

45:1-7.7
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2020 **CHAPTER:** 25

NJSA: 45:1-7.7 (Permits professional and occupational licensing boards to reactivate licensure of certain individuals during state of emergency or public health emergency.)

BILL NO: A3901 (Substituted for S2334)

SPONSOR(S) Nicholas Chiaravalloti and others

DATE INTRODUCED: 3/23/2020

COMMITTEE: **ASSEMBLY:** ---

SENATE: ---

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 4/13/2020

SENATE: 4/13/2020

DATE OF APPROVAL: 4/14/2020

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First Reprint enacted) Yes

A3901

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

S2334

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

Rwh/cl

P.L. 2020, CHAPTER 25, *approved April 14, 2020*

Assembly, No. 3901 (*First Reprint*)

1 AN ACT concerning professional and occupational licenses, and
2 supplementing P.L.1999, c.403 (C.45:1-7.1 et seq.).
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
6

7 1. Notwithstanding the provisions of any other law, during ¹[a
8 state of emergency declared by the Governor pursuant to P.L.1942,
9 c.251 (C.App.A:9-33 et seq.), or a public health emergency declared
10 by the Governor pursuant to P.L.2005, c.222 (C.26:13-1 et seq.)]
11 the Public Health Emergency and State of Emergency declared by
12 the Governor in Executive Order 103 of 2020¹ , and with the
13 approval of the Attorney General, ¹[**a**] the Director of the Division
14 of Consumer Affairs, with respect to any or all¹ professional or
15 occupational licensing ¹[**board**] boards¹ within the Division of
16 Consumer Affairs in the Department of Law and Public Safety or
17 ¹[, with regard to]¹ any industry regulated by the division, ¹[**the**
18 **director of the division, as applicable,**] or any professional or
19 occupational licensing boards within the division¹ may
20 ¹temporarily¹ reactivate a license, certificate of registration or
21 certification on an expedited basis ¹, for such period as deemed
22 necessary by the director,¹ to any individual who held a
23 corresponding license, certificate of registration or certification, in
24 good standing at the time that the individual retired from active
25 practice or was placed on the inactive status, ¹or who while
26 otherwise in good standing allowed their license to lapse and was
27 suspended for that reason,¹ within the last ¹[**three**] **five¹** years, or
28 such other timeframe as the director may specify. Notwithstanding
29 the provisions of any other law to the contrary, and to effectuate the
30 purposes of this act, the board or director, as applicable, may take
31 additional action necessary to protect the public health, safety and
32 welfare, including but not limited to:

33 a. Temporarily waive any requirements contained in section 2
34 of P.L.2013, c.182 (C.45:1-7.4), relating to the renewal,
35 reinstatement or reactivation of a license, certification or
36 registration, including fees, job listings or continuing education
37 requirements;

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:

¹Senate floor amendments adopted April 13, 2020.

1 b. Prescribe the duration and terms of any license, certificate of
2 registration or certification granted pursuant to this section; ¹**[or]**¹

3 c. Require ¹, in consultation with the Commissioner of Health
4 or such other State department or agency as may be appropriate,¹
5 any individual granted a license, certificate of registration or
6 certification pursuant to this section to practice the profession or
7 occupation in this State, as deemed necessary to protect the public
8 health, safety and welfare ¹; or¹

9 ¹d. Waive compliance by any individual granted a license,
10 certificate of registration or certification pursuant to this section
11 with liability insurance required by statute or regulation, for acts or
12 omissions undertaken in the course of providing health care services
13 in support of the State's response to the declared emergency¹.

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15 2. This act shall take effect immediately ¹and be retroactive to
16 April 1, 2020¹.

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21 Permits professional and occupational licensing boards to
22 reactivate licensure of certain individuals during state of emergency
23 or public health emergency.

