

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

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MMcB

P.L. 2018, CHAPTER 78, *approved August 10, 2018*
Assembly, No. 1531 (*Second Reprint*)

1 AN ACT concerning professional and occupational licenses, and
2 amending P.L.2013, c.182.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 3 of P.L.2013, c.182 (C.45:1-7.5) is amended to read
8 as follows:

9 3. a. Upon receipt of a completed application, application fee,
10 consent to a criminal history record background check, if
11 applicable, and requisite fee for such a check, a board shall issue a
12 professional or occupational license, certificate of registration, or
13 certification to any person who documents that the person holds a
14 valid, current corresponding professional or occupational license,
15 certificate of registration, or certification in good standing issued by
16 another state, if:

17 (1) the state that issued the license has, or had at the time of
18 issuance, education, training, and examination requirements for
19 licensure, registration, or certification substantially equivalent to
20 the current standards of this State, as determined by the board or
21 committee;

22 (2) the applicant had been practicing in the profession for which
23 licensure in this State is sought, within the five years prior to the
24 date of the application; and

25 (3) the requirements of subsection b. of this section have been
26 satisfied with respect to the person.

27 b. Prior to the issuance of the license, certificate of registration,
28 or certification pursuant to subsection a. of this section, the board or
29 committee shall have received or obtained:

30 (1) documentation reasonably satisfactory to the board that the
31 applicant's license, certificate of registration, or certification in that
32 other state is valid, current, and in good standing;

33 (2) if a person is seeking licensure as a health care professional
34 as defined in section 1 of P.L.2002, c.104 (C.45:1-28), or if a
35 criminal history record background check is otherwise required
36 prior to licensure in this State, the results of a criminal history
37 record background check of the files of the Criminal Justice
38 Information Services Division in the Federal Bureau of
39 Investigation and the State Bureau of Identification in the Division
40 of State Police that does not disclose a conviction for a
41 disqualifying crime; and

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ACE committee amendments adopted May 7, 2018.

²Senate SCM committee amendments adopted June 11, 2018.

1 (3) designation of an agent in this State for service of process if
2 the applicant is not a New Jersey resident and does not have an
3 office in New Jersey.

4 The provisions of paragraph (1) of this subsection shall be
5 deemed to be satisfied with respect to a person who is seeking a
6 license, certificate of registration, or certification pursuant to
7 subsection a. of this section for the six months immediately
8 following a natural disaster or other catastrophic event that occurred
9 in the state that issued the person's corresponding professional or
10 occupational license, certificate of registration, or certification ¹if
11 the board, upon inquiry, determines that the issuing state is unable
12 to timely provide the documentation following the natural disaster
13 or catastrophic event ^{1 2}. Notwithstanding this six month time limit,
14 in the case of a person seeking a license, certificate of registration,
15 or certification pursuant to this paragraph due to a natural disaster
16 or other catastrophic event that occurred on or after August 1, 2017,
17 the board shall accept such a request for a period of not more than
18 12 months after the effective date of P.L. , c. (C.)(pending
19 before the Legislature as this bill) if the board, upon inquiry,
20 determines that the issuing state is unable to timely provide the
21 documentation following the natural disaster or catastrophic event ².
22 ²[In such a case, the] The² person shall submit the required
23 documentation as soon as practicable.

24 c. For purposes of this section **[, "good"]** :

25 "Good standing" means that:

26 (1) no action has been taken against the applicant's license by
27 any licensing board;

28 (2) no action affecting the applicant's privileges to practice that
29 applicant's profession has been taken by any out-of-State institution,
30 organization, or employer;

31 (3) no disciplinary proceeding is pending that could affect the
32 applicant's privileges to practice that applicant's profession;

33 (4) all fines levied by any out-of-State board have been paid;
34 and

35 (5) there is no pending or final action by any criminal authority
36 for violation of law or regulation, or any arrest or conviction for any
37 criminal or quasi-criminal offense under the laws of the United
38 States, this State, or any other state including, but not limited to:
39 criminal homicide; aggravated assault; sexual assault, criminal
40 sexual contact, or lewdness; or an offense involving any controlled
41 dangerous substance or controlled dangerous substance analog.

42 "State" means a state of the United States, the District of
43 Columbia, the Commonwealth of Puerto Rico, or any other territory
44 or possession of the United States.

45 d. For purposes of this section, a "substantially equivalent"
46 examination need not be identical to the current examination

