

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 8
Corrected Copy 1/30/17
Judiciary Committee Substitute Adopted 2/16/17

Short Title: Ease Occ. Lic. Burdens on Military Families.

(Public)

Sponsors:

Referred to:

January 26, 2017

A BILL TO BE ENTITLED

AN ACT TO EASE OCCUPATIONAL LICENSING BURDENS ON MILITARY FAMILIES
BY ALLOWING MILITARY MEMBERS AND THEIR SPOUSES TO PRACTICE THEIR
PROFESSIONS UNDER LICENSURE FROM ANOTHER STATE WHILE
TRANSITIONING TO THE REQUIREMENTS OF THE LICENSING BOARDS OF
NORTH CAROLINA.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 93B-15.1 reads as rewritten:

"§ 93B-15.1. Licensure for individuals with military training and experience; proficiency examination; licensure by endorsement for military spouses; temporary license.

(a) Except as provided by subsection (a2) of this section, and notwithstanding any other provision of law, an occupational licensing board, as defined in G.S. 93B-1, shall issue a license, certification, or registration to a military-trained applicant to allow the applicant to lawfully practice the applicant's occupation in this State if, upon application to an occupational licensing board, the applicant satisfies the following conditions:

- (1) Has been awarded a military occupational specialty and has done all of the following at a level that is substantially equivalent to or exceeds the requirements for licensure, certification, or registration of the occupational licensing board from which the applicant is seeking licensure, certification, or registration in this State: completed a military program of training, completed testing or equivalent training and experience, and performed in the occupational specialty.
- (2) Has engaged in the active practice of the occupation for which the person is seeking a license, certification, or permit from the occupational licensing board in this State for at least two of the five years preceding the date of the application under this section.
- (3) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license to practice that occupation in this State at the time the act was ~~committed~~committed, and has no pending complaints.
- (4) ~~Pays any fees required by the occupational licensing board for which the applicant is seeking licensure, certification, or registration in this State.~~

...

(b) Notwithstanding any other provision of law, an occupational licensing board, as defined in G.S. 93B-1, shall issue a license, certification, or registration to a military spouse to



1 allow the military spouse to lawfully practice the military spouse's occupation in this State if, upon
2 application to an occupational licensing board, the military spouse satisfies the following
3 conditions:

- 4 (1) Holds a current license, certification, or registration from another jurisdiction,
5 and that jurisdiction's requirements for licensure, certification, or registration
6 are substantially equivalent to or exceed the requirements for licensure,
7 certification, or registration of the occupational licensing board for which the
8 applicant is seeking licensure, certification, or registration in this State.
- 9 (2) Can demonstrate competency in the occupation through methods as determined
10 by the Board, such as having completed continuing education units or having
11 had recent experience for at least two of the five years preceding the date of the
12 application under this section.
- 13 (3) Has not committed any act in any jurisdiction that would have constituted
14 grounds for refusal, suspension, or revocation of a license to practice that
15 occupation in this State at the time the act was committed.
- 16 (4) Is in good ~~standing and~~ standing; has not been disciplined by the agency that
17 had jurisdiction to issue the license, certification, or ~~permit~~ permit; and has no
18 pending complaints.
- 19 (5) ~~Pays any fees required by the occupational licensing board for which the~~
20 ~~applicant is seeking licensure, certification, or registration in this State.~~

21 ...

22 (f) An occupational licensing board ~~may~~ shall issue a temporary practice permit to a
23 military-trained applicant or military spouse licensed, certified, or registered in another
24 jurisdiction while the military-trained applicant or military spouse is satisfying the requirements
25 for licensure under subsection (a) or (b) of this section if that jurisdiction has licensure,
26 certification, or registration standards substantially equivalent to the standards for licensure,
27 certification, or registration of an occupation licensing board in this State. The ~~military-trained~~
28 ~~applicant or military spouse may practice under the temporary permit~~ shall remain valid for the
29 later of one year or the required renewal date for the occupation the temporary practice permit was
30 issued for or until a license, certification, or registration is granted or until a notice to deny a
31 license, certification, or registration is issued in accordance with rules adopted by the occupational
32 licensing board.

33 ...

34 (k) An occupational licensing board shall not charge a military-trained applicant or a
35 military spouse an initial application fee for a license, certification, registration, or temporary
36 practice permit issued pursuant to this section. Nothing in this subsection shall be construed to
37 prohibit an occupational licensing board from charging its ordinary fee for a renewal application,
38 or prohibit a third party from charging actual costs for a service such as a background check."

39 **SECTION 2.** This act becomes effective July 1, 2017, and applies to applications
40 submitted on or after that date.