

# SENATE, No. 61

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# STATE OF NEW JERSEY

## 219th LEGISLATURE

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Senator ROBERT W. SINGER**

**District 30 (Monmouth and Ocean)**

**Senator TROY SINGLETON**

**District 7 (Burlington)**

**SYNOPSIS**

Concerns professional licensing and application fees for spouse or dependent of active duty member of United States Armed Forces.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning professional licensing and amending and  
2 supplementing P.L.2013, c.264.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. Section 1 of P.L.2013, c.264 (C.45:1-15.5) is amended to  
8 read as follows:

9 1. a. As used in this section:

10 "Another jurisdiction" means the District of Columbia, a territory  
11 of the United States, or a state other than New Jersey.

12 "Board" means a professional or occupational board designated  
13 in section 2 of P.L.1978, c.73 (C.45:1-15) that issues a professional  
14 or occupational license, certificate of registration, or certification.

15 "Nonresident military spouse" means a person who is not  
16 domiciled in this State who is the spouse of an active duty member  
17 of the Armed Forces of the United States who has been transferred  
18 to this State in the course of the member's service, is legally  
19 domiciled in this State, or has moved to this State on a permanent  
20 change-of-station basis.

21 b. Notwithstanding the provisions of any law, rule or regulation  
22 to the contrary, each board shall issue, upon application, a license to  
23 a nonresident military spouse who meets the requirements of this  
24 section, so that the nonresident military spouse may practice  
25 lawfully the person's profession or occupation. At the discretion of  
26 the board, a nonresident military spouse shall receive a license  
27 under this subsection:

28 (1) pursuant to any law, rule, or regulation providing for  
29 licensure by endorsement or reciprocity in the profession or  
30 occupation regulated by the board; or

31 (2) pursuant to an application for a temporary courtesy license  
32 pursuant to subsection d. of this section.

33 c. Notwithstanding the provisions of any other law, rule, or  
34 regulation to the contrary, each board shall establish criteria for the  
35 issuance of a temporary courtesy license to a nonresident military  
36 spouse so that the nonresident military spouse may lawfully practice  
37 the profession or occupation regulated by that board in this State on  
38 a temporary basis, subject to the requirements of subsection d. of  
39 this section when applicable.

40 d. A nonresident military spouse who applies for a temporary  
41 courtesy license pursuant to paragraph (2) of subsection b. of this  
42 section shall be entitled to receive that license if that person:

43 (1) holds a current license to practice the profession or  
44 occupation in another jurisdiction that the board determines has

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

- 1 licensure requirements to practice the profession or occupation that  
2 are equivalent to those adopted by the board;
- 3 (2) was engaged in the active practice of the profession or  
4 occupation in another jurisdiction for at least two of the five years  
5 immediately preceding the date of application for the temporary  
6 courtesy license, for which purpose relevant full-time experience in  
7 the discharge of official duties in the Armed Forces of the United  
8 States or an agency of the federal government shall be credited in  
9 the counting of years of service;
- 10 (3) has not committed an act in another jurisdiction that would  
11 have constituted grounds for the denial, suspension, or revocation  
12 of a license to practice the profession or occupation in this State;
- 13 (4) has not been disciplined, and is not the subject of an  
14 investigation of an unresolved complaint, or a review procedure or  
15 disciplinary proceeding, which was conducted by, or is pending  
16 before, a professional or occupational licensing or credentialing  
17 entity in another jurisdiction;
- 18 (5) pays for, and authorizes the board to conduct, a criminal  
19 history record background check of that person pursuant to  
20 P.L.2002, c.104 (C.45:1-28 et seq.) if such check is required to  
21 practice the occupation or practice regulated by that board;
- 22 (6) **【pays any fee the board reasonably requires for the issuance**  
23 **of the temporary courtesy license;】** (Deleted by amendment,  
24 P.L. , c. ) (pending before the Legislature as this bill)
- 25 (7) has satisfied any continuing education requirements in the  
26 jurisdiction where that person holds a current license to practice the  
27 profession or occupation, and, at the discretion of the board,  
28 completes such continuing education hours or credits as may be  
29 required by the board within the time frame the board may  
30 establish;
- 31 (8) at the discretion of the board and if applicable, successfully  
32 completes a New Jersey jurisprudence examination required of  
33 resident applicants or any other examination specifically predicated  
34 on New Jersey law required for practice in the profession or  
35 occupation; and
- 36 (9) complies with any other requirements the board may  
37 reasonably determine are necessary to effectuate the purposes of  
38 this section.
- 39 e. A nonresident military spouse who holds a temporary license  
40 pursuant to paragraph (2) of subsection b. of this section shall be  
41 entitled to the same rights and be subject to the same obligations as  
42 provided by the respective board for New Jersey residents, except  
43 that revocation or suspension of a nonresident military spouse's  
44 license in the nonresident military spouse's state of residence or any  
45 jurisdiction in which the nonresident military spouse held licensure  
46 shall automatically cause the same revocation or suspension of the  
47 person's temporary courtesy license in New Jersey if that revocation

1 or suspension was on the basis of a charge or commission of a  
2 criminal offense, competency, or harmful or inappropriate behavior.

3 f. A board may require a nonresident military spouse who has  
4 not been engaged in the active practice of the profession or  
5 occupation in another jurisdiction during the two years immediately  
6 preceding the application to undergo additional training, testing,  
7 mentoring, monitoring or education should the board deem it  
8 necessary.

9 g. A temporary courtesy license issued pursuant to this section  
10 shall be valid for a period of one year and may be extended at the  
11 discretion of the board for an additional one year upon application  
12 of the holder of the temporary courtesy license.

13 h. Each board shall adopt rules and regulations pursuant to the  
14 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
15 seq.), to carry out the purposes of this section, except that,  
16 notwithstanding any provision of P.L.1968, c.410 (C.52:14B-1 et  
17 seq.) to the contrary, each board may adopt, immediately upon  
18 filing with the Office of Administrative Law, regulations the board  
19 deems necessary to implement the provisions of this section, which  
20 shall be effective for a period not to exceed six months and may  
21 thereafter be amended, adopted, or re-adopted by the board in  
22 accordance with the requirements of P.L.1968, c.410 (C.52:14B-1  
23 et seq.).

24 (cf: P.L.2013, c.264)

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26 2. (New section) a. Notwithstanding the provision of any law,  
27 rule, or regulation to the contrary, a professional or occupational  
28 board, designated in section 2 of P.L.1978, c.73 (C.45:1-15), that  
29 issues a professional or occupational license, certificate of  
30 registration, or certification shall not charge a fee for the  
31 submission of an application for licensure to the spouse or  
32 dependent of an active duty member of the United States Armed  
33 Forces.

34 b. A professional or occupational board, designated in section 2  
35 of P.L.1978, c.73 (C.45:1-15), shall include, on any application for  
36 licensure, a box for the applicant to indicate the applicant's status as  
37 the spouse or dependent of an active duty member of the United  
38 States Armed Forces.

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40 3. This act shall take effect on the 90<sup>th</sup> day next after the date  
41 of enactment.

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#### STATEMENT

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46 This bill provides that no professional or occupational board  
47 shall charge a license application fee to an applicant who is the  
48 spouse or dependent of an active-duty service member. In addition,

**S61 SINGER, SINGLETON**

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1 the bill provides that a professional or occupational licensing board  
2 shall include on any application for professional or occupational  
3 licensure a box for the applicant to indicate the applicant's status as  
4 the spouse or dependent of an active duty member of the United  
5 States Armed Forces.