

Representative Stephen E. Sandstrom proposes the following substitute bill:

LICENSING ELIGIBILITY

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen E. Sandstrom

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions of the Division of Occupational and Professional Licensing Act related to licensing procedures.

Highlighted Provisions:

This bill:

▸ requires an applicant for a professional license issued by the Division of Occupational and Professional Licensing to execute an affidavit stating that the applicant is a U.S. citizen or lawfully present in the United States; and

▸ makes certain technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-1-301, as last amended by Laws of Utah 2004, Chapter 90

Be it enacted by the Legislature of the state of Utah:

1st Sub. H.B. 285



26 Section 1. Section **58-1-301** is amended to read:

27 **58-1-301. License application -- Licensing procedure -- Verification of lawful**
28 **presence.**

29 (1) (a) (i) Each license applicant shall apply to the division in writing upon forms
30 available from the division.

31 (ii) Each completed application shall:

32 (A) contain documentation of the particular qualifications required of the applicant[;
33 shall];

34 (B) include the applicant's Social Security number[~~;~~ shall];

35 (C) be verified by the applicant[~~;~~]; and [shall]

36 (D) be accompanied by the appropriate fees.

37 (b) An applicant's Social Security number is a private record under Subsection
38 63-2-302(1)(h).

39 (c) Each license applicant shall execute and submit an affidavit to the division under
40 penalty of perjury stating that the applicant is a U.S. citizen or lawfully present in the United
41 States.

42 (2) (a) [~~A~~] The division shall issue a license [~~shall be issued~~] to an applicant who
43 submits a complete application if the division determines that the applicant meets the
44 qualifications of licensure.

45 (b) [~~A~~] The division shall provide a written notice of additional proceedings [~~shall be~~
46 ~~provided~~] to an applicant who submits a complete application, but who has been, is, or will be
47 placed under investigation by the division for conduct directly bearing upon [~~his~~] the
48 applicant's qualifications for licensure, if the outcome of additional proceedings is required to
49 determine the division's response to the application.

50 (c) [~~A~~] The division shall provide a written notice of denial of licensure [~~shall be~~
51 ~~provided~~] to an applicant who submits a complete application if the division determines that
52 the applicant does not meet the qualifications of licensure.

53 (d) [~~A~~] (i) The division shall provide a written notice of incomplete application and
54 conditional denial of licensure [~~shall be provided~~] to an applicant who submits an incomplete
55 application.

56 (ii) This notice shall advise the applicant that the application is incomplete and that the

57 application is denied, unless the applicant corrects the deficiencies within the time period
58 specified in the notice and otherwise meets all qualifications for licensure.

59 (3) Before ~~[any]~~ a person is issued a license under this title, all requirements for that
60 license as established under this title and by rule shall be met.

61 (4) If all requirements are met for the specific license, the division shall issue the
62 license.

H.B. 285 1st Sub. (Buff) - Licensing Eligibility

Fiscal Note

2008 General Session
State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
