

SENATE BILL No. 76

By Committee on Federal and State Affairs

1-24

1 AN ACT concerning labor; relating to professional occupations; licensing
2 and fees, restrictions.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) As used in this section:

6 (1) "Licensing" means any required training, education or fee to work
7 in a specific profession.

8 (2) "Occupational fee" means a fee or tax on professionals or
9 businesses that is charged for the privilege of providing goods or services
10 within a certain jurisdiction.

11 ~~(3) "Political subdivision" means a city, town, village or county.~~

12 ~~(4) "Licensing authority" means an agency, examining board,~~
13 ~~credentialing board or other office with the authority to impose~~
14 ~~occupational fees or licensing requirements on any profession.~~

15 ~~(5)(4) "Low-income individuals" means individuals whose household~~
16 ~~adjusted gross income does not exceed 130% of the federal poverty line, or~~
17 ~~a higher threshold to be set by the Kansas department of labor. This term~~
18 ~~shall also apply to any person enrolled in a state or federal public~~
19 ~~assistance program including, but not limited to, TANF, medicaid or~~
20 ~~SNAP.~~

21 ~~(6)(5) "Military families" means any active duty service members and~~
22 ~~their spouses, honorably discharged veterans and their spouses, **members**~~
23 ~~**of the national guard and their spouses** and surviving spouses of~~
24 ~~deceased service members who have not remarried.~~

25 ~~(b)(1) After the effective date of this section, a political subdivision~~
26 ~~of this state shall not impose any occupational fees or licensing~~
27 ~~requirements on any profession if the political subdivision does not~~
28 ~~already impose occupational fees or licensing requirements on that~~
29 ~~profession. The political subdivision may continue to regulate any~~
30 ~~profession or occupation that is subject to occupational fees or licensing~~
31 ~~requirements on or before the effective date of this section.~~

32 ~~(2) A political subdivision of this state shall not impose any~~
33 ~~additional regulations on any professions subject to licensing requirements~~
34 ~~already imposed by a state licensing authority.~~

35 ~~(3) If a state licensing authority imposes any new licensing~~
36 ~~requirements on any profession that was previously unregulated by the~~

1 state, a political subdivision may not continue to require occupational fees
2 or licensing requirements for the profession once the state regulations
3 become effective.

4 ~~(e) A political subdivision's licensing authority shall not impose new
5 occupational fees on any profession if that profession is not already subject
6 to occupational fees. For professions already subject to occupational fees
7 imposed by a political subdivision's licensing authority on the effective
8 date of this section, occupational fees shall not exceed \$25 per year. If a
9 profession is already subject to political subdivision occupational fees that
10 exceed \$25 per year, the existing occupational fees imposed shall be void
11 and the licensing authority shall immediately reduce occupational fees in
12 accordance with the limits established by this section.~~

13 ~~(d) All state and political subdivision licensing authorities shall waive
14 all occupational fees and fees from licensing requirements for low-income
15 individuals and military families. Individuals seeking a waiver of
16 occupational fees and fees from licensing requirements must apply to the
17 appropriate licensing authority in a format prescribed by the licensing
18 authority. The licensing authority shall process the application within 30
19 days of receiving it from the applicant. The licensing authority shall adopt
20 and publicly maintain all necessary rules for the implementation of this
21 section.~~

22 ~~(e) Within 30 days of receiving an application for an occupational
23 license from a resident of this state who is currently licensed to practice
24 that occupation in another state and is in good standing with the
25 appropriate licensing authority of that state, the licensing authority shall
26 process the application and issue the license to the applicant. A license
27 issued pursuant to this subsection may not be a provisional license and
28 must confer the same rights, privileges and responsibilities as a license
29 issued by the licensing authority of this state. The licensing authority shall
30 adopt and publicly maintain all necessary rules for the implementation of
31 this section.~~

32 ~~(f) A political subdivision shall not require an occupational fee or
33 licensing requirement for any resident of this state who has paid an
34 occupational fee to or met a licensing requirement of another political
35 subdivision where the applicant does business in this state. A license or fee
36 waiver issued pursuant to this subsection shall not be a provisional license
37 or temporary fee waiver.~~

38 Sec. 2. This act shall take effect and be in force from and after its
39 publication in the statute book.