- 1 requirements of this State, but such examination shall be nationally
2 recognized and of comparable scope and rigor.
- 3 e. An applicant's experience may be considered by the board or
4 committee to compensate for disparity in substantial equivalence in
5 education and examination requirements under subsection a. of this
6 section.
- 7 f. An applicant shall satisfy or shall have satisfied all
8 applicable prerequisites required for initial licensure in this State,
9 such as obtaining insurance, including malpractice insurance, a
10 surety bond, or a pressure seal.
- 11 g. An applicant shall answer truthfully all questions asked of an
12 applicant for initial licensure.
- 13 h. Not later than six months after the issuance of the license,
14 the board or committee shall have received documentation
15 reasonably satisfactory to the board verifying the person's
16 education, training, and examination results.
- 17 i. A board or committee, after the licensee has been given
18 notice and an opportunity to be heard, may revoke any license based
19 on a license issued by another state obtained through fraud,
20 deception, or misrepresentation.
- 21 j. Nothing contained in this section shall preclude a board from
22 requiring an applicant for licensure based on an out-of-State license
23 to take an on-line jurisprudence course or an orientation available to
24 the applicant at any time.
- 25 k. Nothing contained in this section shall preclude a board from
26 only granting a license, certificate of registration, or certification
27 without examination to an applicant seeking reciprocity who holds a
28 corresponding license, certificate of registration, or certification
29 from another state if equal reciprocity is provided for a New Jersey
30 applicant for licensure under the law of that other state.
- 31 l. Nothing in this section shall preclude a board from
32 exercising its discretion to grant a license, certificate of registration,
33 or certification without examination to an applicant seeking
34 reciprocity who holds a corresponding license, certificate of
35 registration, or certification from another state who does not meet
36 the good standing requirement of subsection a. of this section due to
37 a pending action by a licensing board, a pending action by an out-
38 of-State institution, organization, or employer affecting the
39 applicant's privileges to practice, a pending disciplinary proceeding,
40 or a pending criminal charge or arrest for a crime.
- 41 m. Notwithstanding any law or regulation to the contrary, the
42 provisions of this section shall apply to every holder of a
43 professional or occupational license or certificate of registration or
44 certification issued or renewed by a board specified in section 2 of
45 P.L.1978, c.73 (C.45:1-15), except that the provisions of this
46 section shall not apply to any holder of a license issued or renewed
47 by the Board of Examiners of Electrical Contractors pursuant to
48 P.L.1962, c.162 (C.45:5A-1 et seq.), the State Board of Examiners

1 of Master Plumbers pursuant to P.L.1968, c. 362 (C.45:14C-1 et
2 seq.), the New Jersey Real Estate Commission pursuant to
3 R.S.45:15-1 et seq., or the State Board of Examiners of Heating,
4 Ventilating, Air Conditioning and Refrigeration Contractors
5 pursuant to P.L.2007, c.211 (C.45:16A-1 et seq.).
6 (cf: P.L.2013, c.182, s.3)

7

8 2. This act shall take effect immediately.

9

10

11

12

13 Revises law concerning reciprocity for out-of-State professional
14 and occupational licenses.

ASSEMBLY, No. 1531

STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Assemblyman ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

SYNOPSIS

Revises law concerning reciprocity for out-of-State professional and occupational licenses.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 5/8/2018)

A1531 ZWICKER, LOPEZ

2

1 AN ACT concerning professional and occupational licenses, and
2 amending P.L.2013, c.182.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 3 of P.L.2013, c.182 (C.45:1-7.5) is amended to read
8 as follows:

9 3. a. Upon receipt of a completed application, application fee,
10 consent to a criminal history record background check, if
11 applicable, and requisite fee for such a check, a board shall issue a
12 professional or occupational license, certificate of registration, or
13 certification to any person who documents that the person holds a
14 valid, current corresponding professional or occupational license,
15 certificate of registration, or certification in good standing issued by
16 another state, if:

17 (1) the state that issued the license has, or had at the time of
18 issuance, education, training, and examination requirements for
19 licensure, registration, or certification substantially equivalent to
20 the current standards of this State, as determined by the board or
21 committee;

22 (2) the applicant had been practicing in the profession for which
23 licensure in this State is sought, within the five years prior to the
24 date of the application; and

25 (3) the requirements of subsection b. of this section have been
26 satisfied with respect to the person.

27 b. Prior to the issuance of the license, certificate of registration,
28 or certification pursuant to subsection a. of this section, the board or
29 committee shall have received or obtained:

30 (1) documentation reasonably satisfactory to the board that the
31 applicant's license, certificate of registration, or certification in that
32 other state is valid, current, and in good standing;

33 (2) if a person is seeking licensure as a health care professional
34 as defined in section 1 of P.L.2002, c.104 (C.45:1-28), or if a
35 criminal history record background check is otherwise required
36 prior to licensure in this State, the results of a criminal history
37 record background check of the files of the Criminal Justice
38 Information Services Division in the Federal Bureau of
39 Investigation and the State Bureau of Identification in the Division
40 of State Police that does not disclose a conviction for a
41 disqualifying crime; and

42 (3) designation of an agent in this State for service of process if
43 the applicant is not a New Jersey resident and does not have an
44 office in New Jersey.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 The provisions of paragraph (1) of this subsection shall be
2 deemed to be satisfied with respect to a person who is seeking a
3 license, certificate of registration, or certification pursuant to
4 subsection a. of this section for the six months immediately
5 following a natural disaster or other catastrophic event that occurred
6 in the state that issued the person's corresponding professional or
7 occupational license, certificate of registration, or certification. In
8 such a case, the person shall submit the required documentation as
9 soon as practicable.

