

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1587**  
**99TH GENERAL ASSEMBLY**

4745H.02C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To amend chapter 324, RSMo, by adding thereto four new sections relating to professional registration.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 324, RSMo, is amended by adding thereto four new sections, to be  
2 known as sections 324.011, 324.015, 324.018, and 324.019, to read as follows:

**324.011. 1. For purposes of this section, the following terms mean:**

2       **(1) "Licensing requirement", any required training, education, or fee to work in**  
3 **a specific occupation or profession;**

4       **(2) "Occupational fee", a fee or tax on professionals or businesses that is charged**  
5 **for the privilege of providing goods or services within a certain jurisdiction. The term**  
6 **"occupational fee" shall include any fee to obtain a license or renew a license;**

7       **(3) "Political subdivision", any city, town, village, or county.**

8       **2. A political subdivision of this state shall not impose any occupational fees or**  
9 **licensing requirements on any occupation or profession, except as provided under**  
10 **subsection 3 of this section.**

11       **3. A political subdivision that imposed occupational fees or licensing requirements**  
12 **on any occupation or profession before August 28, 2018, may continue to impose those**  
13 **same fees and requirements, except:**

14       **(1) A political subdivision shall not collect an occupational fee in excess of twenty-**  
15 **five dollars per year; and**

16       **(2) A political subdivision shall not impose licensing requirements on any**  
17 **occupation or profession already subject to licensing requirements by the state, including**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 any licensing requirements imposed by the state after August 28, 2018, on occupations or  
19 professions not previously subject to any licensing requirements by the state.

324.015. 1. For purposes of this section, the following terms mean:

2 (1) "Licensing authority", any agency, examining board, credentialing board, or  
3 other office with the authority to impose occupational fees or licensing requirements on any  
4 occupation or profession;

5 (2) "Licensing requirement", any required training, education, or fee to work in  
6 a specific occupation or profession;

7 (3) "Low-income individual", any individual:

8 (a) Whose household adjusted gross income is below one hundred thirty percent  
9 of the federal poverty line or a higher threshold to be set by the department of insurance,  
10 financial institutions and professional registration by rule; or

11 (b) Who is enrolled in a state or federal public assistance program including, but  
12 not limited to, Temporary Assistance for Needy Families, the MO HealthNet program, or  
13 the Supplemental Nutrition Assistance Program;

14 (4) "Military families", any active duty service members and their spouses and  
15 honorably discharged veterans and their spouses. The term "military families" includes  
16 surviving spouses of deceased service members who have not remarried;

17 (5) "Occupational fee", a fee or tax on professionals or businesses that is charged  
18 for the privilege of providing goods or services within a certain jurisdiction. The term  
19 "occupational fee" shall include any fee to obtain a license or renew a license;

20 (6) "Political subdivision", any city, town, village, or county.

21 2. All state and political subdivision licensing authorities shall waive all  
22 occupational fees for military families and low-income individuals for a period of two years  
23 beginning on the date an application is approved under subsection 3 of this section.  
24 Military families and low-income individuals whose applications are approved shall not  
25 be required to pay any occupational fees that become due during the two-year period.

26 3. Military families and low-income individuals seeking a waiver described under  
27 subsection 2 of this section shall apply to the appropriate licensing authority in a format  
28 prescribed by the licensing authority. The licensing authority shall approve or deny the  
29 application within thirty days of receipt.

30 4. An individual shall be eligible to receive only one waiver under this section from  
31 each licensing authority.

32 5. State licensing authorities and the department of insurance, financial institutions  
33 and professional registration shall promulgate rules to implement the provisions of this  
34 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is

35 created under the authority delegated in this section shall become effective only if it  
36 complies with and is subject to all of the provisions of chapter 536 and, if applicable,  
37 section 536.028. This section and chapter 536 are nonseverable, and if any of the powers  
38 vested with the general assembly pursuant to chapter 536 to review, to delay the effective  
39 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the  
40 grant of rulemaking authority and any rule proposed or adopted after August 28, 2018,  
41 shall be invalid and void.