ASSEMBLY, No. 3901

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 23, 2020

Sponsored by:

Assemblyman NICHOLAS CHIARAVALLOTI

District 31 (Hudson)

Assemblyman JAMES J. KENNEDY

District 22 (Middlesex, Somerset and Union)

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex)

Assemblywoman AURA K. DUNN

District 25 (Morris and Somerset)

Senator NELLIE POU

District 35 (Bergen and Passaic)

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator CHRIS A. BROWN

District 2 (Atlantic)

Co-Sponsored by:

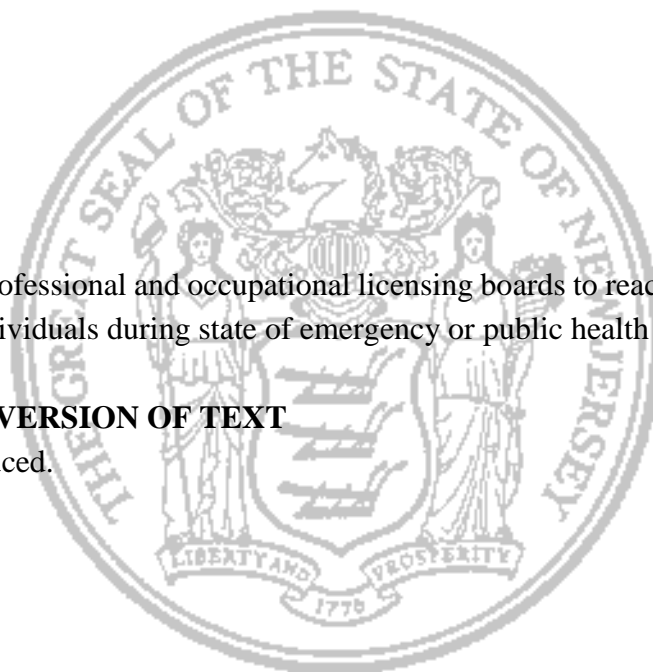
**Assemblymen Verrelli, Zwicker, Mukherji, Assemblywoman McKnight,
Senators Addiego, Bateman, Cardinale, O'Scanlon, Pennacchio, Singer and
Testa**

SYNOPSIS

Permits professional and occupational licensing boards to reactivate licensure of certain individuals during state of emergency or public health emergency.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 4/13/2020)

1 AN ACT concerning professional and occupational licenses, and
2 supplementing P.L.1999, c.403 (C.45:1-7.1 et seq.).
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
6

7 1. Notwithstanding the provisions of any other law, during a
8 state of emergency declared by the Governor pursuant to P.L.1942,
9 c.251 (C.App.A:9-33 et seq.), or a public health emergency declared
10 by the Governor pursuant to P.L.2005, c.222 (C.26:13-1 et seq.), and
11 with the approval of the Attorney General, a professional or
12 occupational licensing board within the Division of Consumer
13 Affairs in the Department of Law and Public Safety or, with regard
14 to any industry regulated by the division, the director of the division,
15 as applicable, may reactivate a license, certificate of registration or
16 certification on an expedited basis to any individual who held a
17 corresponding license, certificate of registration or certification, in
18 good standing at the time that the individual retired from active
19 practice or was placed on the inactive status, within the last three
20 years, or such other timeframe as the director may specify.
21 Notwithstanding the provisions of any other law to the contrary, and
22 to effectuate the purposes of this act, the board or director, as
23 applicable, may take additional action necessary to protect the public
24 health, safety and welfare, including but not limited to:

25 a. Temporarily waive any requirements contained in section 2 of
26 P.L.2013, c.182 (C.45:1-7.4), relating to the renewal, reinstatement
27 or reactivation of a license, certification or registration, including
28 fees, job listings or continuing education requirements;

29 b. Prescribe the duration and terms of any license, certificate of
30 registration or certification granted pursuant to this section; or

