

2024 Regular Session

SENATE BILL NO. 60

BY SENATOR PRESSLY

FEES/LICENSES/PERMITS. Provides relative to occupational licenses. (gov sig)

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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 58, relative to occupational licenses; to provide for licensure; to provide for certain criteria; to provide for an appeals process; to provide for a rulemaking process; to provide for exceptions; to provide for definitions; 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 58, is hereby enacted to read as follows:

CHAPTER 1-E. PROFESSIONAL OR OCCUPATIONAL LICENSING

§51. Definitions

As used in this Chapter, the following terms shall have the following meaning:

(1) "Lawful occupation" means a course of conduct, pursuit, or profession that includes the sale of goods or services that are not illegal to sell regardless of whether the individual selling the goods or services is subject to an occupational license.

1 **(2) "Military" means the United States Armed Forces, including the Air**
2 **Force, Army, Coast Guard, Marine Corps, Navy, Space Force, National Guard,**
3 **and all reserve components and auxiliaries. "Military" shall also include the**
4 **military reserves and militia of any United States territory or state.**

5 **(3) "Occupational license" is a nontransferable authorization in law for**
6 **an individual to perform exclusively a lawful occupation based on meeting**
7 **personal qualifications, including a military occupational specialty. In an**
8 **occupation for which a license is required, it is illegal for an individual who does**
9 **not possess a valid occupational license to perform the occupation.**

10 **(4) "Other state" or "another state" means any United States territory**
11 **or state in the United States other than this state. It also means any branch or**
12 **unit of the military.**

13 **(5) "Person" means a natural person who is a legal resident of the state.**
14 **For the purposes of this Chapter, proof of residency shall be indicated by either**
15 **a valid Louisiana voter registration card, a valid Louisiana driver's license or**
16 **identification card, documentation of current in-state employment, or a**
17 **notarized letter of promise of employment of the applicant or his spouse.**

18 **(6) "Professional or occupational licensing board" means any state**
19 **agency, board, commission, department, or substantially similar entity involved**
20 **in the licensing, certification, or registration of any regulated profession or**
21 **occupation within this state.**

22 **(7) "Scope of practice" means the procedures, actions, processes, and**
23 **work that a person may perform under an occupational license issued in this**
24 **state.**

25 **§52. Licensure by another state; recognition**

26 **Notwithstanding any other provision of law, the board shall issue an**
27 **occupational license to a person upon application, if all of the following apply:**

28 **(1) The person holds a current and valid occupational license in another**
29 **state for a lawful occupation with a similar scope of practice, as determined by**

1 the professional or occupational licensing board in this state.

2 (2) The person has held the occupational license in the other state for at
3 least one year.

4 (3) The person was required by the other state to pass an examination or
5 to meet education, training, or experience standards.

6 (4) The board in the other state holds the person in good standing.

7 (5) The person does not have a disqualifying criminal record under the
8 laws of this state as determined by the professional or occupational licensing
9 board.

10 (6) No board in another state has revoked the person's occupational
11 license because of negligence or intentional misconduct related to the person's
12 work in the occupation.

13 (7) The person did not surrender his occupational license because of
14 negligence or intentional misconduct related to his work in the occupation in
15 another state.

16 (8) The person does not have a complaint, allegation, or investigation
17 pending before a board in another state that relates to unprofessional conduct
18 or an alleged crime. The professional or occupational licensing board may
19 require, when applicable, the applicant to furnish a signed affidavit or notarized
20 letter from the other state board or certifying agency of the relevant jurisdiction
21 confirming the applicant is in good standing.

22 (9) The person pays all applicable fees in this state, including any board
23 required background checks.

24 §53. Licensure based on work experience

25 Notwithstanding any other provision of law, the professional or
26 occupational licensing board shall issue an occupational license to a person
27 based on work experience in another state, if all of the following apply:

28 (1) The person worked in another state that does not use an occupational
29 license to regulate a lawful occupation, but this state requires the issuance of an

1 occupational license to engage in a lawful occupation with a similar scope of
2 practice, as determined by the professional or occupational licensing board.

