

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) "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) "Military families" means any active duty service members and
22 their spouses, honorably discharged veterans and their spouses and
23 surviving spouses of deceased service members who have not remarried.

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

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

34 (3) If a state licensing authority imposes any new licensing
35 requirements on any profession that was previously unregulated by the
36 state, a political subdivision may not continue to require occupational fees

1 or licensing requirements for the profession once the state regulations
2 become effective.

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

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

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

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

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