

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Universal occupational licensure.

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

A BILL

for

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

7

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

9

10 *****
11 *****

12 STAFF COMMENT

13 At the last Committee meeting LSO was directed to
14 incorporate recommendations that the military may have into
15 this bill. Those recommendations would further amend the

1 bill as follows (additional conforming amendments would
2 need to be made should the Committee adopt this language):

3
4

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

5

6 (e) Pursuant to rules which may be adopted for this
7 purpose, a professional or occupational licensing board may
8 issue a temporary practice permit to a military spouse
9 applicant who meets the requirements of ~~paragraph (b)(i) of~~
10 ~~this section~~ W.S. 33-1-120(b)(i) and who has applied for a
11 professional or occupational license under ~~this section~~
12 W.S. 33-1-120. The military spouse applicant may practice
13 under the temporary permit for a period not to exceed ~~one~~
14 ~~hundred twenty (120) days~~ three (3) years while the
15 military spouse is making progress toward satisfying the
16 unmet licensure requirements, or until the professional or
17 occupational license for which they have applied has been
18 either granted or denied, whichever first occurs. A board
19 may not charge a military spouse any fees for a provisional
20 license or temporary permit under this subsection.

21

22 (g) On each licensure application or renewal form, a
23 professional or occupational licensing board shall inquire
24 and maintain a record of whether an applicant is a member
25 of the military or military spouse. If an applicant self-
26 identifies as and provides the board with satisfactory
27 proof that the applicant is a military spouse, the board
28 shall immediately commence the process of issuing a
29 license, provisional license, or temporary permit.

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31

32

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

34

35 33-1-120. Professional and occupational licensure for
36 qualified individuals licensed in other jurisdictions.

37

1 (a) As used in this section:

2

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

6

7 (ii) "Applicant" means a natural person seeking
8 licensure from a professional or occupational licensing
9 board of this state;

10

11 (iii) "Good standing" means a status of
12 occupational or professional licensure which is in
13 compliance with all requirements imposed by the issuing
14 licensing, certification or registration authority;

15

16 (iv) "License" means any license, certificate or
17 registration required to practice an occupation or
18 profession.

19

20 (b) A professional or occupational licensing board
21 shall issue a license to an applicant to allow the
22 applicant to lawfully practice a profession or occupation

1 requiring licensure in this state if the Wyoming licensing
2 board determines that the applicant:

3

4 (i) Holds a relevant, active occupational or
5 professional license in good standing from another state
6 that mandates substantially equivalent or more stringent
7 educational, training, examination and experience
8 requirements for licensure than the licensing entity in
9 this state. Substantial equivalency shall be determined
10 pursuant to rules adopted by the licensing board in Wyoming
11 provided that:

12

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

16

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

23

1 (C) In evaluating any work experience
2 requirements the provisions of subsection (c) of this
3 section shall apply;

4

5 (D) In addition to any exam required under
6 subparagraph (B) of this paragraph the Wyoming licensing
7 board may require an examination relating to the specifics
8 of Wyoming law and regulations regardless of the length of
9 time the individual has been licensed.

10

11 (ii) Demonstrates competency in the occupation
12 or profession for which the applicant seeks licensure.
13 Competency shall be determined pursuant to rules that shall
14 be adopted for that purpose and may include consideration
15 of continuing education credits, recent work experience,
16 prior licensing examinations, disciplinary actions taken
17 against the applicant in other states and other appropriate
18 factors. Competency shall not be determined by assessment
19 of the applicant's knowledge or skills through a new
20 examination required by the board;

21

22 (iii) Has not engaged in any act that would
23 constitute grounds for refusal, suspension or revocation of

1 the occupational or professional license sought in this
2 state; and

3

4 (iv) Has completed all required application
5 procedures and paid any required fee.

6

7 (c) All relevant work experience of an applicant,
8 including full-time or part-time experience, regardless of
9 whether in a paid or volunteer capacity, may be credited in
10 any work experience requirement adopted by an occupational
11 or professional licensing board.

12

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

16

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

19

20 (ii) An application to any board which
21 represents a profession with prescriptive drug authority,
22 but only with respect to the profession with the
23 prescriptive drug authority.

1

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

5

6 **Section 2.** W.S. 33-1-117(e) is amended to read:

7

8 **33-1-117. Temporary permits for military spouses.**

9

10 (e) Pursuant to rules which may be adopted for this
11 purpose, a professional or occupational licensing board may
12 issue a temporary practice permit to a military spouse
13 applicant who meets the requirements of ~~paragraph (b)(i) of~~
14 ~~this section~~ W.S. 33-1-120(b)(i) and who has applied for a
15 professional or occupational license under ~~this section~~
16 W.S. 33-1-120. The military spouse applicant may practice
17 under the temporary permit for a period not to exceed one
18 hundred twenty (120) days or until the professional or
19 occupational license for which they have applied has been
20 either granted or denied, whichever first occurs.

21

22 **Section 3.** W.S. 33-1-117(a)(i), (iii) and (b) through
23 (d) is repealed.

1

2 **Section 4.** Professional and occupational licensing
3 boards shall adopt rules necessary to implement this act.

4

5 **Section 5.**

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

9

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

14

15 (END)