

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO. [BILL NUMBER]

Universal occupational licensure.

Sponsored by: Joint Corporations, Elections & Political  
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to professions and occupations; amending  
2 professional licensing requirements for military spouses;  
3 providing for the issuance of professional and occupational  
4 licenses to qualified applicants from other states;  
5 requiring rulemaking; and providing for effective dates.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

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**STAFF COMMENT**

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**This draft is an alternate version to the official draft  
13 21LSO-0135 working draft 0.3. This alternate draft was  
14 prepared to more fully incorporate recommended changes  
15 specifically with respect to the licensure of military  
16 spouses.**

1  
2 Working draft 0.3 repealed language from the military  
3 spouse statute in W.S. 33-1-117, placed that language in  
4 the newly created 33-1-120, and applied the language  
5 universally. The changes requested to the draft, in  
6 particular with respect to the military spouses, are not  
7 entirely compatible structurally with how working draft 0.3  
8 was drafted.

9  
10 This alternate draft primarily differs from working draft  
11 0.3 in the following respects:

- 12
- 13 • Removes the section repealing portions of W.S. 33-1-  
14 117 and the conforming amendments.
  - 15 • Deletes the last sentence of 33-1-120(b)(ii)  
16 prohibiting an examination to determine competency.
  - 17 • Amends W.S. 33-1-117(b)(i) by removing the requirement  
18 that another state's licensure requirements be  
19 substantially equivalent to Wyoming's.
  - 20 • Amends W.S. 33-1-117(e) to extend the temporary  
21 license from 120 days to 3 years and prohibit charging  
22 fees for a temporary license.
  - 23 • Amends W.S. 33-1-117 by creating a new paragraph (g)  
24 requiring the licensing board to immediately commence  
25 the process of issuing a license or temporary permit  
26 upon receipt of an application by a military spouse  
27 along with proof that the applicant is a military  
28 spouse.
  - 29 • Does not otherwise amend W.S. 33-1-117(b) to be  
30 consistent with 33-1-120(b). I have included W.S. 33-  
31 1-117(b) in the next staff comment for consideration.
  - 32 • Does not amend W.S. 33-1-117(d) to be consistent with  
33 W.S. 33-1-120(d). For example the exempt licensing  
34 boards includes non-prescriptive authority professions  
35 within the licensing board with prescriptive authority  
36 for military spouses, but removes them for universal  
37 licensure. (ie a nurse could apply for a full license  
38 under W.S. 33-1-120 but not a under 33-1-117.) Should  
39 the Committee decided to make them consistent, it  
40 might consider existing language in W.S. 33-1-116(d)  
41 below:

42  
43 33-1-116. Professional and occupational licensure of  
44 military service members.

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(d) This section shall not apply to title 33, chapter 5 regarding attorneys-at-law or to any profession having authority to prescribe drugs that can only be obtained legally by prescription.

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\*\*\*\*\*

10           **Section 1.** W.S. 33-1-120 is created to read:

11

12           **33-1-120. Professional and occupational licensure for**  
13 **qualified individuals licensed in other jurisdictions.**

14

15           (a) As used in this section:

16

17                   (i) "Active" means a status of occupational or  
18 professional licensure which has not been suspended,  
19 revoked or terminated and which is not otherwise inactive;

20

21                   (ii) "Applicant" means a natural person seeking  
22 licensure from a professional or occupational licensing  
23 board of this state;

24

25                   (iii) "Good standing" means a status of  
26 occupational or professional licensure which is in

1 compliance with all requirements imposed by the issuing  
2 licensing, certification or registration authority;

3

4 (iv) "License" means any license, certificate or  
5 registration required to practice an occupation or  
6 profession.

7

8 (b) A professional or occupational licensing board  
9 shall issue a license to an applicant to allow the  
10 applicant to lawfully practice a profession or occupation  
11 requiring licensure in this state if the Wyoming licensing  
12 board determines that the applicant:

13

14 (i) Holds a relevant, active occupational or  
15 professional license in good standing from another state  
16 that mandates substantially equivalent or more stringent  
17 educational, training, examination and experience  
18 requirements for licensure than the licensing entity in  
19 this state. Substantial equivalency shall be determined  
20 pursuant to rules adopted by the licensing board in Wyoming  
21 provided that:

22

1           (A) The educational equivalency shall be  
2 determined by whether the degree required is a doctorate,  
3 master, bachelor, associate or other degree;

4

5           (B) If the Wyoming licensing board requires  
6 an examination for licensure, the substantially equivalent  
7 examination requirement may be met by passing the same or  
8 an earlier version of the exam. The Wyoming licensing  
9 board shall waive this requirement if the individual has  
10 been licensed for more than ten (10) years;

11

12           (C) In evaluating any work experience  
13 requirements the provisions of subsection (c) of this  
14 section shall apply;

15

16           (D) In addition to any exam required under  
17 subparagraph (B) of this paragraph the Wyoming licensing  
18 board may require an examination relating to the specifics  
19 of Wyoming law and regulations regardless of the length of  
20 time the individual has been licensed.

21

22           (ii) Demonstrates competency in the occupation  
23 or profession for which the applicant seeks licensure.