10 c. For purposes of this section **["good"]** :

11 "Good standing" means that:

12 (1) no action has been taken against the applicant's license by
13 any licensing board;

14 (2) no action affecting the applicant's privileges to practice that
15 applicant's profession has been taken by any out-of-State institution,
16 organization, or employer;

17 (3) no disciplinary proceeding is pending that could affect the
18 applicant's privileges to practice that applicant's profession;

19 (4) all fines levied by any out-of-State board have been paid;
20 and

21 (5) there is no pending or final action by any criminal authority
22 for violation of law or regulation, or any arrest or conviction for any
23 criminal or quasi-criminal offense under the laws of the United
24 States, this State, or any other state including, but not limited to:
25 criminal homicide; aggravated assault; sexual assault, criminal
26 sexual contact, or lewdness; or an offense involving any controlled
27 dangerous substance or controlled dangerous substance analog.

28 "State" means a state of the United States, the District of
29 Columbia, the Commonwealth of Puerto Rico, or any other territory
30 or possession of the United States.

31 d. For purposes of this section, a "substantially equivalent"
32 examination need not be identical to the current examination
33 requirements of this State, but such examination shall be nationally
34 recognized and of comparable scope and rigor.

35 e. An applicant's experience may be considered by the board or
36 committee to compensate for disparity in substantial equivalence in
37 education and examination requirements under subsection a. of this
38 section.

39 f. An applicant shall satisfy or shall have satisfied all
40 applicable prerequisites required for initial licensure in this State,
41 such as obtaining insurance, including malpractice insurance, a
42 surety bond, or a pressure seal.

43 g. An applicant shall answer truthfully all questions asked of an
44 applicant for initial licensure.

45 h. Not later than six months after the issuance of the license,
46 the board or committee shall have received documentation
47 reasonably satisfactory to the board verifying the person's
48 education, training, and examination results.

1 i. A board or committee, after the licensee has been given
2 notice and an opportunity to be heard, may revoke any license based
3 on a license issued by another state obtained through fraud,
4 deception, or misrepresentation.

5 j. Nothing contained in this section shall preclude a board from
6 requiring an applicant for licensure based on an out-of-State license
7 to take an on-line jurisprudence course or an orientation available to
8 the applicant at any time.

9 k. Nothing contained in this section shall preclude a board from
10 only granting a license, certificate of registration, or certification
11 without examination to an applicant seeking reciprocity who holds a
12 corresponding license, certificate of registration, or certification
13 from another state if equal reciprocity is provided for a New Jersey
14 applicant for licensure under the law of that other state.

15 l. Nothing in this section shall preclude a board from
16 exercising its discretion to grant a license, certificate of registration,
17 or certification without examination to an applicant seeking
18 reciprocity who holds a corresponding license, certificate of
19 registration, or certification from another state who does not meet
20 the good standing requirement of subsection a. of this section due to
21 a pending action by a licensing board, a pending action by an out-
22 of-State institution, organization, or employer affecting the
23 applicant's privileges to practice, a pending disciplinary proceeding,
24 or a pending criminal charge or arrest for a crime.

25 m. Notwithstanding any law or regulation to the contrary, the
26 provisions of this section shall apply to every holder of a
27 professional or occupational license or certificate of registration or
28 certification issued or renewed by a board specified in section 2 of
29 P.L.1978, c.73 (C.45:1-15), except that the provisions of this
30 section shall not apply to any holder of a license issued or renewed
31 by the Board of Examiners of Electrical Contractors pursuant to
32 P.L.1962, c.162 (C.45:5A-1 et seq.), the State Board of Examiners
33 of Master Plumbers pursuant to P.L.1968, c. 362 (C.45:14C-1 et
34 seq.), the New Jersey Real Estate Commission pursuant to
35 R.S.45:15-1 et seq., or the State Board of Examiners of Heating,
36 Ventilating, Air Conditioning and Refrigeration Contractors
37 pursuant to P.L.2007, c.211 (C.45:16A-1 et seq.).
38 (cf: P.L.2013, c.182, s.3)

39

40 2. This act shall take effect immediately.

41

42

43

STATEMENT

44

45 This bill revises section 3 of P.L.2013, c.182 (C.45:1-7.5), the
46 section of law created to provide a streamlined reciprocity process
47 for out-of-State professional and occupational licensing, with
48 specific regard to jurisdictions with “substantially equivalent”

1 standards to that of New Jersey. The bill amends this section of law
2 to provide that a person seeking reciprocity in New Jersey, who is
3 required by law to provide documentation proving that the out-of-
4 State license is valid, current, and in good standing in the other
5 state, will have six months, following the date that a natural disaster
6 or other catastrophic event occurred in the other state, to submit the
7 documentation to a professional or occupational licensing board in
8 this State. In such a case, the person must submit the required
9 documentation as soon as practicable. This provision is intended to
10 account for the difficulty that persons may encounter when
11 attempting to provide to a New Jersey licensing board evidence of
12 licensure in another jurisdiction that is affected by a natural disaster
13 or catastrophic event, where records may be destroyed or not
14 recovered in a timely fashion, or the government entity whose
15 responsibility it is to maintain those records is unable to provide
16 assistance due to the natural disaster or catastrophic event.