3 (2) The person worked for at least three years in the lawful occupation.

4 (3) The person meets all the criteria provided in R.S. 37:52.

5 §54. State examination

6 Notwithstanding any other provision of law to the contrary, a
7 professional or occupational licensing board may require a person to pass a
8 jurisprudential examination specific to relevant state laws that regulate the
9 occupation if an occupational license in this state requires a person to pass a
10 jurisprudential examination specific to relevant state statutes and
11 administrative rules that regulate the occupation.

12 §55. State laws and jurisdiction; exceptions

13 A. Any person who obtains an occupational license pursuant to this
14 Chapter is subject to the laws regulating the occupation in this state and the
15 jurisdiction of the professional or occupational licensing board that issued the
16 occupational license.

17 B. This Chapter shall not apply to an occupation regulated by the
18 Louisiana Supreme Court.

19 §56. Limitations

20 A. Nothing in this Chapter shall prohibit a person from applying for an
21 occupational license under another statute or rule in state law.

22 B. An occupational license issued pursuant to this Chapter is valid only
23 in this state and possession of an occupational license shall not make the person
24 eligible to work in another state under an interstate compact or reciprocity
25 agreement unless otherwise provided by law.

26 C. Nothing in this Chapter shall prevent the state from entering into a
27 licensing compact or reciprocity agreement with another state, foreign province,
28 foreign country, international organization, or other entity.

29 D. Nothing in this Chapter shall prevent the state from recognizing

- (4) The board in the other state holds the person in good standing.
- (5) The person does not have a disqualifying criminal record as determined by the board under state law.
- (6) No board in another state has revoked the person's occupational license because of negligence or intentional misconduct related to the person's work in the occupation.
- (7) The person did not surrender his occupational license because of negligence or intentional misconduct related to his work in the occupation in another state.
- (8) The person does not have a complaint, allegation, or investigation pending before a board in another state which relates to unprofessional conduct or an alleged crime. The professional or occupational licensing board may require, when applicable, the applicant to furnish a signed affidavit or notarized letter from the other state board or certifying agency of the relevant jurisdiction confirming the applicant is in good standing.
- (9) The person pays all applicable fees in this state, including any board required background checks.

Proposed law provides that the board shall issue an occupational license to a person based on work experience in another state if all of the following apply:

- (1) The person worked in a state that does not use an occupational license to regulate a lawful occupation, but this state uses an occupational license to regulate a lawful occupation with a similar scope of practice, as determined by the board.
- (2) The person worked for at least three years in the lawful occupation.
- (3) The person satisfies all requirements under proposed law.

Proposed law provides that the board may require a person to pass an examination specific to the occupation if the license issued in this state requires an examination.

Proposed law provides that a person who obtains an occupational license is subject to all laws regulating the occupation and jurisdiction of this state.

Proposed law provides for exceptions.

Proposed law provides for the following:

- (1) Nothing in proposed law shall prohibit a person from applying for an occupational license under another statute or rule in state law.
- (2) An occupational license issued pursuant to proposed law is valid only in Louisiana. It does not make the person eligible to work in another state under an interstate compact or reciprocity agreement unless otherwise provided in law.
- (3) Nothing in proposed law shall prevent Louisiana from entering into a licensing compact or reciprocity agreement with another state, foreign province, foreign country, international organization, or other entity.
- (4) Nothing in proposed law shall prevent Louisiana from recognizing occupational credentials issued by a private certification organization, foreign province, foreign country, international organization, or other entity.
- (5) Nothing in proposed law shall require a private certification organization to grant or

deny private certification to any individual.

Proposed law provides that the board will provide the person with a written decision regarding the application within 45 days of receiving a completed application.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 37:51-58)