

SENATE BILL NO. 399—SENATOR STONE

MARCH 27, 2023

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing occupational and professional licensing. (BDR 54-577)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to professions; requiring certain regulatory bodies to issue a professional or occupational license by endorsement under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for the regulation of certain occupations and professions in this State. (Title 54 of NRS) Existing law further: (1) requires a regulatory body to adopt regulations providing for the issuance of a license by endorsement to engage in an occupation or profession in this State to certain natural persons; and (2) sets forth certain minimum requirements for obtaining a license by endorsement. (NRS 622.530) **Section 1** of this bill provides instead that a regulatory body is required to issue a license by endorsement to engage in an occupation or profession in this State to certain applicants without the regulatory body having to adopt regulations. **Section 1** also revises the requirements for a person to obtain such a license by endorsement to require that, in addition to certain existing requirements, the person: (1) is a resident of this State; (2) has held for at least one year a corresponding valid and unrestricted license in good standing to engage in that occupation in the District of Columbia or any state or territory of the United States; (3) has satisfied the minimum educational, examination and experience requirements for such license; and (4) has not voluntarily surrendered any license to engage in the occupation or profession while under investigation by the corresponding regulatory authority in the other jurisdiction. **Section 1** also specifies that it is an alternative to any specific statute relating to the issuance of a license by endorsement by a regulatory body.

Section 2 of this bill provides that certain regulations adopted by a regulatory body pursuant to existing law relating to the licensure by endorsement are void and must not be given effect to the extent of conflict with **section 1**.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 622.530 is hereby amended to read as follows:
622.530 1. Except as otherwise provided ~~{by specific statute relating to the issuance of a license by endorsement,}~~ *in this section, a person may apply to a* regulatory body ~~{shall adopt regulations providing}~~ for the issuance of a license by endorsement to engage in an occupation or profession in this State . *A regulatory body shall issue a license by endorsement to engage in an occupation or profession in this State to any applicant who:*

(a) Is a natural person {who: —(a) Holds} and a resident of this State.

(b) Has held for at least one year a corresponding valid and unrestricted license in good standing to engage in that occupation or profession in the District of Columbia or any state or territory of the United States . {;

~~—(b) Possesses qualifications that are substantially similar to the qualifications required for issuance of a license to engage in that occupation or profession in this State; and~~

~~—(c) Satisfies the requirements of this section and the regulations adopted pursuant thereto.~~

~~—2. The regulations adopted pursuant to subsection 1 must not allow the issuance of a license by endorsement to engage in an occupation or profession in this State to a natural person unless such a person:~~

~~—(a) { If the applicant holds more than one license to engage in the occupation or profession, all such licenses must be valid, unrestricted and in good standing.~~

(c) Has satisfied the minimum educational, examination and experience requirements for each such license to engage in the occupation or profession issued by the District of Columbia or any state or territory, as confirmed by the corresponding regulatory authority.

(d) Has not been disciplined by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to engage in {an} the occupation or profession . {;

~~—(b) { (e) Has not been held civilly or criminally liable in the District of Columbia or any state or territory of the United States for misconduct relating to {his or her} the occupation or profession . {;~~

~~—(c) { (f) Has not had a license to engage in {an} the occupation or profession suspended or revoked in the District of Columbia or any state or territory of the United States . {;~~



1 ~~—(d)~~ (g) Has not been refused a license to engage in ~~the~~ the
2 occupation or profession in the District of Columbia or any state or
3 territory of the United States for any reason . ~~§~~

4 ~~—(e)~~ (h) *Has not voluntarily surrendered any license to engage*
5 *in the occupation or profession while under investigation by the*
6 *corresponding regulatory authority of the District of Columbia or*
7 *any state or territory of the United States.*

8 (i) Does not have pending any disciplinary action concerning his
9 or her license to engage in ~~the~~ the occupation or profession in the
10 District of Columbia or any state or territory of the United States . ~~§~~

11 ~~—(f)~~ (j) Pays any applicable fees for the issuance of a license that
12 are otherwise required for a natural person to obtain a license in this
13 State . ~~§~~

14 ~~—(g)~~ (k) Submits to the regulatory body a complete set of his or
15 her fingerprints and written permission authorizing the regulatory
16 body to forward the fingerprints to the Central Repository for
17 Nevada Records of Criminal History for submission to the Federal
18 Bureau of Investigation for its report or proof that the applicant has
19 previously passed a comparable criminal background check . ~~§; and~~

20 ~~—(h)~~ (l) Submits to the regulatory body the statement required
21 by NRS 425.520.

