

HOUSE BILL NO. 1246

Introduced by

Representatives Meier, Becker, Grande, Rohr, Ruby, Steiner, Weisz

Senators Dever, J. Lee

1 A BILL for an Act to create and enact a new section to chapter 43-51 of the North Dakota
2 Century Code, relating to occupational and professional licensure of military spouses; and to
3 amend and reenact section 43-51-01 of the North Dakota Century Code, relating to
4 occupational and professional licensure of military spouses.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 43-51-01 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **43-51-01. Definitions.**

9 As used in this chapter, unless the context indicates otherwise:

- 10 1. "Board" means a board, commission, or other agency of state government created or
11 identified in this title to regulate a particular occupation or profession, ~~except for the:~~
12 a. The term does not include the:
13 (1) State board of accountancy;
14 ~~b.(2)~~ State electrical board;
15 ~~e.(3)~~ North Dakota real estate appraiser qualifications and ethics board;
16 ~~d.(4)~~ State real estate commission;
17 ~~e.(5)~~ Secretary of state with respect to contractor licensing;
18 ~~f.(6)~~ State board of medical examiners; and
19 ~~g.(7)~~ State board of dental examiners.
20 b. "Board" also includes any agency of state government which is created or
21 identified outside this title to regulate a particular occupation or profession if the
22 agency elects, by administrative rule, to invoke the authority in this chapter.
23 2. "Foreign practitioner" means an individual who currently holds and maintains a license
24 in good standing to engage in an occupation or profession in a state or jurisdiction

- 1 other than this state and who is not the subject of a pending disciplinary action in any
2 state or jurisdiction.
- 3 3. "Good standing" means a foreign practitioner holds a current license that is not issued
4 on a temporary or restricted basis, is not encumbered or on probation, and is not
5 suspended or revoked.
- 6 4. "License" means a license, certificate, permit, or similar authorization to practice an
7 occupation or profession which is issued by a government agency in another state or
8 jurisdiction that imposes requirements for obtaining and maintaining a license which
9 are at least as stringent as the requirements imposed in this state to obtain and
10 maintain a license to practice the same profession or occupation.
- 11 5. "Military spouse" means a foreign practitioner who is the spouse of a member of the
12 armed forces of the United States or a reserve component of the armed forces of the
13 United States stationed in this state in accordance with military orders.
- 14 6. "Occupation or profession" means activity for which a license is required from a board
15 or similar activity for which a license is required in another state or jurisdiction.

16 **SECTION 2.** A new section to chapter 43-51 of the North Dakota Century Code is created
17 and enacted as follows:

18 **Military spouses - Licensure.**

- 19 1. Notwithstanding any other law to the contrary, a board shall issue a North Dakota
20 license to a military spouse to allow the military spouse to practice the occupation or
21 profession in the state if upon application to the board the military spouse:
- 22 a. Demonstrates competency in the occupation or profession through methods
23 determined by the board which must include completion of applicable continuing
24 education units and experience in the occupation or profession for at least two of
25 the four years preceding the date of application under this section; and
- 26 b. Pays any fees required by the board from which the applicant is seeking a
27 license.
- 28 2. Under subsection 1, a board may issue a provisional license or temporary permit to a
29 military spouse who holds a license from a jurisdiction for which one or more of the
30 licensure requirements have not been met. A provisional license or temporary permit
31 issued under this subsection remains valid while the military spouse is making

- 1 progress toward satisfying the necessary unmet licensure requirements. A military
2 spouse may practice under a provisional license or temporary permit issued under this
3 subsection until any of the following occurs:
- 4 a. The board grants or denies the military spouse a North Dakota license under
5 subsection 1 or grants a North Dakota license under the traditional licensure
6 method;
- 7 b. The provisional license or temporary permit expires; or
- 8 c. The military spouse fails to comply with the terms of the provisional license or
9 temporary permit.
- 10 3. The boards exempted under subsection 1 of section 43-51-01 may issue a license,
11 provisional license, or temporary permit to a military spouse in the same manner as
12 provided under subsections 1 and 2.
- 13 4. A military spouse issued a license under this section has the same rights and duties as
14 a licensee issued a license under the traditional licensure method.