

**OCCUPATIONAL LICENSING AMENDMENTS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Norman K Thurston**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies the Division of Occupational and Professional Licensing Act.

**Highlighted Provisions:**

This bill:

► requires the Division of Occupational and Professional Licensing (DOPL) to make rules allowing an applicant to receive a waiver of a time-based requirement for licensure, if the applicant passes an examination that demonstrates the applicant has obtained the skill and knowledge equivalent to having completed the time-based requirement; and

► makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**58-1-301**, as last amended by Laws of Utah 2013, Chapter 426

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

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



28 **58-1-301. License application -- Licensing procedure.**

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

31 (b) Each completed application shall:

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

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

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

36 (iv) be accompanied by the appropriate fees.

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

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

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

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

51 (d) [~~A written notice of incomplete application and conditional denial of licensure shall~~  
52 ~~be provided~~] The division shall provide a written notice of incomplete application and  
53 conditional denial of licensure to an applicant who submits an incomplete application[~~-. This~~],  
54 which notice shall advise the applicant that the application is incomplete and that the  
55 application is denied, unless the applicant corrects the deficiencies within the time period  
56 specified in the notice and otherwise meets all qualifications for licensure.

57 (3) Before [~~any person is issued~~] the division issues a license to a person under this  
58 title, [at] the requirements for that license as established under this title and by rule shall be

59 met.

60 (4) If an applicant meets all requirements [~~are met~~] for [~~the~~] a specific license, the  
61 division shall issue the license to the applicant.

62 (5) (a) As used in this Subsection (5), "time-based licensing requirement" means a  
63 specific number of hours, weeks, months, or years of education, training, supervised training,  
64 or other experience that an applicant for licensure is required to complete before receiving a  
65 license under this title.

66 (b) For each time-based licensing requirement under this title, the division shall make  
67 rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, with the  
68 collaboration of the appropriate board, that allow an applicant who has obtained the skill and  
69 knowledge equivalent to having met the time-based requirement to receive a waiver of that  
70 requirement as part of qualifying for licensure, if the applicant passes a comprehensive  
71 examination approved by the division in collaboration with the appropriate board.

72 (c) The examination described in Subsection (5)(b) may be a practical examination, a  
73 written examination, or a combination of the two.

74 (d) The division shall charge an applicant a fee determined by the department under  
75 Section [63J-1-504](#) for taking an examination described in this Subsection (5).

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**Legislative Review Note**  
as of 2-2-15 9:15 AM

**Office of Legislative Research and General Counsel**