

ASSEMBLY, No. 3643

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Co-Sponsored by:

Assemblyman Verrelli, Assemblywomen Reynolds-Jackson and Swain

SYNOPSIS

Concerns professional licensing and application fees for spouse or dependent of active duty member of United States Armed Forces.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/27/2020)

1 AN ACT concerning professional licensing and amending and
2 supplementing P.L.2013, c.264.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. Section 1 of P.L.2013, c.264 (C.45:1-15.5) is amended to
8 read as follows:

9 1. a. As used in this section:

10 "Another jurisdiction" means the District of Columbia, a territory
11 of the United States, or a state other than New Jersey.

12 "Board" means a professional or occupational board designated
13 in section 2 of P.L.1978, c.73 (C.45:1-15) that issues a professional
14 or occupational license, certificate of registration, or certification.

15 "Nonresident military spouse" means a person who is not
16 domiciled in this State who is the spouse of an active duty member
17 of the Armed Forces of the United States who has been transferred
18 to this State in the course of the member's service, is legally
19 domiciled in this State, or has moved to this State on a permanent
20 change-of-station basis.

21 b. Notwithstanding the provisions of any law, rule or regulation
22 to the contrary, each board shall issue, upon application, a license to
23 a nonresident military spouse who meets the requirements of this
24 section, so that the nonresident military spouse may practice
25 lawfully the person's profession or occupation. At the discretion of
26 the board, a nonresident military spouse shall receive a license
27 under this subsection:

28 (1) pursuant to any law, rule, or regulation providing for
29 licensure by endorsement or reciprocity in the profession or
30 occupation regulated by the board; or

31 (2) pursuant to an application for a temporary courtesy license
32 pursuant to subsection d. of this section.

33 c. Notwithstanding the provisions of any other law, rule, or
34 regulation to the contrary, each board shall establish criteria for the
35 issuance of a temporary courtesy license to a nonresident military
36 spouse so that the nonresident military spouse may lawfully practice
37 the profession or occupation regulated by that board in this State on
38 a temporary basis, subject to the requirements of subsection d. of
39 this section when applicable.

40 d. A nonresident military spouse who applies for a temporary
41 courtesy license pursuant to paragraph (2) of subsection b. of this
42 section shall be entitled to receive that license if that person:

43 (1) holds a current license to practice the profession or
44 occupation in another jurisdiction that the board determines has
45 licensure requirements to practice the profession or occupation that
46 are equivalent to those adopted by the board;

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 (2) was engaged in the active practice of the profession or
2 occupation in another jurisdiction for at least two of the five years
3 immediately preceding the date of application for the temporary
4 courtesy license, for which purpose relevant full-time experience in
5 the discharge of official duties in the Armed Forces of the United
6 States or an agency of the federal government shall be credited in
7 the counting of years of service;

8 (3) has not committed an act in another jurisdiction that would
9 have constituted grounds for the denial, suspension, or revocation
10 of a license to practice the profession or occupation in this State;

11 (4) has not been disciplined, and is not the subject of an
12 investigation of an unresolved complaint, or a review procedure or
13 disciplinary proceeding, which was conducted by, or is pending
14 before, a professional or occupational licensing or credentialing
15 entity in another jurisdiction;

16 (5) pays for, and authorizes the board to conduct, a criminal
17 history record background check of that person pursuant to
18 P.L.2002, c.104 (C.45:1-28 et seq.) if such check is required to
19 practice the occupation or practice regulated by that board;

20 (6) **【pays any fee the board reasonably requires for the issuance**
21 **of the temporary courtesy license;】** (Deleted by amendment,
22 P.L. , c.) (pending before the Legislature as this bill)

23 (7) has satisfied any continuing education requirements in the
24 jurisdiction where that person holds a current license to practice the
25 profession or occupation, and, at the discretion of the board,
26 completes such continuing education hours or credits as may be
27 required by the board within the time frame the board may
28 establish;

29 (8) at the discretion of the board and if applicable, successfully
30 completes a New Jersey jurisprudence examination required of
31 resident applicants or any other examination specifically predicated
32 on New Jersey law required for practice in the profession or
33 occupation; and

34 (9) complies with any other requirements the board may
35 reasonably determine are necessary to effectuate the purposes of
36 this section.

37 e. A nonresident military spouse who holds a temporary license
38 pursuant to paragraph (2) of subsection b. of this section shall be
39 entitled to the same rights and be subject to the same obligations as
40 provided by the respective board for New Jersey residents, except
41 that revocation or suspension of a nonresident military spouse's
42 license in the nonresident military spouse's state of residence or any
43 jurisdiction in which the nonresident military spouse held licensure
44 shall automatically cause the same revocation or suspension of the
45 person's temporary courtesy license in New Jersey if that revocation
46 or suspension was on the basis of a charge or commission of a
47 criminal offense, competency, or harmful or inappropriate behavior.

1 f. A board may require a nonresident military spouse who has
2 not been engaged in the active practice of the profession or
3 occupation in another jurisdiction during the two years immediately
4 preceding the application to undergo additional training, testing,
5 mentoring, monitoring or education should the board deem it
6 necessary.

7 g. A temporary courtesy license issued pursuant to this section
8 shall be valid for a period of one year and may be extended at the
9 discretion of the board for an additional one year upon application
10 of the holder of the temporary courtesy license.

11 h. Each board shall adopt rules and regulations pursuant to the
12 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
13 seq.), to carry out the purposes of this section, except that,
14 notwithstanding any provision of P.L.1968, c.410 (C.52:14B-1 et
15 seq.) to the contrary, each board may adopt, immediately upon
16 filing with the Office of Administrative Law, regulations the board
17 deems necessary to implement the provisions of this section, which
18 shall be effective for a period not to exceed six months and may
19 thereafter be amended, adopted, or re-adopted by the board in
20 accordance with the requirements of P.L.1968, c.410 (C.52:14B-1
21 et seq.).

22 (cf: P.L.2013, c.264)

23
24 2. (New section) a. Notwithstanding the provision of any
25 law, rule, or regulation to the contrary, a professional or
26 occupational board, designated in section 2 of P.L.1978, c.73
27 (C.45:1-15), that issues a professional or occupational license,
28 certificate of registration, or certification shall not charge a fee for
29 the submission of an application for licensure to the spouse or
30 dependent of an active duty member of the United States Armed
31 Forces.

32 b. A professional or occupational board, designated in section 2
33 of P.L.1978, c.73 (C.45:1-15), shall include, on any application for
34 licensure, a box for the applicant to indicate the applicant's status as
35 the spouse or dependent of an active duty member of the United
36 States Armed Forces.

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38 3. This act shall take effect on the 90th day next after the date
39 of enactment.

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42 STATEMENT

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44 This bill provides that no professional or occupational board shall
45 charge a license application fee to an applicant who is the spouse or
46 dependent of an active-duty service member. The bill also removes

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1 the provision requiring the payment of a fee for the issuance of a
2 temporary courtesy license. In addition, the bill provides that a
3 professional or occupational licensing board shall include on any
4 application for professional or occupational licensure a box for the
5 applicant to indicate the applicant's status as the spouse or dependent
6 of an active duty member of the United States Armed Forces.