

FIRST REGULAR SESSION

# HOUSE BILL NO. 270

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE RILEY.

1052H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal section 324.009, RSMo, and to enact in lieu thereof one new section relating to licensure based on work experience.

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

Section A. Section 324.009, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 324.009, to read as follows:

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

(1) "License", a license, certificate, registration, permit, accreditation, or military occupational speciality that enables a person to legally practice an occupation or profession in a particular jurisdiction;

(2) "Military", the Armed Forces of the United States including the Air Force, Army, Coast Guard, Marine Corps, Navy, Space Force, National Guard and any other military branch that is designated by Congress as part of the Armed Forces of the United States, and all reserve components and auxiliaries. Such term also includes the military reserves and militia of any United States territory or state;

(3) "Nonresident military spouse", a nonresident spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri, or who has been transferred or is scheduled to be transferred to an adjacent state and is or will be domiciled in the state of Missouri, or has moved to the state of Missouri on a permanent change-of-station basis;

(4) "Oversight body", any board, department, agency, or office of a jurisdiction that issues licenses;

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.

17 (5) "Resident military spouse", a spouse of an active duty member of the Armed  
18 Forces of the United States who has been transferred or is scheduled to be transferred to the  
19 state of Missouri or an adjacent state and who is a permanent resident of the state of Missouri,  
20 who is domiciled in the state of Missouri, or who has Missouri as his or her home of record.

21 2. Any person who holds a valid current license issued by another state, a branch or  
22 unit of the military, a territory of the United States, or the District of Columbia, and who has  
23 been licensed for at least one year in such other jurisdiction, may submit an application for a  
24 license in Missouri in the same occupation or profession, and at the same practice level, for  
25 which he or she holds the current license, along with proof of current licensure and proof of  
26 licensure for at least one year in the other jurisdiction, to the relevant oversight body in this  
27 state.

28 **3. Any person who has at least three years of work experience in an occupation**  
29 **or profession in another state, a branch or unit of the military, a territory of the United**  
30 **States, the District of Columbia, or any combination of such jurisdictions, and whose**  
31 **work experience involved the practice of an occupation or profession for which a license**  
32 **is required in this state but is not required in the jurisdiction or jurisdictions in which**  
33 **the person worked, may submit an application for a license in Missouri in the**  
34 **occupation or profession, along with proof of at least three years of work experience in**  
35 **the occupation or profession, to the relevant oversight body in this state.**

36 4. The oversight body in this state shall:

37 (1) Within ~~[six months]~~ **forty-five days** of receiving an application described in  
38 subsection 2 of this section, waive any examination, educational, or experience requirements  
39 for licensure in this state for the applicant if it determines that there were minimum education  
40 requirements and, if applicable, work experience and clinical supervision requirements in  
41 effect and the other state verifies that the person met those requirements in order to be  
42 licensed or certified in that state. An oversight body that administers an examination on laws  
43 of this state as part of its licensing application requirement may require an applicant to take  
44 and pass an examination specific to the laws of this state; ~~[or]~~

45 (2) Within thirty days of receiving an application described in subsection 2 of this  
46 section from a nonresident military spouse or a resident military spouse, waive any  
47 examination, educational, or experience requirements for licensure in this state for the  
48 applicant and issue such applicant a license under this section if such applicant otherwise  
49 meets the requirements of this section; or

50 **(3) Within forty-five days of receiving an application described in subsection 3 of**  
51 **this section, waive any examination, educational, or experience requirements for**  
52 **licensure in this state for the applicant if it determines that the applicant has at least**  
53 **three years of work experience in another jurisdiction or jurisdictions specified in**

54 **subsection 3 of this section in the practice of an occupation or profession for which a**  
55 **license is required in this state but is not required in the jurisdiction or jurisdictions in**  
56 **which the person worked. An oversight body that administers an examination on laws**  
57 **of this state as part of its licensing application requirement may require an applicant to**  
58 **take and pass an examination specific to the laws of this state.**

59 ~~[4-]~~ **5.** (1) The oversight body shall not waive any examination, educational, or  
60 experience requirements for any applicant **described in subsection 2 of this section** who has  
61 had his or her license revoked by an oversight body outside the state; who is currently under  
62 investigation, who has a complaint pending, or who is currently under disciplinary action,  
63 except as provided in subdivision ~~[(2)]~~ **(3)** of this subsection, with an oversight body outside  
64 the state; who does not hold a license in good standing with an oversight body outside the  
65 state; who has a criminal record that would disqualify him or her for licensure in Missouri; or  
66 who does not hold a valid current license in the other jurisdiction on the date the oversight  
67 body receives his or her application under this section.

68 (2) **The oversight body shall not waive any examination, educational, or**  
69 **experience requirements for any applicant described in subsection 3 of this section who**  
70 **has had any license in the relevant occupation or profession revoked by an oversight**  
71 **body outside the state; who is currently under investigation, who has a complaint**  
72 **pending, or who is currently under disciplinary action, except as provided in subdivision**  
73 **(3) of this subsection, with an oversight body outside the state; or who has a criminal**  
74 **record that would disqualify him or her for licensure in Missouri.**

75 (3) If another jurisdiction has taken disciplinary action against an applicant, the  
76 oversight body shall determine if the cause for the action was corrected and the matter  
77 resolved. If the matter has not been resolved by that jurisdiction, the oversight body may  
78 deny a license until the matter is resolved.

79 ~~[5-]~~ **6.** Nothing in this section shall prohibit the oversight body from denying a license  
80 to an applicant under this section for any reason described in any section associated with the  
81 occupation or profession for which the applicant seeks a license.

82 ~~[6-]~~ **7.** Any person who is licensed under the provisions of this section shall be subject  
83 to the applicable oversight body's jurisdiction and all rules and regulations pertaining to the  
84 practice of the licensed occupation or profession in this state.

85 ~~[7-]~~ **8.** This section shall not be construed to waive any requirement for an applicant to  
86 pay any fees, post any bonds or surety bonds, or submit proof of insurance associated with the  
87 license the applicant seeks.

88 ~~[8-]~~ **9.** This section shall not apply to business, professional, or occupational licenses  
89 issued or required by political subdivisions.

90           ~~[9-]~~ **10.** The provisions of this section shall not impede an oversight body's authority  
91 to require an applicant to submit fingerprints as part of the application process.

92           ~~[10-]~~ **11.** The provisions of this section shall not apply to an oversight body that has  
93 entered into a licensing compact with another state for the regulation of practice under the  
94 oversight body's jurisdiction. The provisions of this section shall not be construed to alter the  
95 authority granted by, or any requirements promulgated pursuant to, any interjurisdictional or  
96 interstate compacts adopted by Missouri statute or any reciprocity agreements with other  
97 states in effect on August 28, 2018, and whenever possible this section shall be interpreted so  
98 as to imply no conflict between it and any compact, or any reciprocity agreements with other  
99 states in effect on August 28, 2018.

100           ~~[11-]~~ **12.** Notwithstanding any other provision of law, a license issued under this  
101 section shall be valid only in this state and shall not make a licensee eligible to be part of an  
102 interstate compact. An applicant who is licensed in another state pursuant to an interstate  
103 compact shall not be eligible for licensure by an oversight body under the provisions of this  
104 section.

105           ~~[12-]~~ **13.** The provisions of this section shall not apply to any occupation set forth in  
106 subsection 6 of section 290.257, or any electrical contractor licensed under sections 324.900  
107 to 324.945.

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