

FINAL BILL REPORT

HB 1301

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Synopsis as Enacted

Brief Description: Creating license review and reporting requirements.

Sponsors: Representatives McClintock and Cheney.

House Committee on Consumer Protection & Business
Senate Committee on Labor & Commerce

Background:

The Department of Licensing (DOL) regulates a number of businesses and professions. For regulated professions, the DOL issues licenses and ensures compliance with professional standards and laws. Examples of professions regulated directly by the DOL, or in coordination with a board or commission, include:

- architects;
- cosmetologists;
- funeral directors;
- real estate brokers; and
- security guards.

Requirements for a professional license, certificate, registration, or permit vary considerably. Some professions may require:

- college-level coursework;
- experience;
- an examination;
- some type of background check;
- a surety bond, insurance, or other minimum financial standards;
- minimum safety standards;
- continuing education for licensees; or
- duties of care for clients.

Many professions have provisions for some form of reciprocity or consideration of

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experience from other states or military service. In addition, the DOL and other licensing authorities must expedite the issuance of a broad range of professional licenses, certificates, registrations, or permits for qualified military spouses.

Summary:

Beginning in 2024, the DOL must annually review and analyze approximately 10 percent of the professional licenses it regulates. The DOL must complete a review of all professional licenses within 10 years, and every 10 years after that. As part of its review, the DOL may require affected professional boards or commissions to submit information, and prior to commencing its review, the DOL must provide notice to relevant professional boards, commissions, and all licensees not regulated under a board or commission.

By August 31 of each year, the DOL must prepare and submit a report to the Legislature and recommend whether each professional license reviewed should be terminated, continued, or modified. Report requirements include, but are not limited to:

- the title of the regulated occupation and entity responsible for enforcement of the professional license;
- the statutory citation for the professional license and board or commission;
- specified information about the applicable professional board or commission, its membership, and required meetings, if applicable;
- annual budget information for the previous five years;
- information about the number of certifications, licenses, and registrations issued, revoked, denied, or assessed penalties against for the past five years and the reason for such revocations, denials, and other penalties;
- a review of the basic assumptions underlying the creation of the professional license;
- a comparison of whether and how other states regulate the profession;
- a review and analysis of the hours or other amount of education, training, or experience required to obtain the license or credential;
- a summary of any regulatory changes made as a result of the review; and
- recommendations regarding whether the professional license should be terminated, continued, or modified.

The Legislature may request the DOL further analyze whether a profession's licensing regulations meet the state's licensing reform policies and recommend a course of action that is directly related to the need, and consistent with the health, safety, and welfare of the public.

If the DOL recommends a change to professional regulations, the DOL must recommend the least restrictive regulation consistent with the public interest.

Votes on Final Passage:

House 96 0

Senate	46	0	(Senate amended)
House	96	0	(House concurred)

Effective: July 23, 2023