

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1166

- Page 1, line 1, after "Act" insert "to create and enact sections 43-51-12.1 and 43-51-12.2 of the North Dakota Century Code, relating to occupational licensing of foreign practitioners who are residents of the state;"
- Page 1, line 2, after the first comma insert "and"
- Page 1, line 2, remove ", 43-51-11.1, and 43-51-11.2"
- Page 1, line 3, replace "foreign practitioners who are residents of the state" with "teachers"
- Page 1, line 10, after "43-51-11.1" insert "or 43-51-12.1"
- Page 1, line 16, overstrike "and" and insert immediately thereafter an underscored comma
- Page 1, line 16, after the second comma insert "43-51-12.1, and 43-51-12.2"
- Page 1, line 20, remove "and"
- Page 1, line 20, after "43-51-11.2" insert ", 43-51-12.1, and 43-51-12.2"
- Page 2, line 2, overstrike "section" and insert immediately thereafter "sections"
- Page 2, line 2, after "43-51-11.1" insert "and 43-51-12.1"
- Page 2, line 3, overstrike "applies" and insert immediately thereafter "apply"
- Page 2, remove lines 4 through 29
- Page 3, remove lines 1 through 29
- Page 4, replace lines 1 through 13 with:

**"SECTION 4.** Section 43-51-12.1 of the North Dakota Century Code is created and enacted as follows:

**43-51-12.1. Foreign practitioners who are state residents - Licensure.**

1. This section applies to an applicant who is a foreign practitioner who is a resident of the state.
2. A board shall adopt rules regarding licensure of an applicant or shall grant on a case-by-case basis exceptions to the board's licensing standards to allow an applicant to practice the occupation or profession in the state if upon application to the board:
  - a. The applicant demonstrates competency in the occupation or profession through methods or standards determined by the board which must include experience in the occupation or profession for at least two of the four years preceding the date of application under this section; and
  - b. The board determines the issuance of the license will not substantially increase the risk of harm to the public. A board with authority to

require an applicant to submit to a statewide and national criminal history record check under section 12-60-24 may order a record check under this subdivision.

3. A board shall issue a provisional license or temporary permit to an applicant for which the licensure requirements under subsection 2 have been substantially met. A provisional license or temporary permit issued under this subsection may not exceed two years and remains valid while the applicant is making progress toward satisfying the unmet licensure requirements. An applicant may practice under a provisional license or temporary permit issued under this subsection until any of the following occurs:
  - a. The board grants or denies the applicant a North Dakota license under subsection 2 or grants a North Dakota license under the traditional licensure method;
  - b. The provisional license or temporary permit expires;
  - c. The applicant fails to comply with the terms of the provisional license or temporary permit; or
  - d. The board revokes the provisional license or temporary permit based on a determination revocation is necessary to protect the health and safety of the residents of the state.
4. A board that may elect to subject the board to this chapter under subsection 1 of section 43-51-01 may issue a license, provisional license, or temporary permit to an applicant in the same manner as provided under subsections 2 and 3 regardless of whether the board has adopted rules to subject the board to this chapter.
5. An individual issued a license under this section has the same rights and duties as a licensee issued a license under the traditional licensure method.
6. If within thirty days of receipt of a completed application under subsection 2 the board does not grant or deny a license under subsection 2 or does not issue a provisional license or temporary permit under subsection 3, the board automatically shall issue a provisional license or temporary permit. A provisional license or temporary permit issued under this subsection remains valid until the board grants or denies the application for licensure under subsection 2 or issues a provisional license or temporary permit under subsection 3.
7. For purposes of this section, the term "board" includes the state board of accountancy, state electrical board, North Dakota real estate appraiser qualifications and ethics board, state real estate commission, secretary of state with respect to contractor licensing, and state board of dental examiners.

**SECTION 5.** Section 43-51-12.2 of the North Dakota Century Code is created and enacted as follows:

**43-51-12.2. Foreign practitioners who are state residents - Licensure applications.**

1. On each licensure application and renewal form, a board shall inquire and maintain a record of whether an applicant or licensee is a foreign practitioner who is a resident of the state. If an applicant self-identifies as and provides the board with satisfactory proof of being a foreign practitioner who is a resident of the state, the board immediately shall commence the process to issue a license, provisional license, or temporary permit under section 43-51-12.1.
  
2. For purposes of this section, the term "board" includes the state board of accountancy, state electrical board, North Dakota real estate appraiser qualifications and ethics board, state real estate commission, secretary of state with respect to contractor licensing, and state board of dental examiners."

Page 4, line 17, replace "43-51-11.1" with "43-51-12.1"

Page 4, line 17, replace "43-51-11.2" with "43-51-12.2"

Page 4, line 21, replace "43-51-11.1" with "43-51-12.1"

Page 4, line 21, replace "43-51-11.2" with "43-51-12.2"

Renumber accordingly