

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1301**

68th Legislature  
2023 Regular Session

Passed by the House April 13, 2023  
Yeas 96 Nays 0

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**Speaker of the House of  
Representatives**

Passed by the Senate April 6, 2023  
Yeas 46 Nays 0

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1301** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**HOUSE BILL 1301**

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AS AMENDED BY THE SENATE

Passed Legislature - 2023 Regular Session

**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Representatives McClintock and Cheney

Read first time 01/13/23. Referred to Committee on Consumer Protection & Business.

1 AN ACT Relating to creating a review process for professional  
2 licensing regulations and requiring a report to the legislature; and  
3 adding a new chapter to Title 18 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that, at times,  
6 additional protection by means of the regulation of a profession  
7 through professional licensure may be deemed necessary to ensure that  
8 the public's health, safety, and general welfare is protected.  
9 Furthermore, technological innovation continues to change the  
10 responsibilities and practices surrounding these professions, and by  
11 result, the potential harms associated with them.

12 (2) It is also recognized that requirements, such as educational  
13 requirements, fees, and training hours, which an individual must  
14 fulfill before receiving a license to practice in a profession, can  
15 create barriers to an individual's upward mobility and freedom to  
16 pursue their profession of choice.

17 (3) It is, therefore, the intent of the legislature to establish  
18 a sunset review process for all professional licensing requirements  
19 regulated by the department of licensing, to ensure that the rights  
20 and well-being of current and future practitioners of the profession  
21 be given full protection from unnecessary regulatory burden and that

1 regulations meant to safeguard public health and safety are still  
2 warranted.

3 NEW SECTION. **Sec. 2.** This chapter may be known and cited as the  
4 professional license review act.

5 NEW SECTION. **Sec. 3.** The definitions in this section apply  
6 throughout this chapter unless the context clearly requires  
7 otherwise.

8 (1) "Department" means the department of licensing.

9 (2) "Director" means the director of licensing.

10 NEW SECTION. **Sec. 4.** (1) Beginning in 2024, the department  
11 shall annually review and analyze approximately 10 percent of the  
12 professional licenses regulated by the department and prepare and  
13 submit an annual report electronically to the chief clerk of the  
14 house of representatives, the secretary of the senate, and each  
15 member of the house of representatives and senate by August 31st of  
16 each year as provided in this section. The department shall complete  
17 this process for all professional licenses within its jurisdiction  
18 within 10 years and every 10 years thereafter. Each report shall  
19 include the department's recommendations regarding whether the  
20 professional licenses should be terminated, continued, or modified.

21 (2) The department may require the submission of information by  
22 the affected professional board or commission and other affected or  
23 interested parties. The department shall provide notice to the  
24 relevant professional board or commission and all licensees, not  
25 regulated under a board or commission, prior to commencing the  
26 review.

27 (3) The department's report shall include, but not be limited to,  
28 the following:

29 (a) The title of the professional license and, if applicable, the  
30 name of the professional board or commission responsible for  
31 enforcement of the professional license, if any;

32 (b) The statutory citation or other authorization for the  
33 creation of the professional license and, if applicable, the  
34 professional board or commission;

35 (c) If applicable, the number of members of the professional  
36 board or commission and how the members are appointed;

1 (d) If applicable, the qualifications for membership on the  
2 professional board or commission;

3 (e) If applicable, the number of times the professional board or  
4 commission is required to meet during the year and the number of  
5 times it actually met during the preceding five calendar years;

6 (f) Annual budget information for the five most recently  
7 completed fiscal years;

8 (g) For the immediately preceding five calendar years, or for the  
9 period of time less than five years for which the information is  
10 practically available, the number of government certifications,  
11 professional licenses, and registrations the department, professional  
12 board, or commission has issued, revoked, denied, or assessed  
13 penalties against, listed anonymously and separately per type of  
14 credential, and the reasons for such revocations, denials, and other  
15 penalties;

16 (h) A review of the basic assumptions underlying the creation of  
17 the professional license;

18 (i) A comparison of whether and how other states regulate the  
19 profession;

20 (j) A review and analysis of the hours or other amount of  
21 education, training, or experience required to obtain the license or  
22 credential;

23 (k) A summary of any regulatory changes made by the department,  
24 professional board, or commission as a result of the review; and

25 (l) Any recommendations regarding whether the professional  
26 license should be terminated, continued, or modified.

27 (4) After the report in subsection (3) of this section is  
28 submitted, if the relevant legislative committee determines further  
29 analysis is needed it may request the department to conduct further  
30 analysis. Specifically, the extended report shall include:

31 (a) Whether the professional license meets the policies stated  
32 and the following recommended courses of action for meeting such  
33 policies:

34 (i) If the need is to protect consumers against fraud, the  
35 recommended course of action should be to strengthen powers under  
36 chapter 19.86 RCW, or require disclosures that will reduce misleading  
37 attributes of the specific goods or services;

38 (ii) If the need is to protect consumers against unclean  
39 facilities or to promote general health and safety, the recommended

1 course of action should be to require periodic inspections of such  
2 facilities;

3 (iii) If the need is to protect consumers against potential  
4 damages from failure by providers to complete a contract fully or up  
5 to standards, the recommended course of action should be to require  
6 that providers be bonded;

7 (iv) If the need is to protect a person who is not a party to a  
8 contract between the provider and consumer, the recommended course of  
9 action should be to require that the provider have insurance;

10 (v) If the need is to protect consumers against potential damages  
11 by transient providers, the recommended course of action should be to  
12 require that providers register their businesses with the state;

13 (vi) If the need is to protect consumers against a shortfall or  
14 imbalance of knowledge about the goods or services relative to the  
15 providers' knowledge, the recommended course of action should be to  
16 enact government certification; and

17 (vii) If the need is to address a systematic information  
18 shortfall such that a reasonable consumer is unable to distinguish  
19 between the quality of providers, there is an absence of institutions  
20 that provide adequate guidance to the consumer, and the consumer's  
21 inability to distinguish between providers and the lack of adequate  
22 guidance allows for undue risk of present, significant, and  
23 substantiated harms, the recommended course of action should be to  
24 enact a professional license; and

25 (b) If education, training, or experience is a qualification in  
26 the professional license under review, a review and analysis of the  
27 hours or other amount of education, training, or experience required  
28 to ensure such requirements are as least restrictive as necessary to  
29 protect the public's health, safety, and welfare.

30 (5) If a lawful profession is subject to chapter 18.120 RCW, the  
31 analysis under subsection (4)(a) of this section shall be made using  
32 the least restrictive method of regulation as set out in RCW  
33 18.120.010.

34 (6) If the department finds that it is necessary to change  
35 professional licenses, the department shall recommend the least  
36 restrictive regulation consistent with the public interest and the  
37 policies in this section.

1        NEW SECTION.        **Sec. 5.**        Sections 1 through 4 of this act  
2        constitute a new chapter in Title 18 RCW.

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