

2020 Regular Session

HOUSE BILL NO. 422

BY REPRESENTATIVE EMERSON

LICENSING: Provides relative to apprenticeships

1 AN ACT

2 To enact Chapter 61 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 37:3721 through 3723, relative to occupational licensing; to provide
4 definitions; to provide for mandatory licensing; to provide for criteria; to provide for
5 examinations; to provide for fees; to provide for rulemaking; to provide for an
6 effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Chapter 61 of Title 37 of the Louisiana Revised Statutes of 1950,
9 comprised of R.S. 37:3721 through 3723, is hereby enacted to read as follows:

10 CHAPTER 61. APPRENTICESHIPS

11 §3721. Short title

12 This Act shall be known and may be cited as the "Earn and Learn Act of
13 2020".

14 §3722. Definitions

15 As used in this Chapter:

16 (1) "Apprenticeship" means a program that meets the federal guidelines set
17 out in 29 CFR Part 29, including industry programs.

18 (2) "Licensing" means any required training, education, or fee to work in a
19 specific profession.

1 (3) "Licensing authority" means an agency, examining board, credentialing
2 board, or other office with the authority to impose occupational fees or licensing
3 requirements on any profession.

4 §3723. Treatment of apprenticeships for licensing purposes

5 A. A licensing authority may grant a license to any applicant who meets all
6 of the following criteria:

7 (1) Has completed an apprenticeship in the licensed occupation or
8 profession.

9 (2) Has passed an examination, if one is deemed to be necessary, by the
10 licensing authority.

11 (3) Has paid any fees deemed necessary by the licensing authority.

12 B. Licensing authorities may establish a passing score for their examinations
13 which shall not exceed the passing score that is required under the standard licensing
14 processes. If the relevant licensing authority or statute does not require an
15 examination for the standard licensing process for an occupation, no examination can
16 be required for applicants who complete an apprenticeship in that occupation.

17 C. Licensing authorities may establish a licensing fee, which shall not exceed
18 the licensing fee that is required under the standard licensing processes. If the
19 relevant licensing authority or state does not require a fee for the standard licensing
20 process for an occupation, no fee can be required for applicants who complete an
21 apprenticeship in that occupation.

22 D. Except as otherwise required by federal law, apprenticeships for an
23 occupation shall not be required to exceed the number of hours required by the
24 relevant licensing authority or statute for that occupation.

25 E. Licensing authorities may adopt necessary rules for the implementation
26 of this Chapter.

27 Section 2. This Act shall become effective on January 1, 2021.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 422 Engrossed

2020 Regular Session

Emerson

Abstract: Allows licensing authorities to issue licenses to applicants who meet certain requirements, including the completion of an apprenticeship.

Proposed law defines "licensing", "licensing authority", and "apprenticeship".

Proposed law allows licensing authorities to issue a license to any applicant who meets all of the following criteria:

- (1) Has completed an apprenticeship.
- (2) Has passed an examination, if one is deemed necessary.
- (3) Has paid any fees deemed necessary.

Proposed law allows licensing authorities to establish a passing score for examinations, and the score cannot be more than the score required under the standard licensing processes.

If a licensing authority chooses to offer a license through an apprenticeship program, proposed law prevents the licensing authorities from requiring those applicants who complete an apprenticeship to pay any fees or take any examinations that other applicants are not required to comply with..

If a licensing authority chooses to offer a license through an apprenticeship program, proposed law prevents the licensing authorities from requiring applicants who complete an apprenticeship to complete more hours than other applicants, except as provided for in present law.

Proposed law allows the licensing authority to adopt rules for implementation.

Effective Jan. 1, 2021.

(Adds R.S. 37:3721-3723)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Remove mandates on the licensing authorities and make compliance with the proposed apprenticeship program optional.
2. Make technical changes.