17 The bill also amends this section of law to clarify that the term
18 “state” means a state of the United States, the District of Columbia,
19 the Commonwealth of Puerto Rico, or any other territory or
20 possession of the United States. Currently, the term “state” is not
21 defined in this section of law, and may be interpreted as meaning a
22 state of the United States, but not Puerto Rico, or any other territory
23 or possession of the United States.

ASSEMBLY COMMERCE AND ECONOMIC DEVELOPMENT
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1531

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 7, 2018

The Assembly Commerce and Economic Development Committee reports favorably and with committee amendments Assembly Bill No. 1531.

This bill, as amended, revises section 3 of P.L.2013, c.182 (C.45:1-7.5), the section of law created to provide a streamlined reciprocity process for out-of-State professional and occupational licensing, with specific regard to jurisdictions with “substantially equivalent” standards to that of New Jersey. The bill amends this section of law to provide that a person seeking reciprocity in New Jersey, who is required by law to provide documentation proving that the out-of-State license is valid, current, and in good standing in the other state, will have six months, following the date that a natural disaster or other catastrophic event occurred in the other state, to submit the documentation to a professional or occupational licensing board in this State. As amended, the six-month grace period provided by the bill only would apply if the professional or occupational licensing board, upon inquiry, determines that the issuing state is unable to provide the documentation in a timely manner, following the natural disaster or catastrophic event

In such a case, the person must submit the required documentation as soon as practicable. This provision is intended to account for the difficulty that persons may encounter when attempting to provide to a New Jersey licensing board evidence of licensure in another jurisdiction that is affected by a natural disaster or catastrophic event, where records may be destroyed or not recovered in a timely fashion, or the government entity whose responsibility it is to maintain those records is unable to provide assistance due to the natural disaster or catastrophic event.

The bill amends this section of law to clarify that the term “state” means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any other territory or possession of the United States. Currently, the term “state” is not defined in this section of law, and may be interpreted as meaning a state of the United

States, but not Puerto Rico, or any other territory or possession of the United States.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amendments clarify that the six-month grace period established under the bill only would apply if the New Jersey professional or occupational licensing board, upon inquiry, determines that the issuing state is unable to provide the documentation in a timely manner, following a natural disaster or catastrophic event.

SENATE COMMERCE COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1531

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 11, 2018

The Senate Commerce Committee reports favorably and with committee amendments Assembly Bill No. 1531 (1R).

This bill, as amended, revises section 3 of P.L.2013, c.182 (C.45:1-7.5), the section of law created to provide a streamlined reciprocity process for out-of-State professional and occupational licensing, with specific regard to jurisdictions with “substantially equivalent” standards to that of New Jersey. The bill amends this section of law to provide that a person seeking reciprocity in New Jersey, who is required by law to provide documentation proving that the out-of-State license is valid, current, and in good standing in the other state, will have six months, following the date that a natural disaster or other catastrophic event occurred in the other state, to submit the documentation to a professional or occupational licensing board in this State. The six-month grace period provided by the bill only would apply if the professional or occupational licensing board, upon inquiry, determines that the issuing state is unable to provide the documentation in a timely manner, following the natural disaster or catastrophic event.

In such a case, the person must submit the required documentation as soon as practicable. This provision is intended to account for the difficulty that persons may encounter when attempting to provide to a New Jersey licensing board evidence of licensure in another jurisdiction that is affected by a natural disaster or catastrophic event, where records may be destroyed or not recovered in a timely fashion, or the government entity whose responsibility it is to maintain those records is unable to provide assistance due to the natural disaster or catastrophic event.

The bill further provides that, notwithstanding the six month time limit, in the case of a person seeking a license, certificate of registration, or certification due to a natural disaster or other catastrophic event that occurred on or after August 1, 2017, the board shall accept such a request for a period of not more than 12 months after the effective date of the bill if the board, upon inquiry, determines

that the issuing state is unable to timely provide the documentation following the natural disaster or catastrophic event.

The bill also amends this section of law to clarify that the term “state” means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any other territory or possession of the United States. Currently, the term “state” is not defined in this section of law, and may be interpreted as meaning a state of the United States, but not Puerto Rico, or any other territory or possession of the United States.

Committee Amendments:

The committee amended the bill to provide that, notwithstanding the six month time limit, in the case of a person seeking a license, certificate of registration, or certification pursuant to the bill due to a natural disaster or other catastrophic event that occurred on or after August 1, 2017, the board shall accept such a request for a period of not more than 12 months after the effective date of the bill if the board, upon inquiry, determines that the issuing state is unable to timely provide the documentation following the natural disaster or catastrophic event.

These committee amendments make this bill identical to Senate Bill No. 522 (1R).

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[Second Reprint]

ASSEMBLY, No. 1531

STATE OF NEW JERSEY

DATED: JUNE 18, 2018

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 1531 (2R).

This bill revises section 3 of P.L.2013, c.182 (C.45:1-7.5), the section of law created to provide a streamlined reciprocity process for out-of-State professional and occupational licensing, with specific regard to jurisdictions with “substantially equivalent” standards to that of New Jersey. The bill amends this section of law to provide that a person seeking reciprocity in New Jersey, who is required by law to provide documentation proving that the out-of-State license is valid, current, and in good standing in the other state, will have six months, following the date that a natural disaster or other catastrophic event occurred in the other state, to submit the documentation to a professional or occupational licensing board in this State. The six-month grace period provided by the bill only would apply if the professional or occupational licensing board, upon inquiry, determines that the issuing state is unable to provide the documentation in a timely manner, following the natural disaster or catastrophic event.