324.018. 1. For purposes of this section, the following terms mean:

2 (1) "Licensing authority", any agency, examining board, credentialing board, or  
3 other office with the authority to impose occupational fees or licensing requirements on any  
4 occupation or profession;

5 (2) "Licensing requirement", any required training, education, or fee to work in  
6 a specific occupation or profession;

7 (3) "Lobbyist", the same meaning given to the term in section 105.470;

8 (4) "Occupational fee", a fee or tax on professionals or businesses that is charged  
9 for the privilege of providing goods or services within a certain jurisdiction. The term  
10 "occupational fee" shall include any fee to obtain a license or renew a license;

11 (5) "Political subdivision", any city, town, village, or county.

12 2. State and political subdivision licensing authorities shall not employ, contract for  
13 pay, or otherwise compensate any lobbyist to lobby on their behalf.

324.019. 1. For purposes of this section, the following terms mean:

2 (1) "Criminal offense", any type of felony conviction or misdemeanor conviction;

3 (2) "Licensing authority", any agency, examining board, credentialing board, or  
4 other office with the authority to impose occupational fees or licensing requirements on any  
5 occupation or profession;

6 (3) "Licensing requirement", any required training, education, or fee to work in  
7 a specific occupation or profession;

8 (4) "Occupational fee", a fee or tax on professionals or businesses that is charged  
9 for the privilege of providing goods or services within a certain jurisdiction. The term  
10 "occupational fee" shall include any fee to obtain a license or renew a license;

11 (5) "Political subdivision", any city, town, village, or county.

12 2. All state and political subdivision licensing authorities shall revise their existing  
13 licensing requirements to explicitly list the specific criminal offenses, civil penalties or  
14 judgments, or disciplinary actions taken by other licensing authorities that may disqualify  
15 an applicant from receiving a license. Such lists shall be made available to the public.

16           **3. Any requirement of a state or political subdivision licensing authority that**  
17 **assesses the character or moral fitness of the applicant for licensure shall be limited to**  
18 **consideration of the criminal offenses, civil penalties or judgments, or disciplinary actions**  
19 **taken by other licensing authorities contained in the list developed by the licensing**  
20 **authority under subsection 2 of this section. If an applicant is denied licensure because**  
21 **such applicant has pleaded guilty to, entered a plea of nolo contendere to, or been found**  
22 **guilty of any criminal offenses contained in the list developed by the licensing authority**  
23 **under subsection 2 of this section, or because the applicant has been subject to any civil**  
24 **penalties or judgments, or disciplinary actions taken by other licensing authorities, the**  
25 **applicant may appeal such decision and request a hearing before the licensing authority,**  
26 **and the licensing authority may, at its discretion, reverse its initial decision.**

27           **4. A licensing authority shall include in the list described under subsection 2 of this**  
28 **section only criminal offenses, civil penalties or judgments, or disciplinary actions taken**  
29 **by other licensing authorities that directly relate to the duties and responsibilities of the**  
30 **occupation or profession it regulates.**

31           **5. All licensing authorities shall meet the requirements of subsections 2 to 4 of this**  
32 **section within ten months of the effective date of this section.**

33           **6. If the state, on or after August 28, 2018, requires a license to practice an**  
34 **occupation or profession for which no license was required by the state before August 28,**  
35 **2018, the state licensing authority for that occupation or profession shall establish a list of**  
36 **disqualifying criminal offenses in accordance with the requirements of subsections 2 and**  
37 **4 of this section and ensure that its consideration of character or moral fitness is limited**  
38 **as described under subsection 3 of this section.**

39           **7. State licensing authorities shall promulgate rules to implement the provisions of**  
40 **this section. Any rule or portion of a rule, as that term is defined in section 536.010, that**  
41 **is created under the authority delegated in this section shall become effective only if it**  
42 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**  
43 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**  
44 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**  
45 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**  
46 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2018,**  
47 **shall be invalid and void.**

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