

House Bill 773

By: Representatives Turner of the 21st, Jones of the 25th, and Pirkle of the 155th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and
2 businesses, so as to provide for reciprocal licensing of professions, occupations, and trades
3 for individuals licensed outside of the State of Georgia; to provide for definitions; to provide
4 for exceptions; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
9 is amended by adding a new Code section to read as follows:

10 "43-1-35.

11 (a) As used in this Code section, the term:

12 (1) 'License' means a document, permit, certificate of registration, or other authorization
13 that is required for an individual to engage in a profession, occupation, or trade.

14 (2) 'Regulating entity' means a board, agency, or other entity that issues a license on
15 behalf of a state, country, or province or other such subdivision within a country.

16 (3) 'Relocating military spouse' means a spouse of a service member accompanying such
17 service member to an official permanent change of station to a military installation
18 located in this state.

19 (4) 'Service member' means an active duty member of the United States armed forces,
20 including the National Guard.

21 (5) 'State' means a state of the United States or the District of Columbia, Puerto Rico, the
22 United States Virgin Islands, or any territory or insular possession subject to the
23 jurisdiction of the United States.

24 (b) Notwithstanding any other law, a license shall be issued in the discipline applied for
25 and for the same scope of practice as determined by the respective regulating entity to an

26 individual who is a resident of this state or who is a relocating military spouse, if such
27 individual:

28 (1) Is currently licensed in at least one other state, country, or province or other such
29 subdivision thereof in the discipline applied for and for the same scope of practice as
30 determined by the regulating entity and the license is in good standing in all states,
31 countries, and provinces or other such subdivisions thereof in which the person holds a
32 license in such discipline;

33 (2) Has been licensed in such discipline for at least one year;

34 (3) Was licensed by a regulating entity outside of this state when there were minimum
35 education requirements and, if applicable, work experience and clinical supervision
36 requirements in effect and such regulating entity verifies that the individual met those
37 requirements in order to be licensed by such regulating entity;

38 (4) Previously passed an examination required for the license, if required by the
39 regulating entity outside of this state;

40 (5) Has not had a license revoked;

41 (6) Has not voluntarily surrendered a license or certificate issued by a regulating entity
42 outside of this state while under investigation for unprofessional conduct;

43 (7) Has not had disciplinary action relating to unprofessional conduct imposed by any
44 regulating entity. If another jurisdiction has taken disciplinary action against the person,
45 the regulating entity in this state shall determine if the cause for the action was corrected
46 and the matter resolved. If the matter has not been resolved by that jurisdiction, the
47 regulating entity in this state may not issue or deny a license until the matter is resolved;

48 (8) Does not have a complaint, allegation, or investigation pending before a regulating
49 entity outside of this state that relates to unprofessional conduct. If an applicant has a
50 complaint, allegation, or investigation pending, the regulating entity in this state shall
51 suspend the application process and may not issue or deny a license to the applicant until
52 the complaint, allegation, or investigation is resolved;

53 (9) Does not have a disqualifying criminal history as determined by the regulating entity
54 in this state; and

55 (10) Pays all applicable fees.

56 (c) Nothing in this Code section shall prevent a regulating entity in this state from entering
57 into a licensing compact or reciprocity agreement with another state, country, or province
58 or other such subdivision thereof.

59 (d) A regulating entity that administers an examination on the law of this state as part of
60 its license application requirement may require an applicant to take and pass an
61 examination specific to the laws of the State of Georgia prior to issuing a license pursuant

62 to this Code section. This subsection shall not be applicable to relocating military spouses
63 as such individuals shall not be required to pass such an examination.

64 (e) An individual who is licensed in this state pursuant to this Code section shall be subject
65 to the laws regulating such individual's practice in this state and shall be subject to the
66 jurisdiction of the regulating entity in this state.

67 (f) This Code section shall not apply to:

68 (1) Criteria for a license that is issued pursuant to a license of eligibility that is
69 established by an interstate compact; or

70 (2) The ability of a regulating entity in this state to require an applicant to submit
71 fingerprints to allow for a federal and state criminal records information check.

72 (g) A license issued pursuant to this Code section shall be valid only in this state and shall
73 not make the licensed individual eligible to be part of an interstate compact. A regulating
74 entity in this state may determine eligibility for an applicant to be licensed pursuant to this
75 Code section if the applicant is not part of an interstate compact."

76 **SECTION 2.**

77 All laws and parts of laws in conflict with this Act are repealed.