In such a case, the person must submit the required documentation as soon as practicable. This provision is intended to account for the difficulty that persons may encounter when attempting to provide to a New Jersey licensing board evidence of licensure in another jurisdiction that is affected by a natural disaster or catastrophic event, where records may be destroyed or not recovered in a timely fashion, or the government entity whose responsibility it is to maintain those records is unable to provide assistance due to the natural disaster or catastrophic event.

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The bill also amends this section of law to clarify that the term “state” means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any other territory or possession of the United States. Currently, the term “state” is not defined in this section of law, and may be interpreted as meaning a state of the United States, but not Puerto Rico, or any other territory or possession of the United States.

As reported, this bill is identical to Senate Bill No. 522 (1R), as also reported by the committee.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

SENATE, No. 522

STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Senator THOMAS H. KEAN, JR.

District 21 (Morris, Somerset and Union)

Senator ROBERT W. SINGER

District 30 (Monmouth and Ocean)

Senator NELLIE POU

District 35 (Bergen and Passaic)

SYNOPSIS

Revises law concerning reciprocity for out-of-State professional and occupational licenses.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 6/8/2018)

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10 consent to a criminal history record background check, if
11 applicable, and requisite fee for such a check, a board shall issue a
12 professional or occupational license, certificate of registration, or
13 certification to any person who documents that the person holds a
14 valid, current corresponding professional or occupational license,
15 certificate of registration, or certification in good standing issued by
16 another state, if:

17 (1) the state that issued the license has, or had at the time of
18 issuance, education, training, and examination requirements for
19 licensure, registration, or certification substantially equivalent to
20 the current standards of this State, as determined by the board or
21 committee;

22 (2) the applicant had been practicing in the profession for which
23 licensure in this State is sought, within the five years prior to the
24 date of the application; and

25 (3) the requirements of subsection b. of this section have been
26 satisfied with respect to the person.

27 b. Prior to the issuance of the license, certificate of registration,
28 or certification pursuant to subsection a. of this section, the board or
29 committee shall have received or obtained:

30 (1) documentation reasonably satisfactory to the board that the
31 applicant's license, certificate of registration, or certification in that
32 other state is valid, current, and in good standing;

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34 as defined in section 1 of P.L.2002, c.104 (C.45:1-28), or if a
35 criminal history record background check is otherwise required
36 prior to licensure in this State, the results of a criminal history
37 record background check of the files of the Criminal Justice
38 Information Services Division in the Federal Bureau of
39 Investigation and the State Bureau of Identification in the Division
40 of State Police that does not disclose a conviction for a
41 disqualifying crime; and

42 (3) designation of an agent in this State for service of process if
43 the applicant is not a New Jersey resident and does not have an
44 office in New Jersey.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
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Matter underlined thus is new matter.

1 The provisions of paragraph (1) of this subsection shall be
2 deemed to be satisfied with respect to a person who is seeking a
3 license, certificate of registration, or certification pursuant to
4 subsection a. of this section for the six months immediately
5 following a natural disaster or other catastrophic event that occurred
6 in the state that issued the person's corresponding professional or
7 occupational license, certificate of registration, or certification. In
8 such a case, the person shall submit the required documentation as
9 soon as practicable.

10 c. For purposes of this section**["good"]** :

11 "Good standing" means that:

12 (1) no action has been taken against the applicant's license by
13 any licensing board;

14 (2) no action affecting the applicant's privileges to practice that
15 applicant's profession has been taken by any out-of-State institution,
16 organization, or employer;

17 (3) no disciplinary proceeding is pending that could affect the
18 applicant's privileges to practice that applicant's profession;

19 (4) all fines levied by any out-of-State board have been paid;
20 and

21 (5) there is no pending or final action by any criminal authority
22 for violation of law or regulation, or any arrest or conviction for any
23 criminal or quasi-criminal offense under the laws of the United
24 States, this State, or any other state including, but not limited to:
25 criminal homicide; aggravated assault; sexual assault, criminal
26 sexual contact, or lewdness; or an offense involving any controlled
27 dangerous substance or controlled dangerous substance analog.

28 "State" means a state of the United States, the District of
29 Columbia, the Commonwealth of Puerto Rico, or any other territory
30 or possession of the United States.

31 d. For purposes of this section, a "substantially equivalent"
32 examination need not be identical to the current examination
33 requirements of this State, but such examination shall be nationally
34 recognized and of comparable scope and rigor.

35 e. An applicant's experience may be considered by the board or
36 committee to compensate for disparity in substantial equivalence in
37 education and examination requirements under subsection a. of this
38 section.

39 f. An applicant shall satisfy or shall have satisfied all applicable
40 prerequisites required for initial licensure in this State, such as
41 obtaining insurance, including malpractice insurance, a surety bond,
42 or a pressure seal.

43 g. An applicant shall answer truthfully all questions asked of an
44 applicant for initial licensure.

