

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021

A Bill

HOUSE BILL 1667

4
5 By: Representatives Furman, Brooks, Brown, Dotson, Gonzales, Hollowell, Lundstrum, McCollum,
6 Pilkington, Ray, Wooten

For An Act To Be Entitled

9 AN ACT TO CREATE THE UNIVERSAL LICENSING RECOGNITION
10 ACT; AND FOR OTHER PURPOSES.

Subtitle

14 TO CREATE THE UNIVERSAL LICENSING
15 RECOGNITION ACT.

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20 SECTION 1. Arkansas Code Title 17, is amended to add an additional
21 chapter to read as follows:

CHAPTER 4

UNIVERSAL LICENSING RECOGNITION ACT

17-4-101. Title.

26 This chapter shall be known and may be cited as the "Universal
27 Licensing Recognition Act".

17-4-102. Legislative findings and purpose.

30 (a) The General Assembly finds that:

31 (1) Occupational licensing protects current practitioners and
32 disproportionately burdens military families, entrepreneurs, unemployed
33 workers, and low-income individuals who are trying to enter a profession or
34 occupation;

35 (2) Burdensome licensing requirements hold back the Arkansas
36 economy because professionals whose jobs require an occupational license are



1 less likely to relocate to Arkansas to work, build a life, and invest in
 2 local communities; and

3 (3) Recognizing occupational licenses from other states and
 4 granting licenses based on work experience in other states, so long as that
 5 that state does not require a license, is a way to keep Arkansas working and
 6 remaining competitive.

7 (b) It is the purpose of this chapter to create economic opportunities
 8 for military families, entrepreneurs, and entry-level professionals that live
 9 in the State of Arkansas by:

10 (1) Recognizing an occupational license they have earned in
 11 another state; and

12 (2) Granting a occupational license based on work experience
 13 they have acquired in another state if that state did not require an
 14 occupational license.

15
 16 17-4-103. Definitions.

17 As used in this chapter:

18 (1) "Applicant" means an individual seeking an occupational or
 19 professional license;

20 (2) "Occupational licensing entity" means an office, board,
 21 commission, department, council, bureau, or other agency of state government
 22 having authority to license, certify, register, permit, or otherwise
 23 authorize an individual to engage in a particular occupation or profession;

24 (3) "Occupational license" means a license, certificate,
 25 registration, permit, or other form of authorization required by law or rule
 26 for an individual to engage in a particular occupation or profession; and

27 (4) "Resident" means a person domiciled in the State of Arkansas
 28 under § 9-3-101.

29
 30 17-4-104. Recognition of occupational license issued in other states.

31 (a) Notwithstanding any other law to the contrary, an occupational
 32 licensing entity shall issue an occupational license without an examination,
 33 in the discipline applied for, and at the same practice level as determined
 34 by the occupational licensing entity to an applicant who is a resident of
 35 this state or to an applicant who is the spouse of an active duty military
 36 service member stationed in this state if the applicant:

1 (1) Is currently licensed or certified in at least one (1) other
2 state in the discipline applied for and at the same practice level as
3 determined by the occupational licensing entity and the occupational license
4 is in good standing in all states in which the person holds an occupational
5 license;

6 (2)(A) Has had the occupational license in another state for at
7 least one (1) year.

8 (B) If the applicant has an occupational license in
9 another state, that minimum education requirements, work experience,
10 apprenticeship requirements, or clinical supervision requirements were in
11 effect, and the other state verifies that the applicant met those
12 requirements in order to have an occupational license in that state.

13 (C) If required by the other state, the applicant
14 previously passed an examination required for the occupational license;

15 (3) Has not had an occupational license revoked and has not
16 voluntarily surrendered an occupational license in any other state or country
17 while under investigation for unprofessional conduct;

18 (4)(A) Has not had unresolved disciplinary action imposed by any
19 other occupational licensing entity.

20 (B) If a jurisdiction in another state has taken
21 disciplinary action against the person, the occupational licensing entity
22 shall determine if the cause for the action was corrected and if the matter
23 has been resolved.

24 (C) If the matter has not been resolved by that
25 jurisdiction, the occupational licensing entity may not issue or deny an
26 occupational license under this section until the matter is resolved;

27 (5)(A) Does not have a complaint, allegation, or investigation
28 pending before another occupational licensing entity in another state or
29 country that relates to unprofessional conduct.

30 (B) If an applicant has any complaint, allegation, or
31 investigation pending, the occupational licensing entity shall suspend the
32 application process and may not issue or deny an occupational license under
33 this section to the applicant until the complaint, allegation, or
34 investigation is resolved; and

35 (6) Pays all applicable fees.

36 (b) This section does not prevent an occupational licensing entity

1 from entering into a reciprocity agreement with another state or
 2 jurisdiction.

3 (c) An occupational license issued under this section is valid only in
 4 this state and does not make the person eligible to be part of an interstate
 5 compact.

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 7 17-4-105. Recognition of professional experience in other states.

8 Notwithstanding any other law to the contrary, an occupational
 9 licensing entity shall issue an occupational license to an applicant based on
 10 work or job experience in another state, in the discipline applied for, and
 11 at the same practice level as determined by the occupational licensing entity
 12 if the applicant:

13 (1) Has worked in a state that does not use an occupational
 14 license to regulate the occupation;

15 (2) The applicant has worked at least three (3) years in the
 16 occupation; and

17 (3) The applicant satisfies the requirements of § 17-4-
 18 104(a)(3)-(6).

19
 20 17-4-106. Reporting.

21 (a) An occupational licensing entity shall report to the Department of
 22 Labor and Licensing the following data regarding applications for licensure
 23 under this chapter:

24 (1) The number of applicants for a license;

25 (2) The number of licenses issued;

26 (3) The number of licenses denied; and

27 (4) The number of license determinations pending.

28 (b) On or before January 1 of each year, the department shall compile
 29 and publish annually a report of the data required to be submitted under
 30 subsection (a) of this section on a searchable public website.

31
 32 SECTION 2. DO NOT CODIFY. Rules.

33 (a) All occupational licensing entities shall promulgate rules
 34 necessary to implement this act.

35 (b)(1) When adopting the initial rules to implement this act, the
 36 final rule shall be filed with the Secretary of State for adoption under §

1 25-15-204(f):

2 (A) On or before January 1, 2023; or

3 (B) If approval under § 10-3-309 has not occurred by
4 January 1, 2022, as soon as practicable after approval under § 10-3-309.

5 (2) An occupational licensing entity shall file the proposed
6 rule with the Legislative Council under § 10-3-309(c) sufficiently in advance
7 of January 1, 2023, so that the Legislative Council may consider the rule for
8 approval before January 1, 2023.

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10 SECTION 3. DO NOT CODIFY. EFFECTIVE DATE.

11 This act shall be effective on and after January 1, 2022.

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