

**Model Legislation
Freedom to Prosper**

SECTION 1. NEW LAW. A new section of law relating to limiting the authority of political subdivisions of this state to create new occupational fees or licensing requirements or to continue to regulate certain professions.

A. Definitions.

- (1) "Licensing" means any required training, education, or fee to work in a specific profession.
- (2) "Occupational fee" means a fee or tax on professionals or businesses that is charged for the privilege of providing goods or services within a certain jurisdiction.
- (3) "Political subdivision" means a city, town, village, or county.
- (4) "Licensing authority" means an agency, examining board, credentialing board, or other office with the authority to impose occupational fees or licensing requirements on any profession.

B. Limitation on new occupational fees or licensing regulations.

- (1) Beginning on [effective date of this Act], a political subdivision of this state shall not impose any occupational fees or licensing requirements on any profession if the political subdivision does not already impose occupational fees or licensing requirements on that profession. Notwithstanding the above, the political subdivision may continue to so regulate any profession or occupation that is subject to occupational fees or licensing requirements on or before that date.
- (2) With regard to professions subject to licensing requirements imposed by a state licensing authority, a political subdivision of this state shall not impose any regulations on such professions that add additional licensing requirements to those already imposed by a state licensing authority.
- (3) Beginning on [effective date of this Act], if a state licensing authority imposes any new licensing requirements on any profession that was previously unregulated by the state, and if the political subdivision regulates the profession when the state regulations take effect, the political subdivision may not continue to require occupational fees or licensing requirements for the profession on or after the date when the state regulations take effect.

SECTION 2. NEW LAW. A new section of law relating to a cap on occupational fees that may be imposed by political subdivisions.

A. Definitions.

- (1) "Occupational fee" means a fee or tax on professionals or businesses that is charged for the privilege of providing goods or services within a certain jurisdiction.
- (2) "Political subdivision" means a city, town, village, or county.
- (3) "Licensing authority" means an agency, examining board, credentialing board, or other office with the authority to impose occupational fees or licensing requirements on any profession.

B. Cap on Occupational Fees.

- (1) Beginning on [effective date of this Act], a political subdivision's licensing authority shall not impose new occupational fees on any profession if that profession is not already subject to occupational fees.
- (2) Regarding professions already subject to occupational fees imposed by a political subdivision's licensing authority on [effective date of this Act], occupational fees shall not exceed \$25 per year. If a profession is already subject to political subdivision occupational fees that exceed \$25 per year, the existing occupational fees imposed do not apply and the licensing authority shall immediately reduce occupational fees in accordance with the limits set by this Act.

SECTION 3. NEW LAW. A new section of law relating to waiver of occupational fees and fees from licensing requirements for certain low-income individuals and military families.

A. Definitions.

- (1) "Licensing" means any required training, education, or fee to work in a specific profession.
- (2) "Occupational fee" means a fee or tax on professionals or businesses that is charged for the privilege of providing goods or services within a certain jurisdiction.
- (3) "Political subdivision" means a city, town, village, or county.
- (4) "Licensing authority" means an agency, examining board, credentialing board, or other office with the authority to impose occupational fees or licensing requirements on any profession.
- (5) "Low-income individuals" mean individuals whose household adjusted gross income is below 130 percent of the federal poverty line, or a higher threshold to be set by the executive branch department that oversees business regulation. This term shall also apply to any person enrolled in a state or federal public assistance program including, but not limited to, TANF, Medicaid, and/or SNAP.
- (6) "Military families" mean any active duty service members and their spouses and honorably discharged veterans and their spouses. Surviving spouses of deceased service members who are unremarried are also included.

B. Waiver of Licensing Fees for Low-Income Individuals and Military Families.

- (1) All state and political subdivision licensing authorities shall waive all occupational fees and fees from licensing requirements for low-income individuals. These fees shall also be waived for military families.
- (2) Individuals seeking a waiver of occupational fees and fees from licensing requirements must apply to the appropriate licensing authority in a format prescribed by the licensing authority. The licensing authority shall process the application within 30 days of receiving it from the applicant.
- (3) The licensing authority shall adopt necessary rules for the implementation of this section.

SECTION 4. NEW LAW. A new section of law relating to reciprocity for residents holding occupational licenses issued by another state or residents who paid an occupational fee in another political subdivision within this state.

A. Definitions.

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

- (2) "Occupational fee" means a fee or tax on professionals or businesses that is charged for the privilege of providing goods or services within a certain jurisdiction.
- (3) "Political subdivision" means a city, town, village, or county.
- (4) "Licensing authority" means an agency, examining board, credentialing board, or other office with the authority to impose occupational fees or licensing requirements on any profession.

B. Reciprocity for Occupational Licenses Issued by Other States.

- a. A licensing authority shall, within 30 days of receiving an application for an occupational license from a resident of this state who is currently licensed to practice that occupation in another state:
 - i. Process the application; and
 - ii. Issue the license to the applicant provided that the applicant's license is in good standing with the licensing authority of the other state that issued the license.
- b. A license issued under this section may not be a provisional license and must confer the same rights, privileges, and responsibilities as a license issued by the licensing authority of this state.
- c. The licensing authority shall adopt necessary rules for the implementation of this section.

C. Reciprocity for Occupational Fees and Licensing Requirements from Other Political Subdivisions.

- a. A political subdivision shall not require an occupational fee or licensing requirement for any resident of this state who already paid an occupational fee to or met a licensing requirement of another political subdivision where the applicant does business in this state.
- b. A license or fee waiver issued under this section may not be a provisional license or temporary fee waiver.