

2024 Regular Session

SENATE BILL NO. 60

BY SENATOR PRESSLY

FEES/LICENSES/PERMITS. Provides relative to occupational licenses. (8/1/24)

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AN ACT

To enact Chapter 1-E of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:51 through 59, relative to universal occupational license recognition; to provide for definitions; to provide for conditions for application; to provide for occupational licensing requirements; to require proof of residency; to provide for jurisprudential examination; to provide for board decisions on applications; to provide for appeals of a board decision on applications; to provide for state law and jurisdiction; to provide for exemptions; to provide for limitations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 1-E of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:51 through 59, is hereby enacted to read as follows:

CHAPTER 1-E. WELCOME HOME ACT

§51. Definitions

The words defined in this Section have the meanings given to them for purposes of this Chapter unless the context clearly requires otherwise.

(1) "Board" means any state executive branch board, commission,

1 department, or other agency that regulates the entry of persons into a particular
2 profession or occupation or that is authorized to issue or revoke occupational
3 licenses or certifications.

4 (2) "Occupational license" means a nontransferable authorization issued
5 by a state to an individual to legally practice or engage in a regulated profession
6 or occupation.

7 (3) "Other state" or "another state" means any United States territory
8 or state in the United States other than this state.

9 (4) "Scope of practice" means the procedures, actions, processes, and
10 work that a person may perform pursuant to an occupational license or
11 certification issued in this state.

12 §52. Occupational license or certification

13 A. Notwithstanding any other law, a board shall issue an occupational
14 license or certification to a person upon application, if all the following apply:

15 (1) The applicant holds a current and valid occupational license or
16 certification in another state in a lawful occupation with a similar scope of
17 practice, as determined by the board in this state.

18 (2) The applicant has held the occupational license or certification in the
19 other state for at least one year.

20 (3) The other state required the applicant to pass an examination, or to
21 meet education, training, or experience standards.

22 (4) The other state holds the applicant in good standing.

23 (5) The applicant does not have a disqualifying criminal record as
24 determined by the board in this state under state law.

25 (6) The applicant does not have a disciplinary action or investigation
26 pending in another state. If the applicant has a disciplinary action or
27 investigation pending, the board in this state shall not issue or deny an
28 occupational license or certification to the person until the disciplinary action
29 or investigation is resolved or the person otherwise meets the criteria for an

1 occupational license or certification in this state to the satisfaction of the board
2 in this state.

3 (7) The applicant pays all applicable fees in this state.

4 (8) The applicant lives in this state and provides proof of residency as
5 outlined in R.S. 37:53.

6 B. If another state issued the applicant a certification, but this state
7 requires an occupational license to work, the board in this state shall issue an
8 occupational license to the applicant if the applicant otherwise satisfies
9 Subsection A of this Section.

10 §53. Residency

11 For purposes of this Chapter, residency may be established by producing
12 proof of one of the following:

13 (1) A current state-issued identification card.

14 (2) A state-issued voter registration card.

15 (3) Documentation of current in-state employment or notarized letter of
16 promise of employment of the applicant or his spouse. If an applicant uses this
17 method to obtain licensure, a board shall require another form of proof of
18 residency listed in this Section, six months after licensure is granted.

19 (4) A current homestead exemption for this state.

20 §54. State law examination

21 A board may require an applicant to pass a jurisprudential examination
22 specific to relevant state laws that regulate the occupation if an occupational
23 license or certification in this state requires an applicant to pass a
24 jurisprudential examination specific to relevant state statutes and
25 administrative rules that regulate the occupation or certification.

26 §55. Decision

27 A board shall provide an applicant with a written decision regarding his
28 application within sixty days after receiving a completed application.

29 §56. Appeal

1 **A. An applicant may appeal a board's decision to a court of general**
2 **jurisdiction.**

3 **B. An applicant may appeal any of the following:**

4 **(1) The board's denial of an occupational license or certification.**

5 **(2) The board's determination of the occupation or certification.**

6 **(3) The board's determination of the similarity of the scope of practice**
7 **of the occupational license or certification issued.**

8 **§57. State laws and jurisdiction**

9 **A person who obtains an occupational license or certification pursuant**
10 **to this Chapter is subject to the laws regulating the occupation in this state and**
11 **the jurisdiction of the board in this state.**

12 **§58. Exceptions**

13 **This Chapter does not apply to an occupation regulated by the state**
14 **supreme court.**

15 **§59. Limitations**

16 **A. Nothing in this Chapter shall be construed to prohibit a person from**
17 **applying for an occupational license or certification under another statute or**
18 **rule in state law.**

