

SECOND REGULAR SESSION

# SENATE BILL NO. 560

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ONDER.

Pre-filed December 1, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

3104S.02I

## AN ACT

To repeal section 324.008, RSMo, and to enact in lieu thereof one new section relating to professional licensure of nonresident military spouses.

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

Section A. Section 324.008, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 324.008, to read as follows:

324.008. 1. As used in this section, "nonresident military spouse" means  
2 a nonresident spouse of an active duty member of the Armed Forces of the United  
3 States who has been transferred or is scheduled to be transferred to the state of  
4 Missouri, is domiciled in the state of Missouri, or has moved to the state of  
5 Missouri on a permanent change-of-station basis.

6 2. Except as provided in subsection 6 of this section and notwithstanding  
7 any other provision of law, any agency of this state or board established under  
8 state law for the regulation of occupations and professions in this state shall,  
9 with respect to such occupation or profession that it regulates, by rule establish  
10 criteria for the issuance of a [temporary courtesy] license **or certificate** to a  
11 nonresident spouse of an active duty member of the military who is transferred  
12 to this state in the course of the member's military duty, so that[, on a temporary  
13 basis,] the nonresident military spouse may lawfully practice his or her  
14 occupation or profession in this state.

15 3. Notwithstanding provisions to the contrary, a nonresident military  
16 spouse shall receive a [temporary courtesy] license under subsection 2 of this  
17 section if, at the time of application, the nonresident military spouse:

18 (1) Holds a current license or certificate in another state, district, or  
19 territory of the United States with licensure requirements that the appropriate

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

20 regulatory board or agency determines are equivalent to those established under  
21 Missouri law for that occupation or profession;

22 (2) Was engaged in the active practice of the occupation or profession for  
23 which the nonresident military spouse seeks a [temporary] license or certificate  
24 in a state, district, or territory of the United States for at least two of the five  
25 years immediately preceding the date of application under this section;

26 (3) Has not committed an act in any jurisdiction that would have  
27 constituted grounds for the refusal, suspension, or revocation of a license or  
28 certificate to practice that occupation or profession under Missouri law at the  
29 time the act was committed;

30 (4) Has not been disciplined by a licensing or credentialing entity in  
31 another jurisdiction and is not the subject of an unresolved complaint, review  
32 procedure, or disciplinary proceeding conducted by a licensing or credentialing  
33 entity in another jurisdiction;

34 (5) Authorizes the appropriate board or agency to conduct a criminal  
35 background check and pay for any costs associated with such background check;

36 (6) Pays any fees required by the appropriate board or agency for that  
37 occupation or profession; and

38 (7) Complies with other requirements as provided by the board.

39 4. Relevant full-time experience in the discharge of official duties in the  
40 military service or an agency of the federal government shall be credited in the  
41 counting of years of practice under subdivision (2) of subsection 3 of this section.

42 5. [A temporary courtesy license or certificate issued under this section  
43 is valid for one hundred eighty days and may be extended at the discretion of the  
44 applicable regulatory board or agency for another one hundred eighty days on  
45 application of the holder of the temporary courtesy license or certificate.

46 **6.] A nonresident military spouse shall be approved and continue**  
47 **to work in his or her profession for such time as is normally allotted**  
48 **with receipt of a license or certificate from the appropriate board or**  
49 **agency for that occupation or profession.**

50 6. This section shall not apply to the practice of law or the regulation of  
51 attorneys.

52 7. The appropriate board or agency shall promulgate rules to implement  
53 the provisions of this section. Any rule or portion of a rule, as that term is  
54 defined in section 536.010, that is created under the authority delegated in this  
55 section shall become effective only if it complies with and is subject to all of the

56 provisions of chapter 536 and, if applicable, section 536.028. This section and  
57 chapter 536 are nonseverable and if any of the powers vested with the general  
58 assembly under chapter 536 to review, to delay the effective date, or to disapprove  
59 and annul a rule are subsequently held unconstitutional, then the grant of  
60 rulemaking authority and any rule proposed or adopted after August 28, 2011,  
61 shall be invalid and void.

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Unofficial

Bill

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