

HB20-1326

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Bird

1 Amend printed bill, page 4, line 2, strike "SUBSECTION (3)(c)" and
2 substitute "SUBSECTIONS (3)(c) AND (3)(f)".

3 Page 5, line 13, strike "THIS SUBSECTION (3) DOES" and substitute
4 "SUBSECTIONS (3)(a) TO (3)(d) OF THIS SECTION DO".

5 Page 6, after line 5 insert:

6 (f) (I) EXCEPT AS SPECIFIED IN SUBSECTION (3)(f)(III) OF THIS
7 SECTION, A MILITARY SPOUSE DULY LICENSED, CERTIFIED, REGISTERED, OR
8 ENROLLED IN GOOD STANDING IN ANOTHER STATE OR UNITED STATES
9 TERRITORY TO PRACTICE A PARTICULAR PROFESSION OR OCCUPATION IS,
10 UPON APPLICATION TO THE DIVISION FOR LICENSURE, CERTIFICATION,
11 REGISTRATION, OR ENROLLMENT IN THAT PROFESSION OR OCCUPATION IN
12 THIS STATE, ENTITLED TO THE ISSUANCE OF A TEMPORARY LICENSE,
13 CERTIFICATION, REGISTRATION, OR ENROLLMENT UPON SUBMISSION OF
14 SATISFACTORY PROOF TO THE REGULATOR, UNDER PENALTY OF PERJURY,
15 OF THE APPLICANT'S ACTIVE LICENSE, CERTIFICATION, REGISTRATION, OR
16 ENROLLMENT IN ANOTHER STATE OR UNITED STATES TERRITORY IN GOOD
17 STANDING, AND THAT THE APPLICANT HAS NOT COMMITTED AN ACT THAT
18 WOULD BE GROUNDS FOR DISCIPLINARY ACTION UNDER THE LAW
19 GOVERNING THE APPLICABLE PROFESSION OR OCCUPATION.

20 (II) FOR THE PURPOSES OF THIS SUBSECTION (3)(f):

21 (A) "IN GOOD STANDING" MEANS THAT A LICENSE, CERTIFICATION,
22 REGISTRATION, OR ENROLLMENT HAS NOT BEEN REVOKED, EXPIRED, OR
23 SUSPENDED AND AGAINST WHICH THERE ARE NO OUTSTANDING
24 DISCIPLINARY OR ADVERSE ACTIONS.

25 (B) "MILITARY SPOUSE" MEANS THE SPOUSE OF A PERSON WHO IS
26 ACTIVELY SERVING IN THE UNITED STATES ARMED FORCES AND WHO IS
27 STATIONED IN COLORADO IN ACCORDANCE WITH MILITARY ORDERS.

28 (III) AN APPLICANT IS NOT ENTITLED TO TEMPORARY LICENSURE,
29 CERTIFICATION, REGISTRATION, OR ENROLLMENT PURSUANT TO THIS
30 SUBSECTION (3)(f) IF APPROVING THE TEMPORARY LICENSURE,
31 CERTIFICATION, REGISTRATION, OR ENROLLMENT WOULD VIOLATE AN
32 EXISTING COMPACT OR RECIPROCITY AGREEMENT OR IF THE REGULATOR
33 DEMONSTRATES BY A PREPONDERANCE OF EVIDENCE, AFTER NOTICE AND
34 OPPORTUNITY FOR A HEARING, THAT:

35 (A) THE APPLICANT HAS COMMITTED AN ACT THAT WOULD BE
36 GROUNDS FOR DISCIPLINARY ACTION UNDER THE LAW GOVERNING THE
37 APPLICABLE PROFESSION OR OCCUPATION; OR

38 (B) THE APPLICANT'S LICENSE, CERTIFICATION, REGISTRATION, OR

1 ENROLLMENT ISSUED BY ANOTHER STATE OR UNITED STATES TERRITORY
2 IS NOT IN GOOD STANDING.

3 (IV) NOTWITHSTANDING ANY PROVISION OF THE LAW TO THE
4 CONTRARY:

5 (A) A TEMPORARY LICENSE, CERTIFICATION, REGISTRATION, OR
6 ENROLLMENT ISSUED TO A MILITARY SPOUSE PURSUANT TO THIS
7 SUBSECTION (3)(f) IS VALID FOR THREE YEARS AFTER THE DATE OF
8 ISSUANCE.

9 (B) EACH REGULATOR SHALL WAIVE THE APPLICATION FEE FOR
10 TEMPORARY LICENSES, CERTIFICATIONS, REGISTRATIONS, OR
11 ENROLLMENTS ISSUED PURSUANT TO THIS SUBSECTION (3)(f).

12 **SECTION 4.** In Colorado Revised Statutes, 12-20-301, **repeal**
13 (3) as follows:

14 **12-20-301. Definitions.** As used in this part 3, unless the context
15 otherwise requires:

16 (3) ~~"Military spouse" means the spouse of a person who is~~
17 ~~actively serving in the United States armed forces and who is stationed~~
18 ~~in Colorado in accordance with military orders.~~

19 **SECTION 5.** In Colorado Revised Statutes, **repeal** 12-20-304 as
20 follows:

21 **12-20-304. Military spouse - authority to practice - reciprocity**
22 **- notice.** ~~(1) Notwithstanding any other part or article of this title 12, a~~
23 ~~person need not obtain authority to practice an occupation or profession~~
24 ~~under this title 12 during the person's first year of residence in Colorado~~
25 ~~if:~~

26 ~~(a) The person is a military spouse who is authorized to practice~~
27 ~~that occupation or profession in another state;~~

28 ~~(b) Other than the person's lack of licensure, registration, or~~
29 ~~certification in Colorado, there is no basis to disqualify the person under~~
30 ~~this title 12; and~~

31 ~~(c) The person consents, as a condition of practicing in Colorado,~~
32 ~~to be subject to the jurisdiction and disciplinary authority of the~~
33 ~~appropriate agency.~~

34 ~~(2) If a person who is practicing in Colorado under this section~~
35 ~~applies for authority to continue to practice after the first year under a~~
36 ~~part or article of this title 12, the applicant shall notify the agency~~
37 ~~receiving the application of the following:~~

38 ~~(a) The applicant is currently practicing in Colorado under this~~
39 ~~section;~~

40 ~~(b) The date the applicant began practicing in Colorado; and~~

41 ~~(c) The name and contact information of any person employing~~
42 ~~the applicant to practice in Colorado.~~

43 ~~(3) If an agency denies the application for authority to practice~~
44 ~~under this title 12, the agency shall notify the employer that the person~~

1 ~~was denied authority to continue to practice under this title 12.~~
2 ~~(4) This section does not:~~
3 ~~(a) Prevent an agency from entering into a reciprocity agreement~~
4 ~~with the regulating authority of another state or jurisdiction if otherwise~~
5 ~~authorized by law; and~~
6 ~~(b) Apply to the authority to practice under article 120, 240, or~~
7 ~~275 of this title 12."~~

8 Renumber succeeding sections accordingly.

9 Page 34, strike line 27.

10 Strike page 35 and substitute:

11 **"SECTION 47. Applicability.** This act applies to conduct
12 occurring on or after the effective date of this act.

13 **SECTION 48. Safety clause.** The general assembly hereby finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, or safety."

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