19 **B. An occupational license or certification issued pursuant to this**
20 **Chapter is valid only in this state. It does not make the person eligible to work**
21 **in another state under an interstate compact or reciprocity agreement unless**
22 **otherwise provided by law.**

23 **C. Nothing in this Chapter shall be construed to prevent the state from**
24 **entering into a licensing compact, professional national mobility agreement, or**
25 **reciprocity agreement with another state, foreign province, foreign country,**
26 **international organization, or other entity.**

27 **D. Nothing in this Chapter shall be construed to prevent the state from**
28 **recognizing occupational credentials issued by a private certification**
29 **organization, foreign province, foreign country, international organization, or**

- 1 **other entity.**
- 2 **E. Nothing in this Chapter shall be construed to require a private**
- 3 **certification organization to grant or deny private certification to any**
- 4 **individual.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Xavier I. Alexander.

DIGEST

SB 60 Engrossed

2024 Regular Session

Pressly

Proposed law provides definitions for "board", "occupational license", "other state" or "another state", and "scope of practice".

Proposed law provides that notwithstanding any other law, a board shall issue an occupational license or certification to a person upon application, if all the following apply:

- (1) The applicant holds a current and valid occupational license or certification in another state in a lawful occupation with a similar scope of practice, as determined by the board in this state.
- (2) The applicant has held the occupational license or certification in the other state for at least one year.
- (3) The other state required the applicant to pass an examination, or to meet education, training, or experience standards.
- (4) The other state holds the applicant in good standing.
- (5) The applicant does not have a disqualifying criminal record as determined by the board in this state under state law.
- (6) The applicant does not have a disciplinary action or investigation pending in another state. If the applicant has a disciplinary action or investigation pending, the board in this state shall not issue or deny an occupational license or certification to the person until the disciplinary action or investigation is resolved or the person otherwise meets the criteria for an occupational license or certification in this state to the satisfaction of the board in this state.
- (7) The applicant pays all applicable fees in this state.
- (8) The applicant lives in this state and provides proof of residency.

Proposed law provides that if another state issued the applicant a certification, but this state requires an occupational license to work, the board in this state shall issue an occupational license to the applicant if the applicant otherwise satisfies proposed law.

Proposed law provides for the methods for which an applicant can prove residency in this state.

Proposed law provides that a board may require an applicant to pass a jurisprudential examination specific to relevant state laws that regulate the occupation.

Proposed law provides that a board shall provide an applicant with a written decision

regarding his application within 60 days after receiving a completed application.

Proposed law provides that an applicant may appeal a board's decision to a court of general jurisdiction. An applicant may appeal any of the following:

- (1) The board's denial of an occupational license or certification.
- (2) The board's determination of the occupation or certification.
- (3) The board's determination of the similarity of the scope of practice of the occupational license or certification issued.

Proposed law provides that a person who obtains an occupational license or certification pursuant to proposed law is subject to the laws regulating the occupation in this state and the jurisdiction of the board in this state.

Proposed law does not apply to an occupation regulated by the state supreme court.

Proposed law provides that nothing in proposed law shall be construed to prohibit a person from applying for an occupational license or certification under another statute or rule in state law.

Proposed law provides that an occupational license or certification issued pursuant proposed law is valid only in this state. It does not make the person eligible to work in another state under an interstate compact or reciprocity agreement unless otherwise provided in law.

Proposed law provides that nothing in proposed law shall be construed to prevent this state from entering into a licensing compact, professional national mobility agreement, or reciprocity agreement with another state, foreign province, foreign country, international organization, or other entity.

Proposed law provides that nothing in proposed law shall be construed to prevent this state from recognizing occupational credentials issued by a private certification organization, foreign province, foreign country, international organization, or other entity.

Proposed law provides that nothing in proposed law shall be construed to require a private certification organization to grant or deny private certification to any individual.

Effective August 1, 2024.

(Adds R.S. 37:51-59)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Changes the title of the Chapter to the Welcome Home Act.
2. Removes the following terms and definitions "lawful occupation", "military", "person" and "professional or occupations licensing".
3. Defines the term "board".
4. Requires an applicant to prove residency in this state and provides for proofing residency.

5. Provides for universal recognition of occupational certifications.
6. Removes the work experience requirement to obtain an occupational license.
7. Removes preemption provision in proposed law of local laws regulating occupational licenses.
8. Change the period for an applicant to receive a written decision regarding the application from 45 to 60 days.
9. Changes the effective date from governor's signature to August 1, 2024.
10. Makes technical changes.