45 h. Not later than six months after the issuance of the license, the
46 board or committee shall have received documentation reasonably
47 satisfactory to the board verifying the person's education, training,
48 and examination results.

1 i. A board or committee, after the licensee has been given notice
2 and an opportunity to be heard, may revoke any license based on a
3 license issued by another state obtained through fraud, deception, or
4 misrepresentation.

5 j. Nothing contained in this section shall preclude a board from
6 requiring an applicant for licensure based on an out-of-State license
7 to take an on-line jurisprudence course or an orientation available to
8 the applicant at any time.

9 k. Nothing contained in this section shall preclude a board from
10 only granting a license, certificate of registration, or certification
11 without examination to an applicant seeking reciprocity who holds a
12 corresponding license, certificate of registration, or certification
13 from another state if equal reciprocity is provided for a New Jersey
14 applicant for licensure under the law of that other state.

15 l. Nothing in this section shall preclude a board from exercising
16 its discretion to grant a license, certificate of registration, or
17 certification without examination to an applicant seeking
18 reciprocity who holds a corresponding license, certificate of
19 registration, or certification from another state who does not meet
20 the good standing requirement of subsection a. of this section due to
21 a pending action by a licensing board, a pending action by an out-
22 of-State institution, organization, or employer affecting the
23 applicant's privileges to practice, a pending disciplinary proceeding,
24 or a pending criminal charge or arrest for a crime.

25 m. Notwithstanding any law or regulation to the contrary, the
26 provisions of this section shall apply to every holder of a
27 professional or occupational license or certificate of registration or
28 certification issued or renewed by a board specified in section 2 of
29 P.L.1978, c.73 (C.45:1-15), except that the provisions of this
30 section shall not apply to any holder of a license issued or renewed
31 by the Board of Examiners of Electrical Contractors pursuant to
32 P.L.1962, c.162 (C.45:5A-1 et seq.), the State Board of Examiners
33 of Master Plumbers pursuant to P.L.1968, c. 362 (C.45:14C-1 et
34 seq.), the New Jersey Real Estate Commission pursuant to
35 R.S.45:15-1 et seq., or the State Board of Examiners of Heating,
36 Ventilating, Air Conditioning and Refrigeration Contractors
37 pursuant to P.L.2007, c.211 (C.45:16A-1 et seq.).
38 (cf: P.L.2013, c.182, s.3)

39

40 2. This act shall take effect immediately.

41

42

43

STATEMENT

44

45 This bill revises section 3 of P.L.2013, c.182 (C.45:1-7.5), the
46 section of law created to provide a streamlined reciprocity process
47 for out-of-State professional and occupational licensing, with
48 specific regard to jurisdictions with “substantially equivalent”

1 standards to that of New Jersey. The bill amends this section of law
2 to provide that a person seeking reciprocity in New Jersey, who is
3 required by law to provide documentation proving that the out-of-
4 State license is valid, current, and in good standing in the other
5 state, will have six months, following the date that a natural disaster
6 or other catastrophic event occurred in the other state, to submit the
7 documentation to a professional or occupational licensing board in
8 this State. In such a case, the person must submit the required
9 documentation as soon as practicable. This provision is intended to
10 account for the difficulty that persons may encounter when
11 attempting to provide to a New Jersey licensing board evidence of
12 licensure in another jurisdiction that is affected by a natural disaster
13 or catastrophic event, where records may be destroyed or not
14 recovered in a timely fashion, or the government entity whose
15 responsibility it is to maintain those records is unable to provide
16 assistance due to the natural disaster or catastrophic event.

17 The bill also amends this section of law to clarify that the term
18 “state” means a state of the United States, the District of Columbia,
19 the Commonwealth of Puerto Rico, or any other territory or
20 possession of the United States. Currently, the term “state” is not
21 defined in this section of law, and may be interpreted as meaning a
22 state of the United States, but not Puerto Rico, or any other territory
23 or possession of the United States.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 522

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 11, 2018

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 522.

This bill, as amended, revises section 3 of P.L.2013, c.182 (C.45:1-7.5), the section of law created to provide a streamlined reciprocity process for out-of-State professional and occupational licensing, with specific regard to jurisdictions with “substantially equivalent” standards to that of New Jersey. The bill amends this section of law to provide that a person seeking reciprocity in New Jersey, who is required by law to provide documentation proving that the out-of-State license is valid, current, and in good standing in the other state, will have six months, following the date that a natural disaster or other catastrophic event occurred in the other state, to submit the documentation to a professional or occupational licensing board in this State. The six-month grace period provided by the bill only would apply if the professional or occupational licensing board, upon inquiry, determines that the issuing state is unable to provide the documentation in a timely manner, following the natural disaster or catastrophic event.

In such a case, the person must submit the required documentation as soon as practicable. This provision is intended to account for the difficulty that persons may encounter when attempting to provide to a New Jersey licensing board evidence of licensure in another jurisdiction that is affected by a natural disaster or catastrophic event, where records may be destroyed or not recovered in a timely fashion, or the government entity whose responsibility it is to maintain those records is unable to provide assistance due to the natural disaster or catastrophic event.

