

As Introduced

133rd General Assembly

Regular Session

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S. B. No. 7

Senators Lehner, Hackett

**Cosponsors: Senators McColley, Hoagland, Huffman, S., Roegner, Fedor,
Maharath, Craig**

A BILL

To amend sections 4743.04 and 5903.04 and to enact 1
section 4743.041 of the Revised Code regarding 2
temporary state occupational licenses for 3
members of the military and their spouses. 4

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

Section 1. That sections 4743.04 and 5903.04 be amended 5
and section 4743.041 of the Revised Code be enacted to read as 6
follows: 7

Sec. 4743.04. (A) The renewal of a license or other 8
authorization to practice a trade or profession issued under 9
Title XLVII of the Revised Code is subject to the provisions of 10
section 5903.10 of the Revised Code relating to service in the 11
armed forces. 12

(B) Continuing education requirements applicable to the 13
licensees under Title XLVII of the Revised Code are subject to 14
the provisions of section 5903.12 of the Revised Code relating 15
to active duty military service. 16

(C) A department, agency, or office ~~of this state or of~~ 17

any political subdivision of this state that issues a license or certificate to practice a trade or profession may, pursuant to rules adopted by the department, agency, or office, issue a temporary license or certificate to practice the trade or profession to a person whose spouse is on active military duty in this state.

(D) A department, agency, or office of this state that issues a license or certificate to practice a trade or profession shall issue a temporary license or certificate to practice the trade or profession as provided in section 4743.041 of the Revised Code.

(E) The issuance of a license or other authorization to practice a trade or profession issued under Title XLVII of the Revised Code is subject to the provisions of section 5903.03 of the Revised Code relating to service in the armed forces.

Sec. 4743.041. (A) As used in this section:

(1) "Uniformed services" has the same meaning as in 10 U.S.C. 101.

(2) An individual or an individual's license or certificate issued by another state or jurisdiction is in "good standing" if all of the following apply:

(a) The individual is in compliance with all applicable federal, state, and local regulations.

(b) The individual is not the subject of an investigation or disciplinary action by any agency of federal, state, or local government.

(c) The individual has not been denied a license or certificate, or had a license or certificate limited, suspended,

or revoked by any public agency or licensing agency. 46

(B) Pursuant to division (D) of section 4743.04 of the 47
Revised Code, a department, agency, or office of this state 48
shall issue a temporary license or certificate to practice a 49
trade or profession to an individual for not more than three 50
years, provided that all of the following qualifications are 51
met: 52

(1) The individual holds a valid license or certificate to 53
practice the trade or profession issued by any other state or 54
jurisdiction. 55

(2) The license or certificate is current, and the 56
individual is in good standing in the state or jurisdiction of 57
licensure or certification. 58

(3) The individual presents adequate proof to the 59
department, agency, or office of any of the following 60
circumstances: 61

(a) The individual or the individual's spouse is a member 62
of the uniformed services and is on active military duty in this 63
state. 64

(b) The individual or the individual's spouse is a 65
military technician dual status under 10 U.S.C. 10216 and was 66
transferred to duty in this state. 67

(c) A circumstance described in division (B) (3) (a) or (b) 68
of this section will occur within three months after the date of 69
application. 70

(4) The individual presents adequate proof to the 71
department, agency, or office that the individual moved or will 72
move to this state from the state or jurisdiction in which the 73

<u>individual holds a current license or certificate.</u>	74
<u>(5) The individual complies with sections 4776.01 to 4776.04 of the Revised Code.</u>	75 76
<u>(C) A department, agency, or office of this state shall, in accordance with Chapter 119. of the Revised Code, deny an individual a temporary license or certificate issued under this section or revoke an individual's temporary license or certificate issued under this section if any of the following circumstances occur:</u>	77 78 79 80 81 82
<u>(1) The individual has a criminal record according to a criminal records check.</u>	83 84
<u>(2) The individual is unable to practice the trade or profession according to acceptable and prevailing standards of care by reason of mental illness or physical illness, including physical deterioration that adversely affects cognitive, motor, or perceptive skills.</u>	85 86 87 88 89
<u>(3) The individual is unable to practice the trade or profession according to acceptable and prevailing standards of care because of the habitual or excessive use or abuse of alcohol or other substances that impair the ability to practice.</u>	90 91 92 93
<u>(4) An adverse action has been taken against the individual by a health care institution.</u>	94 95
<u>(5) The individual's license or certificate issued by another state or jurisdiction expires, is revoked, or is not in good standing or the individual, with respect to that license or certificate, is placed on disciplinary probation.</u>	96 97 98 99
<u>(6) With respect to an individual who was eligible for a temporary license or certificate under this section as the</u>	100 101

spouse of a member of the uniformed services, six months have 102
elapsed since the divorce, dissolution, or annulment of the 103
marriage. 104

(7) The individual is dishonorably discharged from the 105
military. 106

(8) The individual is required to register under Chapter 107
2950. of the Revised Code or a substantially similar law of 108
another state, the United States, or another country. 109

(9) The individual is required to register under section 110
2909.15 of the Revised Code or a substantially similar law of 111
another state, the United States, or another country. 112

(10) The individual has been convicted of, pleaded guilty 113
to, or had a judicial finding of guilt for any criminal 114
violation set forth in the Revised Code mandating that the 115
individual is ineligible for licensure or certification in the 116
trade or profession. 117

(11) An individual issued a temporary license or 118
certificate under this section fails to obtain a full license or 119
certificate within three years after the temporary license or 120
certificate was issued. 121

(D) A department, agency, or office of this state shall 122
waive all fees associated with the issuance of a temporary 123
license or certificate under this section. 124

(E) An individual with a temporary license or certificate 125
issued under this section may practice the trade or profession 126
in this state only within the scope and practice that is 127
permitted under Ohio law and that does not exceed the 128
individual's training. 129

(F) 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. 130
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(G) The director of administrative services shall, on 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 director of administrative services shall provide the report to the director of veterans services not later than thirty days after the end of the fiscal year. The director of veterans services shall compile the reports and make them available to the public. 134
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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: 143
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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; 146
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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 150
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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. 153
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In establishing these processes, the licensing agency shall include any special accommodations that may be appropriate 157
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for applicants facing imminent deployment, and for applicants 159
for a temporary license or certificate under division (D) of 160
section 4743.04 of the Revised Code. 161

Section 2. That existing sections 4743.04 and 5903.04 of 162
the Revised Code are hereby repealed. 163