

Representative A. Cory Maloy proposes the following substitute bill:

OCCUPATIONAL LICENSING REQUIREMENT AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: A. Cory Maloy

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill modifies the responsibilities of the Division of Occupational and Professional Licensing (DOPL).

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ modifies the authority of DOPL to issue licenses to individuals who have been previously licensed in another state, district, or territory of the United States; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-1-302, as last amended by Laws of Utah 2016, Chapter 238

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



26 Section 1. Section **58-1-302** is amended to read:

27 **58-1-302. License by endorsement.**

28 (1) As used in this section:

29 (a) "Domicile" means the place where an individual has a fixed permanent home.

30 (b) "Resident" means an individual who:

31 (i) has established a domicile in this state;

32 (ii) engages in a trade, profession, or occupation in this state, or who accepts
 33 employment in other than seasonal work in this state, and who does not commute into the state;
 34 and

35 (iii) holds an unexpired Utah driver license issued under Title 53, Chapter 3, Part 2,
 36 Driver Licensing Act, or an unexpired Utah identification card issued under Title 53, Chapter
 37 3, Part 8, Identification Card Act.

38 ~~[(1)] (2) [(a) The division may]~~ Subject to Subsections ~~§~~→ [(3) and (4)] (3), (4), and (5) ←~~§~~
 38a , the division may

39 issue a license without examination to a ~~[person]~~ resident who has been licensed in a state,
 40 district, or territory of the United States~~[-];~~ or in a foreign country~~[-, where]~~ if:

41 (a) the division determines the education, experience, and examination requirements
 42 [are, or were] of the state, district, or territory of the United States or the foreign country, at the
 43 time the license was issued, were substantially equal to the current requirements of this state[-];
 44 or

45 (b) after being licensed outside of this state, the resident has at least one year of
 46 experience in the state, district, or territory of the United States where the license was issued,
 47 and the division determines the resident has the education, experience, and skills necessary to
 48 demonstrate competency in the occupation or profession for which licensure is sought.

49 ~~[(b)] (3)~~ The division, in consultation with the applicable licensing board, may make
 50 rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 51 prescribing the requirements of [this] Subsection ~~[(1)] (2).~~

52 ~~[(2)] (4)~~ Before a [person] resident may be issued a license under this section, the
 53 [person] resident shall:

54 (a) pay a fee determined by the department under Section [63J-1-504](#); and

55 (b) produce satisfactory evidence of the [person's] resident's identity, qualifications, and
 56 good standing in the occupation or profession for which licensure is sought.

56a **§→ (5) In accordance with Section 58-1-107, licensure endorsement provisions in this section**
 56b **may be supplemented or altered by licensure endorsement provisions or multistate licensure**
 56c **compacts in specific chapters of this title. ←~~§~~**