The bill further provides that, notwithstanding the six month time limit, in the case of a person seeking a license, certificate of registration, or certification due to a natural disaster or other catastrophic event that occurred on or after August 1, 2017, the board shall accept such a request for a period of not more than 12 months after the effective date of the bill if the board, upon inquiry, determines that the issuing state is unable to timely provide the documentation following the natural disaster or catastrophic event.

The bill also amends this section of law to clarify that the term “state” means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any other territory or possession of the United States. Currently, the term “state” is not defined in this section of law, and may be interpreted as meaning a state of the United States, but not Puerto Rico, or any other territory or possession of the United States.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

Committee Amendments:

The committee amendments:

- clarify that the six-month grace period established under the bill only would apply if the New Jersey professional or occupational licensing board, upon inquiry, determines that the issuing state is unable to provide the documentation in a timely manner, following a natural disaster or catastrophic event;
- provide that, notwithstanding the six month time limit, in the case of a person seeking a license, certificate of registration, or certification pursuant to the bill due to a natural disaster or other catastrophic event that occurred on or after August 1, 2017, the board shall accept such a request for a period of not more than 12 months after the effective date of the bill if the board, upon inquiry, determines that the issuing state is unable to timely provide the documentation following the natural disaster or catastrophic event; and
- make this bill identical to Assembly Bill No 1531 (2R).

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 522

STATE OF NEW JERSEY

DATED: JUNE 18, 2018

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 522 (1R).

This bill revises section 3 of P.L.2013, c.182 (C.45:1-7.5), the section of law created to provide a streamlined reciprocity process for out-of-State professional and occupational licensing, with specific regard to jurisdictions with “substantially equivalent” standards to that of New Jersey. The bill amends this section of law to provide that a person seeking reciprocity in New Jersey, who is required by law to provide documentation proving that the out-of-State license is valid, current, and in good standing in the other state, will have six months, following the date that a natural disaster or other catastrophic event occurred in the other state, to submit the documentation to a professional or occupational licensing board in this State. The six-month grace period provided by the bill only would apply if the professional or occupational licensing board, upon inquiry, determines that the issuing state is unable to provide the documentation in a timely manner, following the natural disaster or catastrophic event.

In such a case, the person must submit the required documentation as soon as practicable. This provision is intended to account for the difficulty that persons may encounter when attempting to provide to a New Jersey licensing board evidence of licensure in another jurisdiction that is affected by a natural disaster or catastrophic event, where records may be destroyed or not recovered in a timely fashion, or the government entity whose responsibility it is to maintain those records is unable to provide assistance due to the natural disaster or catastrophic event.

The bill further provides that, notwithstanding the six month time limit, in the case of a person seeking a license, certificate of registration, or certification due to a natural disaster or other catastrophic event that occurred on or after August 1, 2017, the board shall accept such a request for a period of not more than 12 months after the effective date of the bill if the board, upon inquiry, determines that the issuing state is unable to timely provide the documentation following the natural disaster or catastrophic event.

The bill also amends this section of law to clarify that the term “state” means a state of the United States, the District of Columbia, the

Commonwealth of Puerto Rico, or any other territory or possession of the United States. Currently, the term “state” is not defined in this section of law, and may be interpreted as meaning a state of the United States, but not Puerto Rico, or any other territory or possession of the United States.

As reported, this bill is identical to Assembly Bill No. 1531 (2R), as also reported by the committee.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.



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Newark, N.J.

Governor Murphy Takes Action on Legislation

08/10/2018

TRENTON – Governor Phil Murphy today signed the following bills into law:

A837 (Land, Andrzejczak, DeAngelo, Mazzeo/Diegnan, Van Drew) – Requires public utility to charge veterans' organization residential rate for service delivered to property at which veterans' organization primarily operates.

A1531 (Zwicker, Lopez, Mukherji/Kean, Singer, Pou) – Revises law concerning reciprocity for out-of-State professional and occupational licenses.

A2178 (Schaer, Calabrese, Wimberly/Sarlo) – Permits conduct of raffles at large sporting venues.

A2189 (Lampitt, Downey, Danielsen/Ruiz, Corrado) – Requires school districts to include instruction on consequences of distributing and soliciting sexually explicit images through electronic means as part of New Jersey Student Learning Standards in Comprehensive Health and Physical Education.

A2193 (Jones, Benson, Lampitt/Diegnan, Ruiz) – Directs State of Board of Education to authorize computer science endorsement to instructional certificate.

A2366 (Vainieri Huttel, Mukherji, Benson/Weinberg, Stack) – Requires DOH to develop New Jersey Report Card of Hospital Maternity Care.

A3861 (Quijano, DeAngelo, Giblin/Vitale, Gopal) – Concerns unemployment compensation and labor disputes.

A4169 (Pintor Marin, Mukherji, Lampitt/Stack) – Authorizes NJ Infrastructure Bank to expend certain sums to make loans for environmental infrastructure projects for FY2019.

A4170 (Taliaferro, Carter, Caputo/Sweeney) – Appropriates funds to DEP for environmental infrastructure projects for FY2019.

