

## 2nd Sub. H.B. 75

# OCCUPATIONAL AND PROFESSIONAL LICENSING AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 2

MARCH 1, 2013 4:12 PM

Representative **Johnny Anderson** proposes the following amendments:

1. *Page 1, Line 23 through Page 2, Line 26:*

- 23           ▶       requires that when conducting a sunrise or sunset review, the committee shall:
- 24           •       consider whether state licensing of the profession is necessary ~~{to address a~~
- 25 ~~compelling state interest}~~ in protecting against ~~{present, recognizable, and~~
- 26 ~~significant}~~ harm to the health or safety of the public;

2. *Page 2, Lines 30 through 35:*

- 30           •       if the committee determines that state licensing of the profession is necessary to
- 31 protect the health or safety of the public, consider whether the proposed or
- 32 existing statute is ~~{narrowly}~~ tailored to protect the health or safety of the public;
- 33 and
- 34           •       recommend to the Legislature any changes to the proposed or existing statute to
- 35 ensure it is ~~{narrowly}~~ tailored to protect the health or safety of the public;

3. *Page 8, Lines 218 through 233:*

- 218           (2) When conducting a sunrise review or sunset review under this chapter, the
- 219 committee shall ~~[use the following criteria]:~~
- 220           (a) consider whether state regulation of the occupation or profession is necessary ~~{to~~
- 221 ~~address a compelling state interest}~~ in protecting against ~~{present, recognizable, and significant}~~
- 222 harm to the health or safety of the public;
- 223           (b) if the committee determines that state regulation of the occupation or profession is
- 224 not necessary to protect against ~~{present, recognizable, and significant}~~ harm to the health or
- 225 safety of the public, recommend to the Legislature that the state not regulate the profession;
- 226           (c) if the committee determines that state regulation of the occupation or profession is
- 227 necessary in protecting against ~~{present, recognizable, and significant}~~ harm to the health or
- 228 safety of the public, consider whether the proposed or existing statute is ~~{narrowly}~~ tailored to
- 229 protect against ~~{present, recognizable, and significant}~~ harm to the health or safety of the public;
- 230 and
- 231           (d) recommend to the Legislature any necessary changes to the proposed or existing
- 232 statute to ensure it is ~~{narrowly}~~ tailored to protect against ~~{present, recognizable, and significant~~
- 233 ~~}~~ harm to the health or safety of the public.