

**FLOOR AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1981  
\_\_\_\_\_ Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
\_\_\_\_\_ Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Mark Lepak \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 FLOOR SUBSTITUTE  
4 FOR

5 HOUSE BILL NO. 1981

6 By: Lepak

7 FLOOR SUBSTITUTE

8 An Act relating to professions and occupations;  
9 creating the Universal State and Military Equivalence  
10 Licensing Recognition Act; providing for issuance of  
11 licenses for certain applicants; defining terms;  
12 providing for qualifications for reciprocity;  
13 providing for construing of act; subjecting licensed  
14 individuals to certain jurisdiction; stating validity  
15 of licensure; prohibiting licensure reciprocity  
16 unless authorized by regulatory entity; providing  
17 exceptions to licensing qualifications; providing for  
18 residency requirements; providing for issuance of  
19 license under certain circumstances; establishing  
20 procedures for review of licenses; providing for  
21 reporting requirements; providing for codification;  
22 and providing an effective date.

23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

24 SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 4150 of Title 59, unless there  
is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Universal State  
and Military Equivalence Licensing Recognition Act".

1           SECTION 2.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 4150.1 of Title 59, unless there  
3 is created a duplication in numbering, reads as follows:

4           A. There is hereby created professional and occupational  
5 licensing recognition for the issuance of licenses and certification  
6 for applicants moving to and residing in Oklahoma. Unless otherwise  
7 provided by law, this act shall not apply to any laws authorizing  
8 reciprocity including interstate compacts, state-to-state reciprocal  
9 agreements and other state-to-state equivalency provisions  
10 pertaining to licensees and certificate holders and applicants from  
11 other states. For purposes of this act, "Oklahoma regulatory  
12 entity" means any administrative body or official with authority  
13 over any occupational or professional license or certification in  
14 this state, and "scope of work" means the procedures, actions,  
15 processes and work that a person may perform under a government-  
16 issued license, registration or certification.

17           B. A person moving to and residing in Oklahoma may make  
18 application for licensing or certification pursuant to the Universal  
19 State and Military Equivalence Licensing Recognition Act separate  
20 from, apart from, and in addition to any interstate compact or  
21 state-to-state reciprocity or equivalency agreements as determined  
22 by the Oklahoma regulatory entity. When an applicant holding an  
23 out-of-state license or certification seeks a license or  
24 certification for an occupation with a similar scope of work as

1 determined by the Oklahoma regulatory entity pursuant to this act  
2 and such applicant establishes verifiable proof of physical  
3 residency in this state or is married to and accompanying an active  
4 duty member of the Armed Forces of the United States to an official  
5 permanent change of station to a military installation located in  
6 this state and such spouse is not making application pursuant to the  
7 Military Service Occupation, Education and Credentialing Act, all of  
8 the following shall apply:

9       1. The out-of-state applicant is a person who is currently  
10 licensed or certified by another state to work in an occupation with  
11 a similar scope of work through satisfying licensure or  
12 certification standards of examination, minimum education  
13 requirements and, if applicable, professional work experience,  
14 education, training and clinical supervision requirements and the  
15 other state verifies that the person met these requirements in order  
16 to be licensed or certified in that state, and the out-of-state  
17 state license or certification is and has been maintained in good  
18 standing in all states in which the person holds a license or  
19 certification for at least one (1) year before making application to  
20 Oklahoma under this act;

21       2. The Oklahoma regulatory entity shall apply all similar and  
22 verifiable professional work experience in the manner most favorable  
23 that facilitates recognition among states for licensing for an  
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1 occupation with a similar scope of work as determined by the  
2 Oklahoma regulatory entity;

3 3. The person demonstrates a successful passage of examination  
4 from another state and, if necessary to protect public health or  
5 safety, passes an examination on any laws unique or specific to the  
6 occupational work in this state as determined by the Oklahoma  
7 regulatory entity;

8 4. The person pays all applicable fees, not exceeding the cost  
9 of current in-state licensure fees;

10 5. The person making application demonstrates verifiable proof  
11 that the applicant has not had and is free of any pending complaint,  
12 investigation, suspension, revocation, voluntary surrender pending  
13 investigation or resolution of complaint, or discipline imposed by  
14 any other regulatory entity or jurisdiction for unprofessional  
15 conduct involving the applicant's out-of-state work or any other  
16 state license or certification directly related to the application  
17 as determined by the Oklahoma regulatory entity;

18 6. If another jurisdiction has taken disciplinary action  
19 against the person, the originating regulatory entity or  
20 jurisdiction is to determine if the cause for the action was  
21 corrected and the matter resolved, with the information made  
22 accessible and reported to Oklahoma. If the matter has not been  
23 resolved by that jurisdiction, the Oklahoma regulatory entity will  
24 hold an application until the matter is resolved but not longer than

1 one (1) year from the time of application, at which time the  
2 Oklahoma regulatory entity shall deny the application unless  
3 notified of extraordinary circumstances warranting a one-time six-  
4 month extension before the application is to be approved or denied;

5 7. Upon licensure or certification pursuant to this act, the  
6 licensee or certificate holder shall report to the Oklahoma  
7 regulatory entity any final determination on disciplinary actions,  
8 resignations pending discipline, suspensions or revocations imposed  
9 by the originating jurisdiction within thirty (30) days; and

10 8. If state law other than this act requires a review of  
11 disqualifying criminal history records for a certain license or  
12 certification, the person shall demonstrate verifiable proof  
13 pursuant to the laws of Oklahoma that there is no disqualifying  
14 criminal history, pursuant to the criminal justice reform provisions  
15 limiting criminal history prohibitions in Section 4000.1 of Title 59  
16 of the Oklahoma Statutes, and as determined by the Oklahoma  
17 regulatory entity.

