

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/HCS/House Bill No. 2046, Page 1, Section title, Line 5,

2 of the title, by inserting after "RSMo," the following: "and
3 section 324.009 as enacted by house committee substitute for
4 house bill nos. 1511 & 1452, one hundredth general assembly,
5 second regular session,"; and

6 Further amend said bill, Pages 21-25, Section 324.009, by
7 striking all of said section and inserting in lieu thereof the
8 following:

9 "324.009. 1. For purposes of this section, the following
10 terms mean:

11 (1) "License", a license, certificate, registration,
12 permit, or accreditation that enables a person to legally
13 practice an occupation or profession in a particular
14 jurisdiction[; except that "license" shall not include a
15 certificate of license to teach in public schools under section
16 168.021];

17 (2) "Nonresident military spouse", a nonresident spouse of
18 an active duty member of the Armed Forces of the United States
19 who has been transferred or is scheduled to be transferred to the
20 state of Missouri, or who has been transferred or is scheduled to
21 be transferred to an adjacent state and is or will be domiciled

1 in the state of Missouri, or has moved to the state of Missouri
2 on a permanent change-of-station basis;

3 (3) "Oversight body", any board, department, agency, or
4 office of a jurisdiction that issues licenses[; except, for the
5 purposes of this section, oversight body shall not include the
6 state board of registration for the healing arts, the state board
7 of nursing, the board of pharmacy, the state committee of
8 psychologists, the Missouri dental board, the Missouri board for
9 architects, professional engineers, professional land surveyors
10 and professional landscape architects, the state board of
11 optometry, or the Missouri veterinary medical board];

12 (4) "Resident military spouse", a spouse of an active duty
13 member of the Armed Forces of the United States who has been
14 transferred or is scheduled to be transferred to the state of
15 Missouri or an adjacent state and who is a permanent resident of
16 the state of Missouri, who is domiciled in the state of Missouri,
17 or who has Missouri as his or her home of record.

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

29 3. The oversight body in this state shall:

1 (1) Within six months of receiving an application described
2 in subsection 2 of this section [from a resident of Missouri],
3 waive any examination, educational, or experience requirements
4 for licensure in this state for the applicant if it determines
5 that [the licensing requirements in the jurisdiction that issued
6 the applicant's license are substantially similar to or more
7 stringent than the licensing requirements in Missouri for the
8 same occupation or profession and shall issue such applicant a
9 license under this section if such applicant otherwise meets the
10 requirements of this section] there were minimum education
11 requirements and, if applicable, work experience and clinical
12 supervision requirements in effect and the other state verifies
13 that the person met those requirements in order to be licensed or
14 certified in that state. An oversight body that administers an
15 examination on laws of this state as part of its licensing
16 application requirement may require an applicant to take and pass
17 an examination specific to the laws of this state; or

18 (2) Within thirty days of receiving an application
19 described in subsection 2 of this section from a nonresident
20 military spouse or a resident military spouse, waive any
21 examination, educational, or experience requirements for
22 licensure in this state for the applicant and issue such
23 applicant a license under this section if such applicant
24 otherwise meets the requirements of this section.

25 4. (1) The oversight body shall not waive any examination,
26 educational, or experience requirements for any applicant who has
27 had his or her license revoked by an oversight body outside the
28 state; who is currently under investigation, who has a complaint
29 pending, or who is currently under disciplinary action, except as

1 provided in subdivision (2) of this subsection, with an oversight
2 body outside the state; who does not hold a license in good
3 standing with an oversight body outside the state; who has a
4 criminal record that would disqualify him or her for licensure in
5 Missouri; or who does not hold a valid current license in the
6 other jurisdiction on the date the oversight body receives his or
7 her application under this section.

8 (2) If another jurisdiction has taken disciplinary action
9 against an applicant, the oversight body shall determine if the
10 cause for the action was corrected and the matter resolved. If
11 the matter has not been resolved by that jurisdiction, the
12 oversight body may deny a license until the matter is resolved.

13 5. [The oversight body shall not waive any examination,
14 educational, or experience requirements for any applicant if it
15 determines that waiving the requirements for the applicant may
16 endanger the public health, safety, or welfare.

17 6.] Nothing in this section shall prohibit the oversight
18 body from denying a license to an applicant under this section
19 for any reason described in any section associated with the
20 occupation or profession for which the applicant seeks a license.

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

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

29 8. This section shall not apply to business, professional,

1 or occupational licenses issued or required by political
2 subdivisions.

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

6 10. The provisions of this section shall not apply to an
7 oversight body that has entered into a licensing compact with
8 another state for the regulation of practice under the oversight
9 body's jurisdiction. The provisions of this section shall not be
10 construed to alter the authority granted by, or any requirements
11 promulgated pursuant to, any interjurisdictional or interstate
12 compacts adopted by Missouri statute or any reciprocity
13 agreements with other states[. If any conflict arises between
14 the provisions of this section and the provisions of any
15 interjurisdictional or interstate compact or reciprocity
16 agreement, the provisions of such compact or agreement shall
17 prevail. If a conflict arises between the provisions of this
18 section and any federal law or rule, the provisions of the
19 federal law or rule shall prevail] in effect on August 28, 2018,
20 and whenever possible this section shall be interpreted so as to
21 imply no conflict between it and any compact, or any reciprocity
22 agreements with other states in effect on August 28, 2018.

