

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 1174, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator David

David-NP-FS-Req#3536
3/14/2018 4:08 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 1174

By: David of the Senate

and

Mulready of the House

FLOOR SUBSTITUTE

An Act relating to labor; limiting the authority of political subdivisions of this state to create new occupational fees or licensing requirements or to continue to regulate certain professions after certain date; requiring waiver of occupational fees and fees from licensing requirements for certain low-income individuals, military families and young workers; directing promulgation of rules; defining terms; providing certain exemption; providing for codification; and providing an effective date.

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:

A. Limitation on new occupational fees or licensing regulations.

1. Beginning on November 1, 2018, a political subdivision of this state shall not impose any occupational fees or licensing

1 requirements on any profession if the political subdivision does not
2 already impose occupational fees or licensing requirements on that
3 profession. Notwithstanding the above, the political subdivision
4 may continue to so regulate any profession or occupation that is
5 subject to occupational fees or licensing requirements on or before
6 November 1, 2018, if the occupational fees do not exceed Twenty-five
7 Dollars (\$25.00) per year. If a profession is already subject to
8 political subdivision occupational fees that exceed Twenty-five
9 Dollars (\$25.00) per year, the existing occupational fees imposed do
10 not apply and the licensing authority shall immediately reduce
11 occupational fees in accordance with the limits set by this act.

12 2. With regard to professions subject to licensing requirements
13 imposed by a state licensing authority, a political subdivision of
14 this state shall not impose any regulations on such professions that
15 add additional licensing requirements to those already imposed by a
16 state licensing authority.

17 3. Beginning on November 1, 2018, if a state licensing
18 authority imposes any new licensing requirements on any profession
19 that was previously unregulated by the state, and if the political
20 subdivision regulates the profession when the state regulations take
21 effect, the political subdivision may not continue to require
22 occupational fees or licensing requirements for the profession on or
23 after the date when the state regulations take effect.

1 B. Waiver of licensing fees for low-income individuals and
2 military families.

3 1. All state and political subdivision licensing authorities
4 shall waive all initial occupational fees and fees for licensing
5 requirements for low-income individuals. These initial fees shall
6 also be waived for military families, and young workers.

7 2. Individuals seeking a waiver of initial occupational fees
8 and fees for licensing requirements must apply to the appropriate
9 licensing authority in a format prescribed by the licensing
10 authority. The licensing authority shall process the application
11 within thirty (30) days of receiving it from the applicant, unless
12 there is a reasonable cause for delay including, but not limited to,
13 additional time requirements to obtain fingerprints and a national
14 or state criminal history records check or to obtain additional
15 documentation required for consideration of the application or to
16 complete license requirements.

17 3. The licensing authority shall adopt necessary rules for the
18 implementation of this section.

19 4. For purposes of this section the following definitions shall
20 apply:

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

1 b. "military families" means:

- 2 (1) a current member of the U.S. Armed Forces who is
3 on active duty in this state or claims permanent
4 residency in this state for the six (6) months
5 prior to assignment to active duty or during the
6 period of active duty or their spouse who is
7 subject to a military transfer to this state or
8 who claims permanent residency in this state at
9 the time of application for waiver of
10 occupational or license fees, or
- 11 (2) a person honorably discharged from active duty in
12 the U.S. Armed Forces within the previous three-
13 year period and who claims permanent residency in
14 this state for at least one (1) year preceding an
15 application for waiver of occupational or license
16 fees or their spouse who claims permanent
17 residency in this state for at least one (1) year
18 preceding an application for waiver of
19 occupational or license fees, or
- 20 (3) the spouse of a deceased active duty member or
21 honorably discharged member of the U.S. Armed
22 Forces if the service member's death occurred not
23 more than three (3) years prior to an application
24 for waiver of occupational or license fees and

1 the spouse claims permanent residency in this
2 state for at least one (1) year preceding an
3 application for waiver of occupational or license
4 fees, and

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

7 5. The provisions of this section authorizing application for
8 waiver of occupational or license fees shall not apply to students
9 enrolled in an institution of higher education, career and
10 technology center or occupational trade school that is required to
11 collect or routinely collects occupational fees or license fees as
12 part of tuition, educational requirements, practicum, provisional
13 license, pre-license requirements, organizational membership, or the
14 graduation process.

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

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17 56-2-3536 NP 3/14/2018 4:08:52 PM
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