A4210 (Armato, Freiman, Jasey/Codey, Oroho) – Appropriates \$15,294,000 from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects.

A4211 (Reynolds-Jackson, Chiaravalloti, Andrzejczak/Greenstein, Bateman) – Appropriates \$9.703 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects.

A4228 (Murphy, Conaway, Space/Singleton) – Requires SHBP and SEHBP to establish and contract for

Medicare Primary Assignment and Audit Program ensuring that all persons in SHBP and SEHBP eligible for Medicare as primary provider.

A4255 (Andrzejczak, Land, Mazzeo/Van Drew) – FY2019 supplemental appropriation of \$1.2 million to Shellfish and Marine Fisheries Management for Bureau of Marine Fisheries in DEP.

S430 (Pou, Oroho/Giblin) – Concerns certain real estate licenses.

S647 (Beach, Cruz-Perez/Jones, Lampitt, Barclay, Taliaferro) – Permits registered voters to receive mail-in ballots automatically for all elections under certain conditions.

S847 (Turner, Diegnan/Jasey, Murphy) – Requires school districts to provide daily recess period for students in grade kindergarten through 5; permits denial of recess for violation of code of student conduct but student must be provided restorative justice activities.

S1247 (Rice, Kean/Greenwald, Mukherji) – Authorizes certain local government utilities to impose additional connection fees; requires certain new credits and reductions for these fees.

S2645 (Singleton/Pinkin, McKeon, Reynolds-Jackson, Murphy) – Makes various changes to New Jersey Infrastructure Bank's enabling act.

S2763 (Scutari/Carter, Kennedy) – Revises special charter for City of Plainfield.

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Newark, N.J.

Bill Signings

08/10/2018

The Governor has acted on the following bills today:

BILL SIGNINGS:

S-430/A-2726 (Pou, Oroho/Giblin) - Concerns certain real estate licensees

SCS for S-647/ACS for A-1186 (Beach, Cruz-Perez/Jones, Lampitt, Taliaferro) - Permits registered voters to receive mail-in ballots automatically for all elections under certain conditions

S-847/A-4076 (Turner, Diegnan/Jasey, Murphy) - Requires school districts to provide daily recess period for students in grade kindergarten through 5; permits denial of recess for violation of code of student conduct but student must be provided restorative justice activities

S-1247/A-2779 (Rice, T. Kean/Greenwald, Mukherji) - Authorizes certain local government utilities to impose additional connection fees; requires certain new credits and reductions for these fees

S-2645/A-4173 (Singleton/Pinkin, McKeon, Reynolds-Jackson, Murphy) - Makes various changes to New Jersey Infrastructure Bank's enabling act

S-2763/A-4220 (Scutari/Carter, Kennedy) - Revises special charter for City of Plainfield

A-837/S-2446 (Land, Andrzejczak, DeAngelo, Mazzeo/Diegnan, Van Drew) - Requires public utility to charge veterans' organization residential rate for service delivered to property at which veterans' organization primarily operates

A-1531/S-522 (Zwicker, Lopez, Mukherji/T. Kean, Singer, Pou) - Revises law concerning reciprocity for out-of-State professional and occupational licenses

A-2178/S-1231 (Schaer, Calabrese, Wimberly/Sarlo) - Permits conduct of raffles at large sporting venues

A-2189/S-2092 (Lampitt, Downey, Danielsen/Ruiz, Corrado) - Requires school districts to include instruction on consequences of distributing and soliciting sexually explicit images through electronic means as part of New Jersey Student Learning Standards in Comprehensive Health and Physical Education

A-2193/S-1816 (Jones, Benson, Lampitt/Diegnan, Ruiz) - Directs State Board of Education to authorize computer science education endorsement to instructional certificate

A-2366/S-1786 (Vainieri Huttie, Mukherji, Benson/Weinberg, Stack) - Requires DOH to develop New Jersey Report Card of Hospital Maternity Care

A-3861/S-1046 (Quijano, DeAngelo, Giblin/Vitale, Gopal) - Concerns unemployment compensation and labor disputes

A-4169/S-2647 (Pintor Marin, Mukherji, Lampitt/Stack) - Authorizes NJ Infrastructure Bank to expend certain sums to make loans for environmental infrastructure projects for FY2019

A-4170/S-2646 (Taliaferro, Carter, Caputo/Sweeney) - Appropriates funds to DEP for environmental infrastructure projects for FY2019

A-4210/S-2728 (Armato, Freiman, Jasey/Codey, Oroho) - Appropriates \$15,294,000 from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects

A-4211/S-2729 (Reynolds-Jackson, Chiaravalloti, Andrzejczak/Greenstein, Bateman) - Appropriates \$9.703 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

A-4228/S-2771 (Murphy, Conaway, Space/Singleton) - Requires SHBP and SEHBP to establish and contract for Medicare Primary Assignment and Audit Program ensuring that all persons in SHBP and SEHBP eligible for Medicare have Medicare as primary provider

A-4255/S-2793 (Andrzejczak, Land, Mazzeo/Van Drew) - FY2019 supplemental appropriation of \$1.2 million to Shellfish and Marine Fisheries Management for Bureau of Marine Fisheries in DEP

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