



January 31, 2020

SENATE BILL No. 427

DIGEST OF SB 427 (Updated January 30, 2020 1:01 pm - DI 119)

Citations Affected: IC 25-0.5; IC 25-1.

Synopsis: Provisional occupational license. Allows a person who: (1) is the spouse of an active duty member of the armed forces assigned to Indiana; (2) submits verification that the person is licensed in a regulated occupation in at least one other state; (3) affirms certain information concerning the person's licensure in the other state; (4) has passed a national criminal background check; and (5) submits an application and pays any application fee; to be issued a provisional license for the regulated occupation at the same practice level allowed by the license held by the person in the other state. Provides that provisional licensing does not apply to a license that is established or recognized through an interstate compact, a reciprocity agreement, or a comity agreement that is established by a board or by law. Establishes penalties for submission of false information for purposes of obtaining a provisional license.

Effective: July 1, 2020.

Buchanan, Messmer

January 15, 2020, read first time and referred to Committee on Commerce and Technology.
January 30, 2020, amended, reported favorably — Do Pass.

SB 427—LS 7144/DI 77



January 31, 2020

Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

SENATE BILL No. 427

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 25-0.5-9-1, AS ADDED BY P.L.3-2014, SECTION
2 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 2020]: Sec. 1. As used in IC 25-1-8 **and IC 25-1-20**, "board" means
4 any of the entities described in this chapter.
5 SECTION 2. IC 25-1-20 IS ADDED TO THE INDIANA CODE AS
6 A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE JULY
7 1, 2020]:
8 **Chapter 20. Reciprocity of Licenses**
9 **Sec. 1. As used in this chapter, "board" means any of the**
10 **entities described in IC 25-0.5-9.**
11 **Sec. 2. As used in this chapter, "license" means:**
12 **(1) an unlimited license, certificate, registration, or permit;**
13 **(2) a limited or probationary license, certificate, registration,**
14 **or permit;**
15 **(3) a temporary license, certificate, registration, or permit;**
16 **(4) an intern permit; or**
17 **(5) a provisional license;**

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1 issued by a board regulating a profession or an occupation.

2 **Sec. 3.** As used in this chapter, "regulated occupation" means a
3 profession or occupation in which a person is licensed.

4 **Sec. 4.** Notwithstanding any other law, an applicant for a license
5 is entitled to a provisional license in the regulated occupation
6 applied for and at the same practice level as determined by the
7 board, without an examination, if all of the following conditions are
8 met:

9 (1) The person submits a signed affidavit affirming, under the
10 penalties for perjury, the following:

11 (A) The person or the person is the spouse of an active duty
12 member of the armed forces assigned to Indiana.

13 (B) The person is in good standing in all states in which the
14 person holds a license for the regulated occupation applied
15 for.

16 (C) The person has not had a license revoked and has not
17 voluntarily surrendered a license in another state or
18 country while under investigation for unprofessional
19 conduct.

20 (D) The person has not had discipline imposed by the
21 regulating entity for the regulated occupation in another
22 state or country.

23 (E) The person does not have an investigation pending
24 before the regulating entity in another state or country
25 that relates to unprofessional conduct.

26 (2) The person submits verification that the person is
27 currently licensed in at least one (1) other state in the
28 regulated occupation applied for.

29 (3) The person submits to a national criminal history
30 background check (as defined in IC 25-1-1.1-4) and does not
31 have a disqualifying criminal history as determined by the
32 board.

33 (4) The person has submitted an application for a license with
34 the board and has paid any application fee.

35 **Sec. 5. (a)** An applicant who has met the requirements in section
36 4 of this chapter shall be issued a provisional license not more than
37 thirty (30) days after the application is filed.

38 (b) A provisional license expires three hundred sixty-five (365)
39 days after it is issued.

40 **Sec. 6. (a)** In addition to any other penalties for perjury, a
41 person who violates section 4(1) of this chapter commits a Class A
42 infraction.



1 **(b) If the board discovers that any of the information submitted**
2 **under section 4(1) of this chapter is false, the board may**
3 **immediately revoke the person's provisional license.**

4 **Sec. 7. (a) This chapter does not apply to a license that is**
5 **established by or recognized through an interstate compact, a**
6 **reciprocity agreement, or a comity agreement that is established by**
7 **a board or a law.**

8 **(b) This chapter does not prohibit an individual from**
9 **proceeding under other licensure, certification, registration, or**
10 **permit requirements established by a board.**



COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Senate Bill No. 427, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 7, delete "or verifying documentation".

Page 2, line 11, delete "Indiana." and insert "**Indiana or the person is the spouse of an active duty member of the armed forces assigned to Indiana.**".

Page 2, line 11, delete "has established residency in Indiana." and insert "**is the spouse of an active duty member of the armed forces assigned to Indiana.**".

Page 2, delete lines 12 through 15, begin a new line double block indented and insert:

"(B) The person is in good standing in all states in which the person holds a license for the regulated occupation applied for."

Page 2, line 23, delete "a complaint, allegation, or" and insert "**an**".

Page 2, between lines 26 and 27, begin a new line block indented and insert:

"(2) The person submits verification that the person is currently licensed in at least one (1) other state in the regulated occupation applied for."

Page 2, line 27, delete "(2)" and insert "**(3)**".

Page 2, line 31, delete "(3)" and insert "**(4)**".

Page 2, line 33, after "5." insert "**(a) An applicant who has met the requirements in section 4 of this chapter shall be issued a provisional license not more than thirty (30) days after the application is filed.**

(b)".

Page 2, line 35, after "6." insert "**(a)**".

Page 2, after line 37, begin a new paragraph and insert:

"(b) If the board discovers that any of the information submitted under section 4(1) of this chapter is false, the board may immediately revoke the person's provisional license.

Sec. 7. (a) This chapter does not apply to a license that is established by or recognized through an interstate compact, a reciprocity agreement, or a comity agreement that is established by a board or a law.

(b) This chapter does not prohibit an individual from



proceeding under other licensure, certification, registration, or permit requirements established by a board."

and when so amended that said bill do pass.

(Reference is to SB 427 as introduced.)

PERFECT, Chairperson

Committee Vote: Yeas 9, Nays 1.