23 [10. For the purposes of this section, resident military
24 spouses and nonresident military spouses shall be eligible to
25 apply for a license with any board, department, agency, or office
26 of a jurisdiction that issues licenses including, but not limited
27 to, the state board of registration for the healing arts; the
28 state board of nursing; the board of pharmacy; the state
29 committee of psychologists; the Missouri dental board; the

1 Missouri board for architects, professional engineers,
2 professional land surveyors, and professional landscape
3 architects; the state board of optometry; and the Missouri
4 veterinary medical board.]

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

11 12. The provisions of this section shall not apply to any
12 occupation set forth in subsection 6 of section 290.257, or any
13 electrical contractor licensed under sections 324.900 to
14 324.945."; and

15 Further amend said bill, Page 49, Section 337.050, Line 8 of
16 said page, by inserting after all of said line the following:

17 "[324.009. 1. For purposes of this section, the
18 following terms mean:

19 (1) "License", a license, certificate,
20 registration, permit, or accreditation that enables a
21 person to legally practice an occupation or profession
22 in a particular jurisdiction; except that "license"
23 shall not include a certificate of license to teach in
24 public schools under section 168.021;

25 (2) "Nonresident military spouse", a nonresident
26 spouse of an active duty member of the Armed Forces of
27 the United States who has been transferred or is
28 scheduled to be transferred to the state of Missouri,
29 or who has been transferred or is scheduled to be
30 transferred to an adjacent state and is or will be
31 domiciled in the state of Missouri, or has moved to
32 the state of Missouri on a permanent change-of-station
33 basis;

34 (3) "Oversight body", any board, department,
35 agency, or office of a jurisdiction that issues
36 licenses; except, for the purposes of this section,
37 oversight body shall not include the state board of
38 registration for the healing arts, the state board of
39 nursing, the board of pharmacy, the state committee of

1 psychologists, the Missouri dental board, the Missouri
2 board for architects, professional engineers,
3 professional land surveyors and professional landscape
4 architects, the state board of optometry, or the
5 Missouri veterinary medical board;

6 (4) "Resident military spouse", a spouse of an
7 active duty member of the Armed Forces of the United
8 States who has been transferred or is scheduled to be
9 transferred to the state of Missouri or an adjacent
10 state and who is a permanent resident of the state of
11 Missouri, who is domiciled in the state of Missouri, or
12 who has Missouri as his or her home of record.

13 2. Any person who is a resident of Missouri, a
14 resident military spouse, or a nonresident military
15 spouse and who holds a valid current license issued by
16 another state, territory of the United States, or the
17 District of Columbia may submit an application for a
18 license in Missouri in the same occupation or
19 profession for which he or she holds the current
20 license, along with proof of current licensure in [the]
21 all other [jurisdiction] jurisdictions, to the relevant
22 oversight body in this state.

23 3. The oversight body in this state shall[,]:

24 (1) Within six months of receiving an application
25 described in subsection 2 of this section from a
26 resident of Missouri, waive any examination,
27 educational, or experience requirements for licensure
28 in this state for the applicant if it determines that
29 the licensing requirements in the jurisdiction that
30 issued the applicant's license are substantially
31 similar to or more stringent than the licensing
32 requirements in Missouri for the same occupation or
33 profession and shall issue such applicant a license
34 under this section if such applicant otherwise meets
35 the requirements of this section; or

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

44 4. The oversight body shall not waive any
45 examination, educational, or experience requirements
46 for any applicant who is currently under disciplinary
47 action with an oversight body outside the state or who
48 does not hold a valid current license in the other
49 jurisdiction on the date the oversight body receives
50 his or her application under this section.

51 5. The oversight body shall not waive any
52 examination, educational, or experience requirements

1 for any applicant if it determines that waiving the
2 requirements for the applicant may endanger the public
3 health, safety, or welfare.

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

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

13 8. This section shall not apply to business,
14 professional, or occupational licenses issued or
15 required by political subdivisions.

16 9. The provisions of this section shall not be
17 construed to alter the authority granted by, or any
18 requirements promulgated pursuant to, any
19 interjurisdictional or interstate compacts adopted by
20 Missouri statute or any reciprocity agreements with
21 other states [in effect on August 28, 2018, and
22 whenever possible this section shall be interpreted so
23 as to imply no conflict between it and any compact, or
24 any reciprocity agreements with other states in effect
25 on August 28, 2018]. If any conflict arises between
26 the provisions of this section and the provisions of
27 any interjurisdictional or interstate compact or
28 reciprocity agreement, the provisions of such compact
29 or agreement shall prevail. If a conflict arises
30 between the provisions of this section and any federal
31 law or rule, the provisions of the federal law or rule
32 shall prevail.

33 10. For the purposes of this section, resident
34 military spouses and nonresident military spouses shall
35 be eligible to apply for a license with any board,
36 department, agency, or office of a jurisdiction that
37 issues licenses including, but not limited to, the
38 state board of registration for the healing arts; the
39 state board of nursing; the board of pharmacy; the
40 state committee of psychologists; the Missouri dental
41 board; the Missouri board for architects, professional
42 engineers, professional land surveyors, and
43 professional landscape architects; the state board of
44 optometry; and the Missouri veterinary medical
45 board.]; and

46
47 Further amend the title and enacting clause accordingly.