1   HOUSE BILL NO. 105

2   INTRODUCED BY K. SULLIVAN

3   BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY

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5   A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PROFESSIONAL AND OCCUPATIONAL LICENSING

6   BOARDS TO LICENSE OUT-OF-STATE APPLICANTS WITH EQUIVALENT LICENSES; AND AMENDING

7   SECTION 37-1-304, MCA."

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9   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11   **Section 1.** Section 37-1-304, MCA, is amended to read:

12   **"37-1-304. Licensure of out-of-state applicants -- reciprocity.** (1) A board ~~may~~ shall issue a license

13   to practice without examination to a person licensed in another state if the board determines that:

14   (a) the other state's license standards at the time of application to this state are substantially equivalent

15   to or greater than the standards in this state; and

16   (b) there is no reason to deny the license under the laws of this state governing the profession or

17   occupation.

18   (2) The license may be issued if the applicant affirms or states in the application that the applicant has

19   requested verification from the state or states in which the person is licensed that the person is currently licensed

20   and is not subject to pending charges or final disciplinary action for unprofessional conduct or impairment. If the

21   board or its screening panel finds reasonable cause to believe that the applicant falsely affirmed or stated that

22   the applicant has requested verification from ~~the other~~ another state ~~or states~~, the board may summarily suspend

23   the license pending further action to discipline or revoke the license.

24   (3) This section does not prevent a board from entering into a reciprocity agreement with the licensing

25   authority of another state or jurisdiction. The agreement may not permit out-of-state licensees to obtain a license

26   by reciprocity within this state if the license applicant has not met standards that are substantially equivalent to

27   or greater than the standards required in this state as determined by the board on a case-by-case basis."

28   - END -