporary license or 79
certificate under this section. The department, agency, or 80
office shall revoke the temporary license or certificate of any 81
individual whose license or certificate issued by another state 82
or jurisdiction is not in good standing, or if any of the 83
disqualifying circumstances under division (C) of this section 84
have occurred. 85

(E) An individual with a temporary license or certificate 86
issued under this section may practice the trade or profession 87
in this state only within the scope and practice that the 88
license or certificate from the other state permits, provided 89
that the practice is within the scope of practice allowable for 90
an individual who holds the applicable license or certificate 91
issued by this state. 92

(F) Notwithstanding any other provision of the Revised 93
Code, a department, agency, or office may charge a fee for a 94
temporary license or certificate issued under this section. The 95
fee shall be not more than one-third of the fee charged in this 96
state for the license or certificate, rounded up to the nearest 97
dollar. 98

(G) Each department, agency, or office that issues a license or certificate to practice a trade or profession shall adopt rules under Chapter 119. of the Revised Code as necessary to implement this section. 99
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(H) Each department, agency, or office that issues a license or certificate to practice a trade or profession, shall, upon the conclusion of the state fiscal year, prepare a report on the number and type of temporary licenses or certificates that were issued during the fiscal year under section 4743.041 of the Revised Code. The report shall be provided to the director of veterans services not later than thirty days after the end of the fiscal year. The director shall compile the reports and make them available to the public. 103
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Sec. 5903.04. Each licensing agency shall adopt rules under Chapter 119. of the Revised Code to establish and implement all of the following: 112
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(A) A process to obtain from each applicant documentation and additional information necessary to determine if the applicant is a service member or veteran, or the spouse or surviving spouse of a service member or veteran; 115
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(B) A process to record, track, and monitor applications that have been received from a service member, veteran, or the spouse or surviving spouse of a service member or veteran; and 119
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(C) A process to prioritize and expedite certification or licensing for each applicant who is a service member, veteran, or the spouse or a surviving spouse of a service member or veteran. 122
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In establishing these processes, the licensing agency shall include any special accommodations that may be appropriate 126
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for applicants facing imminent deployment, and for applicants 128
for a temporary license or certificate under division (D) of 129
section 4743.04 of the Revised Code. 130

Section 2. That existing sections 4743.04 and 5903.04 of 131
the Revised Code are hereby repealed. 132