

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 476

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GRIER.

0923H.01P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 324.009, RSMo, and to enact in lieu thereof one new section relating to license reciprocity for military members.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 324.009, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 324.009, to read as follows:

324.009. 1. For purposes of this section, the following terms mean:

- (1) "License", a license, certificate, registration, permit, ~~or~~ accreditation, **or military occupational speciality** that enables a person to legally practice an occupation or profession in a particular jurisdiction;
- (2) "**Military**", **the Armed Forces of the United States including the Air Force, Army, Coast Guard, Marine Corps, Navy, Space Force, National Guard and any other military branch that is designated by Congress as part of the Armed Forces of the United States, and all reserve components and auxiliaries. Such term also includes the military reserves and militia of any United States territory or state;**
- (3) "Nonresident military spouse", a nonresident spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri, or who has been transferred or is scheduled to be transferred to an adjacent state and is or will be domiciled in the state of Missouri, or has moved to the state of Missouri on a permanent change-of-station basis;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 ~~[(3)]~~ (4) "Oversight body", any board, department, agency, or office of a jurisdiction that
16 issues licenses;

17 ~~[(4)]~~ (5) "Resident military spouse", a spouse of an active duty member of the Armed
18 Forces of the United States who has been transferred or is scheduled to be transferred to the state
19 of Missouri or an adjacent state and who is a permanent resident of the state of Missouri, who
20 is domiciled in the state of Missouri, or who has Missouri as his or her home of record.

21 2. Any person who holds a valid current license issued by another state, **a branch or**
22 **unit of the military**, a territory of the United States, or the District of Columbia, and who has
23 been licensed for at least one year in such other jurisdiction, may submit an application for a
24 license in Missouri in the same occupation or profession, and at the same practice level, for
25 which he or she holds the current license, along with proof of current licensure and proof of
26 licensure for at least one year in the other jurisdiction, to the relevant oversight body in this state.

27 3. The oversight body in this state shall:

28 (1) Within six months of receiving an application described in subsection 2 of this
29 section, waive any examination, educational, or experience requirements for licensure in this
30 state for the applicant if it determines that there were minimum education requirements and, if
31 applicable, work experience and clinical supervision requirements in effect and the other state
32 verifies that the person met those requirements in order to be licensed or certified in that state.
33 An oversight body that administers an examination on laws of this state as part of its licensing
34 application requirement may require an applicant to take and pass an examination specific to the
35 laws of this state; or

36 (2) Within thirty days of receiving an application described in subsection 2 of this
37 section from a nonresident military spouse or a resident military spouse, waive any examination,
38 educational, or experience requirements for licensure in this state for the applicant and issue such
39 applicant a license under this section if such applicant otherwise meets the requirements of this
40 section.

41 4. (1) The oversight body shall not waive any examination, educational, or experience
42 requirements for any applicant who has had his or her license revoked by an oversight body
43 outside the state; who is currently under investigation, who has a complaint pending, or who is
44 currently under disciplinary action, except as provided in subdivision (2) of this subsection, with
45 an oversight body outside the state; who does not hold a license in good standing with an
46 oversight body outside the state; who has a criminal record that would disqualify him or her for
47 licensure in Missouri; or who does not hold a valid current license in the other jurisdiction on
48 the date the oversight body receives his or her application under this section.

49 (2) If another jurisdiction has taken disciplinary action against an applicant, the oversight
50 body shall determine if the cause for the action was corrected and the matter resolved. If the

51 matter has not been resolved by that jurisdiction, the oversight body may deny a license until the
52 matter is resolved.

53 5. Nothing in this section shall prohibit the oversight body from denying a license to an
54 applicant under this section for any reason described in any section associated with the
55 occupation or profession for which the applicant seeks a license.

56 6. Any person who is licensed under the provisions of this section shall be subject to the
57 applicable oversight body's jurisdiction and all rules and regulations pertaining to the practice
58 of the licensed occupation or profession in this state.

59 7. This section shall not be construed to waive any requirement for an applicant to pay
60 any fees, post any bonds or surety bonds, or submit proof of insurance associated with the license
61 the applicant seeks.

62 8. This section shall not apply to business, professional, or occupational licenses issued
63 or required by political subdivisions.

64 9. The provisions of this section shall not impede an oversight body's authority to require
65 an applicant to submit fingerprints as part of the application process.

66 10. The provisions of this section shall not apply to an oversight body that has entered
67 into a licensing compact with another state for the regulation of practice under the oversight
68 body's jurisdiction. The provisions of this section shall not be construed to alter the authority
69 granted by, or any requirements promulgated pursuant to, any interjurisdictional or interstate
70 compacts adopted by Missouri statute or any reciprocity agreements with other states in effect
71 on August 28, 2018, and whenever possible this section shall be interpreted so as to imply no
72 conflict between it and any compact, or any reciprocity agreements with other states in effect on
73 August 28, 2018.

74 11. Notwithstanding any other provision of law, a license issued under this section shall
75 be valid only in this state and shall not make a licensee eligible to be part of an interstate
76 compact. An applicant who is licensed in another state pursuant to an interstate compact shall
77 not be eligible for licensure by an oversight body under the provisions of this section.

78 12. The provisions of this section shall not apply to any occupation set forth in
79 subsection 6 of section 290.257, or any electrical contractor licensed under sections 324.900 to
80 324.945.

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