1 Competency shall be determined pursuant to rules that shall  
2 be adopted for that purpose and may include consideration  
3 of continuing education credits, recent work experience,  
4 prior licensing examinations, disciplinary actions taken  
5 against the applicant in other states and other appropriate  
6 factors;

7

8 (iii) Has not engaged in any act that would  
9 constitute grounds for refusal, suspension or revocation of  
10 the occupational or professional license sought in this  
11 state; and

12

13 (iv) Has completed all required application  
14 procedures and paid any required fee.

15

16 (c) All relevant work experience of an applicant,  
17 including full-time or part-time experience, regardless of  
18 whether in a paid or volunteer capacity, may be credited in  
19 any work experience requirement adopted by an occupational  
20 or professional licensing board.

21

1 (d) This section shall apply to all applications for  
2 licensure under W.S. 21-2-802 or under title 33 of the  
3 Wyoming statutes except for the following:

4

5 (i) An application to be an attorney at law  
6 under chapter 5 of title 33;

7

8 (ii) An application to any board which  
9 represents a profession with prescriptive drug authority,  
10 but only with respect to the profession with the  
11 prescriptive drug authority.

12

13 (e) Nothing in this section shall be held to limit  
14 the rights or privileges of a military service member under  
15 W.S. 33-1-116.

16

17 **Section 2.** W.S. 33-1-117(b)(intro) and (i), (e) and  
18 by creating a new subsection (g) is amended to read:

19

20 **33-1-117. Temporary permits for military spouses.**

21

22 (b) A professional or occupational licensing board  
23 shall issue ~~a~~an expedited license to a military spouse to

1 allow the military spouse to lawfully practice a profession  
2 or occupation requiring licensure in this state if the  
3 military spouse:

4

5 (i) Holds a relevant, active occupational or  
6 professional license in good standing from another state;  
7 ~~which state mandates substantially equivalent or more~~  
8 ~~stringent educational, training, examination and experience~~  
9 ~~requirements for licensure. Substantial equivalency shall~~  
10 ~~be determined pursuant to rules which shall be adopted by~~  
11 ~~the licensing board from which the military spouse~~  
12 ~~applicant seeks licensure;~~

13

14 \*\*\*\*\*  
15 \*\*\*\*\*

16 STAFF COMMENT

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18 • All of W.S. 33-1-117(b) is below for comparison:

19

20 **33-1-117. Professional and occupational licensure of**  
21 **military spouses; temporary permits.**

22

23 (b) A professional or occupational licensing board  
24 shall issue a license to a military spouse to allow the  
25 military spouse to lawfully practice a profession or  
26 occupation requiring licensure in this state if the  
27 military spouse:

28

29 (i) Holds a relevant, active occupational or  
30 professional license in good standing from another state  
31 which state mandates substantially equivalent or more  
32 stringent educational, training, examination and experience



1 requirements for licensure. Substantial equivalency shall  
2 be determined pursuant to rules which shall be adopted by  
3 the licensing board from which the military spouse  
4 applicant seeks licensure;

5  
6 (ii) Demonstrates competency in the occupation  
7 or profession for which the military spouse applicant seeks  
8 licensure. Competency shall be determined pursuant to  
9 rules which shall be adopted for that purpose and may  
10 include consideration of continuing education credits,  
11 recent work experience, disciplinary actions taken against  
12 the applicant in other states and other factors used to  
13 determine the competency of nonmilitary spouse license  
14 applicants;

15  
16 (iii) Has not engaged in any act that would  
17 constitute grounds for refusal, suspension or revocation of  
18 the occupational or professional license sought in this  
19 state; and

20  
21 (iv) Completes all required application  
22 procedures and pays any required fee.

23  
24 • **The rulemaking in subsection (e) below is permissive.**  
25 **The Committee may wish to consider whether or not it**  
26 **should be mandatory.**

27 \*\*\*\*\*  
28 \*\*\*\*\*

29  
30 (e) Pursuant to rules which may be adopted for this  
31 purpose, a professional or occupational licensing board may  
32 issue a temporary practice permit to a military spouse  
33 applicant who meets the requirements of paragraph (b) (i) of  
34 this section and who has applied for a professional or  
35 occupational license under this section. The military  
36 spouse applicant may practice under the temporary permit  
37 for a period not to exceed ~~one hundred twenty (120) days~~

1 three (3) years provided the military spouse is making  
2 progress toward satisfying the unmet licensure  
3 requirements, or until the professional or occupational  
4 license for which they have applied has been either granted  
5 or denied, whichever first occurs. A board shall not charge  
6 a military spouse any fees for a temporary permit under  
7 this subsection.

8  
9 (g) On each licensure application or renewal form, a  
10 professional or occupational licensing board shall inquire  
11 and maintain a record of whether an applicant is a member  
12 of the military or military spouse. If an applicant self-  
13 identifies as and provides the board with satisfactory  
14 proof that the applicant is a military spouse, the board  
15 shall immediately commence the process of issuing a license  
16 or temporary permit.

17  
18 **Section 3.** Professional and occupational licensing  
19 boards shall adopt rules necessary to implement this act.

20  
21 **Section 4.**

22

1           (a) Except as provided in subsection (b) of this  
2 section, this act is effective July 1, 2021.

3

4           (b) Sections 3 and 4 of this act are effective  
5 immediately upon completion of all acts necessary for a  
6 bill to become law as provided by Article 4, Section 8 of  
7 the Wyoming Constitution.

8

9

(END)