

SENATE BILL NO. 88

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN (26).

0884S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 324.009, RSMo, and to enact in lieu thereof one new section relating to professional licensing.

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Section A. Section 324.009, RSMo, is repealed and one new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

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

3 (1) "License", a license, certificate, registration,
4 permit, accreditation, or military occupational speciality
5 that enables a person to legally practice an occupation or
6 profession in a particular jurisdiction;

7 (2) "Military", the Armed Forces of the United States
8 including the Air Force, Army, Coast Guard, Marine Corps,
9 Navy, Space Force, National Guard and any other military
10 branch that is designated by Congress as part of the Armed
11 Forces of the United States, and all reserve components and
12 auxiliaries. Such term also includes the military reserves
13 and militia of any United States territory or state;

14 (3) "Nonresident military spouse", a nonresident
15 spouse of an active duty member of the Armed Forces of the
16 United States who has been transferred or is scheduled to be
17 transferred to the state of Missouri, or who has been
18 transferred or is scheduled to be transferred to an adjacent

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 state and is or will be domiciled in the state of Missouri,
20 or has moved to the state of Missouri on a permanent change-
21 of-station basis;

22 (4) "Oversight body", any board, department, agency,
23 or office of a jurisdiction that issues licenses;

24 (5) "Resident military spouse", a spouse of an active
25 duty member of the Armed Forces of the United States who has
26 been transferred or is scheduled to be transferred to the
27 state of Missouri or an adjacent state and who is a
28 permanent resident of the state of Missouri, who is
29 domiciled in the state of Missouri, or who has Missouri as
30 his or her home of record.

31 2. Any person who holds a valid current license issued
32 by another state, a branch or unit of the military, a
33 territory of the United States, or the District of Columbia,
34 and who has been licensed for at least one year in such
35 other jurisdiction, may submit an application for a license
36 in Missouri in the same occupation or profession, and at the
37 same practice level, for which he or she holds the current
38 license, along with proof of current licensure and proof of
39 licensure for at least one year in the other jurisdiction,
40 to the relevant oversight body in this state.

41 3. **Any person who has at least three years of work**
42 **experience in an occupation or profession in another state,**
43 **a branch or unit of the military, a territory of the United**
44 **States, or the District of Columbia, and such jurisdiction**
45 **does not use a license to regulate the occupation or**
46 **profession, may submit an application for a license in**
47 **Missouri in the occupation or profession, along with proof**
48 **of work experience in the occupation or profession for at**
49 **least three years, to the relevant oversight body in this**
50 **state.**

51 **4.** The oversight body in this state shall:

52 (1) Within **[six months] forty-five days** of receiving
53 an application described in subsection 2 of this section,
54 waive any examination, educational, or experience
55 requirements for licensure in this state for the applicant
56 if it determines that there were minimum education
57 requirements and, if applicable, work experience and
58 clinical supervision requirements in effect and the other
59 state verifies that the person met those requirements in
60 order to be licensed or certified in that state. An
61 oversight body that administers an examination on laws of
62 this state as part of its licensing application requirement
63 may require an applicant to take and pass an examination
64 specific to the laws of this state; **[or]**

65 (2) Within thirty days of receiving an application
66 described in subsection 2 of this section from a nonresident
67 military spouse or a resident military spouse, waive any
68 examination, educational, or experience requirements for
69 licensure in this state for the applicant and issue such
70 applicant a license under this section if such applicant
71 otherwise meets the requirements of this section; **or**

72 (3) **Within forty-five days of receiving an application**
73 **described in subsection 3 of this section, waive any**
74 **examination, educational, or experience requirements for**
75 **licensure in this state for the applicant if it determines**
76 **that the applicant worked in jurisdictions that do not use a**
77 **license to regulate an occupation or profession, but**
78 **Missouri uses a license to regulate the occupation or**
79 **profession, and the applicant has at least three years of**
80 **work experience in the occupation or profession in the other**
81 **jurisdictions. An oversight body that administers an**
82 **examination on laws of this state as part of its licensing**

83 **application requirement may require an applicant to take and**
84 **pass an examination specific to the laws of this state.**

85 [4.] 5. (1) The oversight body shall not waive any
86 examination, educational, or experience requirements for any
87 applicant who has had his or her license revoked by an
88 oversight body outside the state; who is currently under
89 investigation, who has a complaint pending, or who is
90 currently under disciplinary action, except as provided in
91 subdivision (2) of this subsection, with an oversight body
92 outside the state; who does not hold a license in good
93 standing with an oversight body outside the state; who has a
94 criminal record that would disqualify him or her for
95 licensure in Missouri; or who does not hold a valid current
96 license in the other jurisdiction on the date the oversight
97 body receives his or her application under this section.

98 (2) If another jurisdiction has taken disciplinary
99 action against an applicant, the oversight body shall
100 determine if the cause for the action was corrected and the
101 matter resolved. If the matter has not been resolved by
102 that jurisdiction, the oversight body may deny a license
103 until the matter is resolved.

104 [5.] 6. Nothing in this section shall prohibit the
105 oversight body from denying a license to an applicant under
106 this section for any reason described in any section
107 associated with the occupation or profession for which the
108 applicant seeks a license.

109 [6.] 7. Any person who is licensed under the
110 provisions of this section shall be subject to the
111 applicable oversight body's jurisdiction and all rules and
112 regulations pertaining to the practice of the licensed
113 occupation or profession in this state.

114 [7.] 8. This section shall not be construed to waive
115 any requirement for an applicant to pay any fees, post any
116 bonds or surety bonds, or submit proof of insurance
117 associated with the license the applicant seeks.

118 [8.] 9. This section shall not apply to business,
119 professional, or occupational licenses issued or required by
120 political subdivisions.

121 [9.] 10. The provisions of this section shall not
122 impede an oversight body's authority to require an applicant
123 to submit fingerprints as part of the application process.

124 [10.] 11. The provisions of this section shall not
125 apply to an oversight body that has entered into a licensing
126 compact with another state for the regulation of practice
127 under the oversight body's jurisdiction. The provisions of
128 this section shall not be construed to alter the authority
129 granted by, or any requirements promulgated pursuant to, any
130 interjurisdictional or interstate compacts adopted by
131 Missouri statute or any reciprocity agreements with other
132 states in effect on August 28, 2018, and whenever possible
133 this section shall be interpreted so as to imply no conflict
134 between it and any compact, or any reciprocity agreements
135 with other states in effect on August 28, 2018.

136 [11.] 12. Notwithstanding any other provision of law,
137 a license issued under this section shall be valid only in
138 this state and shall not make a licensee eligible to be part
139 of an interstate compact. An applicant who is licensed in
140 another state pursuant to an interstate compact shall not be
141 eligible for licensure by an oversight body under the
142 provisions of this section.

143 [12.] 13. The provisions of this section shall not
144 apply to any occupation set forth in subsection 6 of section

145 290.257, or any electrical contractor licensed under
146 sections 324.900 to 324.945.

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