31 c. Require any individual granted a license, certificate of
32 registration or certification pursuant to this section to practice the
33 profession or occupation in this State, as deemed necessary to protect
34 the public health, safety and welfare.
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36 2. This act shall take effect immediately.
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39 STATEMENT
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41 This bill allows the director of the Division of Consumer Affairs
42 in the Department of Law and Public Safety, with the approval of the
43 Attorney General, to reactivate a license, registration or certification
44 on an expedited basis when the Governor has declared a state of
45 emergency. The bill provides that the director may reactivate a
46 license, certificate of registration or certification on an expedited
47 basis to any individual who held a corresponding license, certificate
48 of registration or certification, in good standing at the time that the

A3901 CHIARAVALLOTI, KENNEDY

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1 individual retired from active practice or was placed on the inactive
2 status, within the last three years, or such other timeframe as the
3 director may specify. The bill gives the director and applicable
4 boards the ability to waive certain requirements normally required in
5 the licensure process, to prescribe the duration and terms of any
6 license, certificate of registration or certification granted pursuant to
7 the bill, and to require any individual granted a license, certificate of
8 registration or certification to practice the profession or occupation
9 in this State, as deemed necessary to protect the public health, safety
10 and welfare.

STATEMENT TO
ASSEMBLY, No. 3901

with Assembly Floor Amendments
(Proposed by Senator POU)

ADOPTED: APRIL 13, 2020

This floor amendment limits the provisions of the bill to the period of the Public Health Emergency and State of Emergency declared by the Governor in Executive Order 103 of 2020. In addition, the amendment provides that any license, certificate of registration, or certification reactivated pursuant to the provisions of the bill may be activated only temporarily, for such period as deemed necessary by the Director of the Division of Consumer Affairs. The amendment also waives compliance by any individual granted a license, certificate of registration, or certification pursuant to this section with liability insurance required by statute or regulation, for acts or omissions undertaken in the course of providing health care services in support of the State's response to the declared emergency. Lastly, the amendment makes certain other technical changes.

SENATE, No. 2334

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED APRIL 9, 2020

Sponsored by:

Senator NELLIE POU

District 35 (Bergen and Passaic)

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator CHRIS A. BROWN

District 2 (Atlantic)

Co-Sponsored by:

Senator Addiego

SYNOPSIS

Permits professional and occupational licensing boards to reactivate licensure of certain individuals during state of emergency or public health emergency.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 4/13/2020)

1 AN ACT concerning professional and occupational licenses, and
2 supplementing P.L.1999, c.403 (C.45:1-7.1 et seq.).
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
6

7 1. Notwithstanding the provisions of any other law, during the
8 Public Health Emergency and State of Emergency declared by the
9 Governor in Executive Order 103 of 2020, and with the approval of
10 the Attorney General, the Director of the Division of Consumer
11 Affairs, with respect to any or all professional or occupational
12 licensing boards within the Division of Consumer Affairs in the
13 Department of Law and Public Safety or any industry regulated by
14 the division, or any professional or occupational licensing boards
15 within the division may temporarily reactivate a license, certificate
16 of registration or certification on an expedited basis, for such period
17 as deemed necessary by the director, to any individual who held a
18 corresponding license, certificate of registration or certification, in
19 good standing at the time that the individual retired from active
20 practice or was placed on the inactive status, or who while otherwise
21 in good standing allowed their license to lapse and was suspended for
22 that reason, within the last five years, or such other timeframe as the
23 director may specify. Notwithstanding the provisions of any other
24 law to the contrary, and to effectuate the purposes of this act, the
25 board or director, as applicable, may take additional action necessary
26 to protect the public health, safety and welfare, including but not
27 limited to:

28 a. Temporarily waive any requirements contained in section 2 of
29 P.L.2013, c.182 (C.45:1-7.4), relating to the renewal, reinstatement
30 or reactivation of a license, certification or registration, including
31 fees, job listings or continuing education requirements;

32 b. Prescribe the duration and terms of any license, certificate of
33 registration or certification granted pursuant to this section;

34 c. Require, in consultation with the Commissioner of Health or
35 such other State department or agency as may be appropriate, any
36 individual granted a license, certificate of registration or certification
37 pursuant to this section to practice the profession or occupation in
38 this State, as deemed necessary to protect the public health, safety
39 and welfare; or

40 d. Waive compliance by any individual granted a license,
41 certificate of registration or certification pursuant to this section with
42 liability insurance required by statute or regulation, for acts or
43 omissions undertaken in the course of providing health care services
44 in support of the State's response to the declared emergency.
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46 2. This act shall take effect immediately and be retroactive to
47 April 1, 2020.

