

1 ENGROSSED SENATE
2 BILL NO. 1174

By: David of the Senate

3 and

4 Mulready of the House

5
6 [labor - new occupational fees or licensing
7 requirements - certain low-income individuals,
8 military families and young workers - exemption -
9 codification - effective date]

10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 800 of Title 40, unless there is
13 created a duplication in numbering, reads as follows:

14 A. Limitation on new occupational fees or licensing
15 regulations.

16 1. Beginning on November 1, 2018, a political subdivision of
17 this state shall not impose any occupational fees or licensing
18 requirements on any profession if the political subdivision does not
19 already impose occupational fees or licensing requirements on that
20 profession. Notwithstanding the above, the political subdivision
21 may continue to so regulate any profession or occupation that is
22 subject to occupational fees or licensing requirements on or before
23 November 1, 2018, if the occupational fees do not exceed Twenty-five
24 Dollars (\$25.00) per year. If a profession is already subject to

1 political subdivision occupational fees that exceed Twenty-five
2 Dollars (\$25.00) per year, the existing occupational fees imposed do
3 not apply and the licensing authority shall immediately reduce
4 occupational fees in accordance with the limits set by this act.

5 2. With regard to professions subject to licensing requirements
6 imposed by a state licensing authority, a political subdivision of
7 this state shall not impose any regulations on such professions that
8 add additional licensing requirements to those already imposed by a
9 state licensing authority.

10 3. Beginning on November 1, 2018, if a state licensing
11 authority imposes any new licensing requirements on any profession
12 that was previously unregulated by the state, and if the political
13 subdivision regulates the profession when the state regulations take
14 effect, the political subdivision may not continue to require
15 occupational fees or licensing requirements for the profession on or
16 after the date when the state regulations take effect.

17 B. Waiver of licensing fees for low-income individuals and
18 military families.

19 1. All state and political subdivision licensing authorities
20 shall waive all initial occupational fees and fees for licensing
21 requirements for low-income individuals. These initial fees shall
22 also be waived for military families, and young workers.

23 2. Individuals seeking a waiver of initial occupational fees
24 and fees for licensing requirements must apply to the appropriate

1 licensing authority in a format prescribed by the licensing
2 authority. The licensing authority shall process the application
3 within thirty (30) days of receiving it from the applicant, unless
4 there is a reasonable cause for delay including, but not limited to,
5 additional time requirements to obtain fingerprints and a national
6 or state criminal history records check or to obtain additional
7 documentation required for consideration of the application or to
8 complete license requirements.

9 3. The licensing authority shall adopt necessary rules for the
10 implementation of this section.

11 4. For purposes of this section the following definitions shall
12 apply:

13 a. "low-income individual" means an individual whose
14 taxable family income for the preceding year did not
15 exceed one hundred percent (100%) of the state poverty
16 level amount,

17 b. "military families" means:

18 (1) a current member of the U.S. Armed Forces who is
19 on active duty in this state or claims permanent
20 residency in this state for the six (6) months
21 prior to assignment to active duty or during the
22 period of active duty or their spouse who is
23 subject to a military transfer to this state or
24 who claims permanent residency in this state at

1 the time of application for waiver of
2 occupational or license fees, or

3 (2) a person honorably discharged from active duty in
4 the U.S. Armed Forces within the previous three-
5 year period and who claims permanent residency in
6 this state for at least one (1) year preceding an
7 application for waiver of occupational or license
8 fees or their spouse who claims permanent
9 residency in this state for at least one (1) year
10 preceding an application for waiver of
11 occupational or license fees, or

12 (3) the spouse of a deceased active duty member or
13 honorably discharged member of the U.S. Armed
14 Forces if the service member's death occurred not
15 more than three (3) years prior to an application
16 for waiver of occupational or license fees and
17 the spouse claims permanent residency in this
18 state for at least one (1) year preceding an
19 application for waiver of occupational or license
20 fees, and

21 c. "young workers" means an individual aged sixteen (16)
22 years through twenty (20) years.

23 5. The provisions of this section authorizing application for
24 waiver of occupational or license fees shall not apply to students

1 enrolled in an institution of higher education, career and
2 technology center or occupational trade school that is required to
3 collect or routinely collects occupational fees or license fees as
4 part of tuition, educational requirements, practicum, provisional
5 license, pre-license requirements, organizational membership, or the
6 graduation process.

7 SECTION 2. This act shall become effective November 1, 2018.

8 Passed the Senate the 15th day of March, 2018.

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Presiding Officer of the Senate

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12 Passed the House of Representatives the ____ day of _____,
13 2018.

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Presiding Officer of the House
of Representatives

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