18 C. Nothing in this act shall be construed to prohibit a person  
19 from applying for a statewide professional or occupational license  
20 or certification under another statute or rule in Oklahoma.

21 D. A person who is licensed pursuant to this act is subject to  
22 the laws regulating the person's work and license or certification  
23 in Oklahoma and is subject to the Oklahoma regulatory entity's  
24 jurisdiction.

1 E. A statewide professional or occupational license or  
2 certificate issued pursuant to this act is valid only in Oklahoma.  
3 It shall not make the person obtaining licensure or certification  
4 pursuant to this act eligible to work in another state under an  
5 interstate compact or state-to-state reciprocity agreement.

6 F. This act shall not apply to:

- 7 1. Requirements for a criminal history background check; and
- 8 2. Criteria for a license, permit or certificate of eligibility  
9 that is established by an interstate compact or state-to-state  
10 reciprocal agreement.

11 G. For purposes of this act, residency may be established by  
12 demonstrating verifiable proof of a state-issued identification card  
13 and one of the following if the document contains the name and  
14 physical address of the person making application:

- 15 1. Current Oklahoma residential utility bill;
- 16 2. Documentation of filing a tax return with the Oklahoma Tax  
17 Commission as a resident of Oklahoma;
- 18 3. Documentation of current ownership, or current lease for a  
19 term of at least twelve (12) months, of a primary place of residence  
20 in Oklahoma;
- 21 4. Documentation of current in-state employment or notarized  
22 letter of promise of employment of the applicant or his or her  
23 spouse; or

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1           5. Any other verifiable documentation demonstrating Oklahoma  
2 residency as determined by the Oklahoma regulatory entity.

3           H. When an applicant for a license has satisfied the  
4 requirements for a license pursuant to this section, the Oklahoma  
5 regulatory entity shall issue an appropriate license or  
6 certification within thirty (30) days.

7           I. This act shall be applied in a manner that increases  
8 recognition of licensure and certification among states without any  
9 right of an applicant to become licensed or certified in Oklahoma.

10          J. For purposes of this act, an out-of-state license includes a  
11 military occupational specialty obtained by an individual in any  
12 branch of the United States Armed Forces.

13          K. If the occupational license or certification in this state  
14 requires an apprenticeship or other similar supervisory requirement  
15 of three (3) years or more, or three thousand (3,000) hours or more,  
16 the Oklahoma regulatory entity may require the applicant to complete  
17 an apprenticeship or certification of up to one (1) year or one  
18 thousand (1,000) hours in this state before issuing an occupational  
19 license or certification.

20          SECTION 3.        NEW LAW        A new section of law to be codified  
21 in the Oklahoma Statutes as Section 4150.2 of Title 59, unless there  
22 is created a duplication in numbering, reads as follows:

23           All state occupational and professional licenses shall be  
24 reviewed not less than once every four (4) years pursuant to the



1 provisions of the Occupational Licensing Review Act to determine if  
2 the license is necessary and, if necessary, use the least  
3 restrictive regulation to protect consumers from present,  
4 significant and substantiated harms that threaten public health and  
5 safety. The Occupational Licensing Advisory Commission shall review  
6 said licenses and ask the following questions:

7 1. Is there a compelling public interest that needs to be  
8 protected;

9 2. Are the least restrictive means that would sufficiently  
10 protect the public interest being used;

11 3. If occupational or professional licensing is used, does the  
12 regulatory entity in charge of such licensure have a controlling  
13 number of regulatory entity members as market participants; and

14 4. Is there active supervision of the regulatory entity's  
15 actions by the state.

16 SECTION 4. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 4150.3 of Title 59, unless there  
18 is created a duplication in numbering, reads as follows:

19 A. Oklahoma regulatory entities shall report to the Oklahoma  
20 Department of Labor the following data regarding applications for  
21 licensure or certification under the Universal State and Military  
22 Equivalency Licensing Recognition Act:

23 1. The number of applicants for a license;

24 2. The number of licenses issued;

1           3. The number of licenses denied pending completion of state  
2 licensing requirements;

3           4. The incomplete licensing requirements resulting in the  
4 denial;

5           5. The length of time between each applicant's submission of an  
6 application and the regulatory entity's decision to issue or deny a  
7 license pending completion of licensing requirements;

8           6. Whether a license was granted to the applicant upon  
9 completion of requirements enumerated under applicable regulations  
10 or statutes; and

11           7. Other data the Department deems relevant.

12           B. On or before September 1, 2022, the Oklahoma Department of  
13 Labor shall compile and publish annually a report of the data in  
14 paragraphs 1 through 5 of subsection A of this section on a  
15 searchable public website.

16           C. Beginning September 1, 2022, the Occupational Licensing  
17 Advisory Commission shall annually review the report issued under  
18 this section and evaluate the effectiveness and sufficiency of the  
19 Universal State and Military Equivalence Licensing Recognition Act  
20 to ensure that qualified applicants for licensure promptly obtain  
21 licenses and report the Commission's findings and any  
22 recommendations regarding the act.

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1 SECTION 5. This act shall become effective November 1, 2021.

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