

SECOND REGULAR SESSION

# HOUSE BILL NO. 1813

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE NOLTE.

5610H.011

JOSEPH ENGLER, 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 reciprocity.

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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Section A. Section 324.009, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 324.009, to read as follows: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]~~ **specialty** 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) "Missouri law enforcement officer", any person employed by or otherwise serving in a position for the state or a local governmental entity in the state of Missouri as a police officer, peace officer certified under chapter 590, auxiliary police officer, sheriff, sheriff's deputy, member of the patrol as that term is defined in section 43.010, or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person's life and who is a permanent resident of the state of Missouri or who is domiciled in the state of Missouri;

(4) "Nonresident military or law enforcement spouse":

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

23 (b) A nonresident spouse of a person residing outside the state of Missouri who has  
24 accepted an offer of employment from and with the state or a local governmental entity in the  
25 state of Missouri and who will become a Missouri law enforcement officer upon the  
26 commencement of such employment;

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

29 (6) "Resident military or law enforcement spouse", a spouse of an active duty  
30 member of the Armed Forces of the United States who has been transferred or is scheduled to  
31 be transferred to the state of Missouri or an adjacent state and who is a permanent resident of  
32 the state of Missouri, who is domiciled in the state of Missouri, or who has Missouri as his or  
33 her home of record, or a spouse of a Missouri law enforcement officer.

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

41 3. The oversight body in this state shall:

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

50 (2) Within thirty days of receiving an application described in subsection 2 of this  
51 section from a nonresident military or law enforcement spouse or a resident military or law  
52 enforcement spouse, waive any examination, educational, or experience requirements for  
53 licensure in this state for the applicant and issue such applicant a license under this section if  
54 such applicant otherwise meets the requirements of this section.

55           4. (1) The oversight body shall not waive any examination, educational, or  
56 experience requirements for any applicant who has had his or her license revoked by an  
57 oversight body outside the state; who is currently under investigation, who has a complaint  
58 pending, or who is currently under disciplinary action, except as provided in subdivision (2)  
59 of this subsection, with an oversight body outside the state; who does not hold a license in  
60 good standing with an oversight body outside the state; who has a criminal record that would  
61 disqualify him or her for licensure in Missouri; or who does not hold a valid current license in  
62 the other jurisdiction on the date the oversight body receives his or her application under this  
63 section.

64           (2) If another jurisdiction has taken disciplinary action against an applicant, the  
65 oversight body shall determine if the cause for the action was corrected and the matter  
66 resolved. If the matter has not been resolved by that jurisdiction, the oversight body may  
67 deny a license until the matter is resolved.

68           **(3) The Missouri board for architects, professional engineers, professional land**  
69 **surveyors and professional landscape architects may deny a license or decline to grant a**  
70 **temporary or probationary license to an applicant if the board determines the**  
71 **applicant's qualifications are not substantially equivalent to those established by the**  
72 **board. The board shall not otherwise be exempt from the provisions of this section.**

73           5. Nothing in this section shall prohibit the oversight body from denying a license to  
74 an applicant under this section for any reason described in any section associated with the  
75 occupation or profession for which the applicant seeks a license.

76           6. Any person who is licensed under the provisions of this section shall be subject to  
77 the applicable oversight body's jurisdiction and all rules and regulations pertaining to the  
78 practice of the licensed occupation or profession in this state.

79           7. This section shall not be construed to waive any requirement for an applicant to  
80 pay any fees, post any bonds or surety bonds, or submit proof of insurance associated with the  
81 license the applicant seeks.

82           8. This section shall not apply to business, professional, or occupational licenses  
83 issued or required by political subdivisions.

84           9. The provisions of this section shall not impede an oversight body's authority to  
85 require an applicant to submit fingerprints as part of the application process.

86           10. The provisions of this section shall not be construed to alter the authority granted  
87 by, or any requirements promulgated pursuant to, any interjurisdictional or interstate  
88 compacts adopted by Missouri statute or any reciprocity agreements with other states in  
89 effect, and whenever possible this section shall be interpreted so as to imply no conflict  
90 between it and any compact, or any reciprocity agreements with other states in effect.

91           11. Notwithstanding any other provision of law, a license issued under this section  
92 shall be valid only in this state and shall not make a licensee eligible to be part of an interstate  
93 compact. An applicant who is licensed in another state pursuant to an interstate compact shall  
94 not be eligible for licensure by an oversight body under the provisions of this section.

95           12. The provisions of this section shall not apply to any occupation set forth in  
96 subsection 6 of section 290.257, or any electrical contractor licensed under sections 324.900  
97 to 324.945.

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