

LICENSING STANDARDS FOR MILITARY SPOUSES

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies occupational and professional licensing requirements for certain individuals serving in the military and for certain spouses of individuals serving in the military.

Highlighted Provisions:

This bill:

► provides exemptions from occupational and professional licensure in a variety of occupations and professions for:

- an individual serving in the military if the individual has a valid license in another jurisdiction; and
- a spouse of an individual serving in the military if the spouse has a valid license in another jurisdiction.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

4-1-111, Utah Code Annotated 1953

13-1-12, Utah Code Annotated 1953



- 28 **31A-1-111**, Utah Code Annotated 1953
- 29 **53-9-122**, Utah Code Annotated 1953
- 30 **53-11-125**, Utah Code Annotated 1953
- 31 **53E-6-204**, Utah Code Annotated 1953
- 32 **61-2-103**, Utah Code Annotated 1953

33
34 *Be it enacted by the Legislature of the state of Utah:*

35 Section 1. Section **4-1-111** is enacted to read:

36 **4-1-111. Exemptions from licensure.**

37 Except as otherwise provided by statute or rule, the following individuals may engage
38 in the practice of an occupation or profession regulated by this title, subject to the stated
39 circumstances and limitations, without being licensed under this title:

40 (1) an individual licensed under the laws of this state, other than under this title, to
41 practice or engage in an occupation or profession, while engaged in the lawful, professional,
42 and competent practice of that occupation or profession;

43 (2) an individual serving in the armed forces of the United States, the United States
44 Public Health Service, the United States Department of Veterans Affairs, or any other federal
45 agency while engaged in activities regulated under this title as a part of employment with that
46 federal agency if the individual holds a valid license to practice the regulated occupation or
47 profession issued by any other state or jurisdiction recognized by the department; and

48 (3) the spouse of an individual serving in the armed forces of the United States while
49 the individual is stationed within this state, if:

50 (a) the spouse holds a valid license to practice the regulated occupation or profession
51 issued by any other state or jurisdiction recognized by the department; and

52 (b) the license is current and the spouse is in good standing in the state or jurisdiction
53 of licensure.

54 Section 2. Section **13-1-12** is enacted to read:

55 **13-1-12. Exemptions from licensure.**

56 Except as otherwise provided by statute or rule, the following individuals may engage
57 in the practice of an occupation or profession regulated by this title, subject to the stated
58 circumstances and limitations, without being licensed under this title:

59 (1) an individual licensed under the laws of this state, other than under this title, to
60 practice or engage in an occupation or profession, while engaged in the lawful, professional,
61 and competent practice of that occupation or profession;

62 (2) an individual serving in the armed forces of the United States, the United States
63 Public Health Service, the United States Department of Veterans Affairs, or any other federal
64 agency while engaged in activities regulated under this title as a part of employment with that
65 federal agency if the individual holds a valid license to practice the regulated occupation or
66 profession issued by any other state or jurisdiction recognized by the department; and

67 (3) the spouse of an individual serving in the armed forces of the United States while
68 the individual is stationed within this state, if:

69 (a) the spouse holds a valid license to practice the regulated occupation or profession
70 issued by any other state or jurisdiction recognized by the department; and

71 (b) the license is current and the spouse is in good standing in the state or jurisdiction
72 of licensure.

73 Section 3. Section **31A-1-111** is enacted to read:

74 **31A-1-111. Exemptions from licensure.**

75 Except as otherwise provided by statute or rule, the following individuals may engage
76 in the practice of an occupation or profession regulated by this title, subject to the stated
77 circumstances and limitations, without being licensed under this title:

78 (1) an individual licensed under the laws of this state, other than under this title, to
79 practice or engage in an occupation or profession, while engaged in the lawful, professional,
80 and competent practice of that occupation or profession;

81 (2) an individual serving in the armed forces of the United States, the United States
82 Public Health Service, the United States Department of Veterans Affairs, or any other federal
83 agency while engaged in activities regulated under this title as a part of employment with that
84 federal agency if the individual holds a valid license to practice the regulated occupation or
85 profession issued by any other state or jurisdiction recognized by the department; and

86 (3) the spouse of an individual serving in the armed forces of the United States while
87 the individual is stationed within this state, if:

88 (a) the spouse holds a valid license to practice the regulated occupation or profession
89 issued by any other state or jurisdiction recognized by the department; and

90 (b) the license is current and the spouse is in good standing in the state or jurisdiction
91 of licensure.

