

Local Licensing Preemption Model Bill

(A) Short title. This Act shall be known and may be cited as the “Freedom to Work Act of 2019.”

(B) Purpose. The purpose of this Act is to limit the licensing authority of local governments to create new barriers to work for individuals.

(C) Definitions.

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

(D) Limitation on new occupational fees or licensing regulations.

- (1) 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 if the occupational fees do not exceed \$25 per year. If a profession is already subject to political subdivision occupational fees that exceed \$25 per year, then 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.
- (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 the state licensing authority.
- (3) 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.

(E) Effective date. The requirements of this Act shall be effective on January 1, 2020.