STATEMENT

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This bill allows the director of the Division of Consumer Affairs in the Department of Law and Public Safety, with the approval of the Attorney General, to temporarily reactivate a license, registration or certification on an expedited basis during the Public Health Emergency and State of Emergency declared by the Governor in Executive Order 103 of 2020. The bill provides that the director may temporarily reactivate a license, certificate of registration or certification on an expedited basis to any individual who held a corresponding license, certificate of registration or certification, in good standing at the time that the individual retired from active practice or was placed on the inactive status, or who while otherwise in good standing allowed their license to lapse and was suspended for that reason, within the last five years, or such other timeframe as the director may specify.

The bill gives the director and applicable boards the ability to waive certain requirements normally required in the licensure process, to prescribe the duration and terms of any license, certificate of registration or certification granted pursuant to the bill, and to require, in consultation with the Commissioner of Health or such other State department or agency as may be appropriate, any individual granted a license, certificate of registration or certification to practice the profession or occupation in this State, as deemed necessary to protect the public health, safety and welfare.

The bill also waives compliance by any individual granted a license, certificate of registration, or certification pursuant to this section with liability insurance required by statute or regulation, for acts or omissions undertaken in the course of providing health care services in support of the State’s response to the declared emergency.

Governor Murphy Takes Action on Legislation

04/14/2020

TRENTON – Today, Governor Murphy signed the following bills into law:

A-2371/S-865 (Kennedy, Pinkin, Zwicker/Smith, Bateman) - Requires large food waste generators to separate and recycle food waste and amends definition of "Class I renewable energy"

A-3901/S-2334 (Chiaravalloti, Kennedy, Speight, Dunn/Pou, Vitale, Greenstein, Brown) - Permits professional and occupational licensing boards to reactivate licensure of certain individuals during state of emergency or public health emergency

A-3903/S-2336 (Downey, Houghtaling, Swain/Greenstein, Gopal, Singleton, O'Scanlon) - Allows remote notarial acts during Public Health Emergency and State of Emergency declared by Governor in Executive Order 103 of 2020

A-3904/S-2337 (Burzichelli, Schepisi, Lampitt, Jasey, Stanfield/Cardinale, Beach, Kean) - Permits use of virtual or remote instruction to meet minimum 180-day school year requirement under certain circumstances

S-2333/A-3910 (Kean, Sweeney, Smith, O'Scanlon/Kennedy, Burzichelli, DiMaio, Greenwald) - Provides civil and criminal immunity to certain health care professionals and health care facilities during public health emergency and state of emergency; facilitates issuance of certain temporary licenses and certifications during public health emergency and state of emergency

S-2338/A-3918 (Sarlo, Oroho, Bucco/Pintor Marin, Wirths, Burzichelli) - "COVID-19 Fiscal Mitigation Act"; clarifies filing and payment deadline for CBT and GIT taxpayers, modifies duration of State Fiscal Years 2020 and 2021, requires certain updates and presentation for State Fiscal Years 2020 and 2021

S-2342/A-3915 (Bucco, Greenstein/Dunn, Bergen) - Permits nonprofit corporations to allow members to participate in meetings by means of remote communication, and permits nonprofit corporations to hold meetings in part or solely by means of remote communication during state of emergency

S-2349/A-3922 (Beach/Coughlin, Jimenez, Swain) - Changes date of 2020 primary election from June 2 to July 7

S-2353/A-3938 (Cryan/Quijano) - Excludes from severance requirements under "Millville Dallas Airmotive Plant Job Loss Notification Act" mass layoffs resulting from coronavirus disease 2019 pandemic