92 Section 4. Section **53-9-122** is enacted to read:

93 **53-9-122. Exemptions from licensure.**

94 Except as otherwise provided by statute or rule, the following individuals may engage
95 in the practice of an occupation or profession regulated by this title, subject to the stated
96 circumstances and limitations, without being licensed under this title:

97 (1) an individual licensed under the laws of this state, other than under this title, to
98 practice or engage in an occupation or profession, while engaged in the lawful, professional,
99 and competent practice of that occupation or profession;

100 (2) an individual serving in the armed forces of the United States, the United States
101 Public Health Service, the United States Department of Veterans Affairs, or any other federal
102 agency while engaged in activities regulated under this title as a part of employment with that
103 federal agency if the individual holds a valid license to practice the regulated occupation or
104 profession issued by any other state or jurisdiction recognized by the department; and

105 (3) the spouse of an individual serving in the armed forces of the United States while
106 the individual is stationed within this state, if:

107 (a) the spouse holds a valid license to practice the regulated occupation or profession
108 issued by any other state or jurisdiction recognized by the department; and

109 (b) the license is current and the spouse is in good standing in the state or jurisdiction
110 of licensure.

111 Section 5. Section **53-11-125** is enacted to read:

112 **53-11-125. Exemptions from licensure.**

113 Except as otherwise provided by statute or rule, the following individuals may engage
114 in the practice of a private investigator regulated by this chapter, subject to the stated
115 circumstances and limitations, without being licensed under this title:

116 (1) an individual serving in the armed forces of the United States, the United States
117 Public Health Service, the United States Department of Veterans Affairs, or any other federal
118 agency while engaged in activities regulated under this chapter as a part of employment with
119 that federal agency if the individual holds a valid private investigator license issued by any
120 other state or jurisdiction recognized by the department; and

121 (2) the spouse of an individual serving in the armed forces of the United States while
122 the individual is stationed within this state, if:

123 (a) the spouse holds a valid private investigator license issued by any other state or
124 jurisdiction recognized by the department; and

125 (b) the license is current and the spouse is in good standing in the state or jurisdiction
126 of licensure.

127 Section 6. Section **53E-6-204** is enacted to read:

128 **53E-6-204. Exemptions from licensure.**

129 Except as otherwise provided by statute or rule, a spouse of an individual serving in the
130 armed forces of the United States while the individual is stationed within this state may work
131 as an educator without being licensed under this title if:

132 (1) the spouse holds a valid educator license issued by any other state or jurisdiction
133 recognized by the board; and

134 (2) the license is current and the spouse is in good standing in the state or jurisdiction
135 of licensure.

136 Section 7. Section **61-2-103** is enacted to read:

137 **61-2-103. Exemptions from licensure.**

138 Except as otherwise provided by statute or rule, the following individuals may engage
139 in the practice of an occupation or profession regulated by this title, subject to the stated
140 circumstances and limitations, without being licensed under this title:

141 (1) an individual licensed under the laws of this state, other than under this title, to
142 practice or engage in an occupation or profession, while engaged in the lawful, professional,
143 and competent practice of that occupation or profession;

144 (2) an individual serving in the armed forces of the United States, the United States
145 Public Health Service, the United States Department of Veterans Affairs, or any other federal
146 agency while engaged in activities regulated under this title as a part of employment with that
147 federal agency if the individual holds a valid license to practice the regulated occupation or
148 profession issued by any other state or jurisdiction recognized by the department; and

149 (3) the spouse of an individual serving in the armed forces of the United States while
150 the individual is stationed within this state, if:

151 (a) the spouse holds a valid license to practice the regulated occupation or profession

152 issued by any other state or jurisdiction recognized by the department; and
153 (b) the license is current and the spouse is in good standing in the state or jurisdiction
154 of licensure.

Legislative Review Note
Office of Legislative Research and General Counsel