

HB0173S01 compared with HB0173

~~text~~ shows text that was in HB0173 but was deleted in HB0173S01.

Inserted text shows text that was not in HB0173 but was inserted into HB0173S01.

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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 ~~persons~~ 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

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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:

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

58-1-302. License by endorsement.

(1) As used in this section:

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

(b) "Resident" means an individual who:

(i) has established a domicile in this state;

(ii) engages in a trade, profession, or occupation in this state, or who accepts

employment in other than seasonal work in this state, and who does not commute into the state;

or

(iii) has a valid Utah driver license.

~~(1)~~ (2) ~~[(a) The division may]~~ Subject to Subsections ~~(~~2~~3)~~ and ~~(~~3~~4)~~, the division may issue a license without examination to a ~~[person]~~ resident who has been licensed in a state, district, or territory of the United States~~[-]~~ or in a foreign country~~[-, where]~~ if:

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

or

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

~~(b)~~ ~~(~~2~~3)~~ The division, in consultation with the applicable licensing board, may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,

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prescribing the requirements of [this] Subsection ~~[(1)]~~ (2).

[(2)] ~~(3;4)~~ Before a [person] resident may be issued a license under this section, the [person] resident shall:

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

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

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Legislative Review Note

~~Office of Legislative Research and General Counsel~~