22 ~~§ 2.~~ 2. A regulatory body may ~~§, by regulation,~~ require an
23 applicant for issuance of a license by endorsement to engage in an
24 occupation or profession in this State *pursuant to this section* to
25 submit with his or her application:

26 (a) Proof satisfactory to the regulatory body that the applicant:

27 (1) Has achieved a passing score on a nationally recognized,
28 nationally accredited or nationally certified examination or other
29 examination approved by the regulatory body; *and*

30 (2) Has completed the requirements of an appropriate
31 vocational, academic or professional program of study in the
32 occupation or profession for which the applicant is seeking a license
33 by endorsement in this State;

34 (3) ~~Has engaged in the occupation or profession for which~~
35 ~~the applicant is seeking a license by endorsement in this State~~
36 ~~pursuant to the applicant's existing licensure for the period~~
37 ~~determined by the regulatory body preceding the date of the~~
38 ~~application; and~~

39 ~~—(4)~~ Possesses a sufficient degree of competency in the
40 occupation or profession for which he or she is seeking licensure by
41 endorsement in this State; *and*

42 (b) An affidavit stating that the information contained in the
43 application and any accompanying material is true and complete . ~~§~~
44 *and*

45 ~~—(c) Any other information required by the regulatory body.~~



1 ~~—4.1~~ 3. Not later than 21 business days after receiving an
2 application for a license by endorsement to engage in an occupation
3 or profession pursuant to this section, the regulatory body shall
4 provide written notice to the applicant of any additional information
5 required by the regulatory body to consider the application. Unless
6 the regulatory body denies the application for good cause, the
7 regulatory body shall approve the application and issue a license by
8 endorsement to engage in the occupation or profession to the
9 applicant not later than:

10 (a) Sixty days after receiving the application;

11 (b) ~~If the regulatory body requires an applicant to submit~~
12 ~~fingerprints and authorize the preparation of a report on the~~
13 ~~applicant's background based on the submission of the applicant's~~
14 ~~fingerprints, 15~~ *Fifteen* days after the regulatory body receives the
15 report ~~on the applicant's background based on the submission~~
16 ~~of the applicant's fingerprints;~~ or

17 (c) If the regulatory body requires the filing and maintenance of
18 a bond as a requirement for the issuance of a license, 15 days after
19 the filing of the bond with the regulatory body,

20 ➔ whichever occurs later.

21 ~~15.1~~ 4. A license by endorsement to engage in an occupation or
22 profession in this State issued pursuant to this section may be issued
23 at a meeting of the regulatory body or between its meetings by the
24 presiding member of the regulatory body and the executive head of
25 the regulatory body. Such an action shall be deemed to be an action
26 of the regulatory body.

27 ~~16.1~~ 5. A regulatory body may deny an application for
28 licensure by endorsement if:

29 (a) An applicant willfully fails to comply with the provisions of
30 paragraph ~~(g)~~ *(k)* of subsection ~~2.1~~ *1*; or

31 (b) The report from the Federal Bureau of Investigation
32 indicates that the applicant has been convicted of a crime that would
33 be grounds for taking disciplinary action against the applicant as a
34 licensee and the regulatory body has not previously taken
35 disciplinary action against the licensee based on that conviction.

36 ~~17.1~~ 6. The provisions of this section ~~are intended to~~
37 ~~supplement other provisions of statute governing licensure by~~
38 ~~endorsement. If any provision of statute conflicts with this section,~~
39 ~~the other provision of statute prevails over this section to the extent~~
40 ~~that the other provisions provide more specific requirements~~
41 relating to ~~licensure~~ *obtaining a license* by endorsement ~~are an~~
42 ~~alternative to any specific statute relating to the issuance of a~~
43 ~~license by endorsement by a regulatory body.~~

44 7. *As used in this section, "regulatory body" means:*



1 (a) *A board or commission which has authority to regulate an*
2 *occupation or profession pursuant to this title; and*

3 (b) *Any officer of a board or commission which has authority*
4 *to regulate an occupation or profession pursuant to this title.*

5 ↪ *The term does not include a state agency or any officer of a*
6 *state agency which has the authority to regulate an occupation or*
7 *profession pursuant to this title.*

8 **Sec. 2.** 1. The provisions of any regulation adopted by a
9 regulatory body pursuant to NRS 622.530, as that section existed
10 before the effective date of this section, relating to licensure by
11 endorsement is void and must not be given effect to the extent of
12 conflict.

13 2. The provisions of this act do not affect any regulation
14 adopted by a regulatory body pursuant to any specific statute
15 relating to the issuance of a license by endorsement other than
16 NRS 622.530.

17 3. As used in this section, “regulatory body” means:

18 (a) A board or commission which has authority to regulate an
19 occupation or profession pursuant to this title; and

20 (b) Any officer of a board or commission which has authority to
21 regulate an occupation or profession pursuant to this title.

22 ↪ The term does not include a state agency or any officer of a state
23 agency which has the authority to regulate an occupation or
24 profession pursuant to this title.

25 **Sec. 3.** 1. This section and section 2 become effective upon
26 passage and approval.

27 2. Section 1 of this act becomes effective:

28 (a) Upon passage and approval for the purposes of adopting
29 regulations and performing any other preparatory administrative
30 tasks that are necessary to carry out the provisions of this act; and

31 (b) On January 1, 2024, for all other purposes.

