

An Act

ENROLLED SENATE
BILL NO. 1475

By: Pugh of the Senate

and

Osburn (Mike), Hilbert and
Cockroft of the House

An Act relating to labor; creating the Occupational Licensing Review Act; providing short title; creating the Occupational Licensing Advisory Commission; providing for membership appointment, terms, reappointment, vacancy and removal; designating chair and staff support; setting quorum; stating purpose of Commission and first meeting; providing for review of new licenses within certain time; requiring annual public meeting; directing written report delivered to certain persons; providing for codification; providing an effective date; and declaring an emergency.

SUBJECT: Creating the Occupational Licensing Review Act

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

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

This act shall be known and may be cited as the "Occupational Licensing Review Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 800.1 of Title 40, unless there is created a duplication in numbering, reads as follows:

There is hereby created the Occupational Licensing Advisory Commission.

The Commission shall consist of twelve (12) members to be appointed and serve as follows:

1. The Commissioner of Labor shall serve coterminous with his or her office;

2. Two members of the House of Representatives shall be appointed by the Majority Leader of the House of Representatives. Each member shall serve an initial term of three (3) years;

3. One member of the House of Representatives shall be appointed by the Minority Leader of the House of Representatives, who shall serve an initial term of two (2) years;

4. Two members of the Senate shall be appointed by the Majority Leader of the Senate. Each member shall serve an initial term of three (3) years;

5. One member of the Senate shall be appointed by the Minority Leader of the Senate, who shall serve an initial term of two (2) years;

6. The Chief Information Officer of the Office of Management and Enterprise Services shall serve coterminous with his or her position;

7. Three members shall be appointed by the Governor, who shall represent an occupation or profession licensed in the state, and who shall each serve an initial term of one year. One appointee shall be a member of the medical community, which may include but is not limited to a licensed physician, pharmacist or psychologist. One appointee shall be a member of a trade profession, which may include but is not limited to a licensed alarm or locksmith professional or electrician. One appointee shall be a member of the business

community, which may include but is not limited to a licensed public accountant or member of the real estate industry; and

8. One member shall be appointed by the Governor who shall represent a not-for-profit organization that advocates for low-income persons or disadvantaged persons and who shall serve an initial term of one year.

The Commission shall be subject to the Oklahoma Open Meeting Act and the Oklahoma Open Records Act.

During membership on the Commission, no appointed member shall serve on any board, agency, committee or commission that regulates or governs the occupation or profession such member is appointed to represent.

Members shall serve staggered three-year terms, except for the initial term of office. Upon the expiration of a member's term of office, such member may be reappointed. No member shall serve more than two consecutive full three-year terms. Any member vacancy shall be filled in the same manner by the appointing authority for the unexpired term. A member may be removed by either the appointing authority or a majority of the Commission members for failure to attend meetings or for cause.

The Commissioner of Labor, or his or her designee, shall chair each meeting. The Department of Labor shall provide staff and administrative support to the Commission.

Seven members shall constitute a quorum for purposes of conducting the business of the Commission. Meetings shall be called by the chair and may be held by electronic media or in any location deemed appropriate by the chair.

The purpose of the Commission is to conduct a review of each occupational or professional licensing act in this state not less than once every four (4) years and make recommendations to the Legislature. The first meeting of the Commission shall be held before September 30, 2018, to develop a four-year schedule showing when each licensing act will be reviewed. Any new licensing act or new category of license enacted by the Legislature for regulation by an existing licensing board, agency or commission shall be added to

the four-year schedule and shall be initially reviewed within ninety (90) days of enactment.

Annually the Commission shall hold at least one public meeting to present its findings on any occupational or professional license it has reviewed. At the public meeting, the Commission shall allow public comments, make recommendations, and may vote whether to recommend to the Legislature that such license be maintained, modified, or repealed. The results of any public meeting held for the purpose of making legislative recommendations shall be provided in a written report to the Governor, President Pro Tempore of the Senate, and the Speaker of the House of Representatives prior to the legislative deadline set for requesting legislation for the upcoming legislative session. The report shall be made available on the Department of Labor's website for public inspection.

SECTION 3. This act shall become effective July 1, 2018.

SECTION 4. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this resolution shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 30th day of April, 2018.

Presiding Officer of the Senate

Passed the House of Representatives the 25th day of April, 2018.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____