

ASSEMBLY, No. 4910

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED DECEMBER 5, 2022

Sponsored by:

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Assemblywoman MICHELE MATSIKOUDIS

District 21 (Morris, Somerset and Union)

Co-Sponsored by:

Assemblywoman Dunn

SYNOPSIS

Allows for issuance of two-year temporary courtesy license for nonresident military spouses in certain professions.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/8/2023)

1 AN ACT concerning temporary courtesy licenses for certain
2 nonresident military spouses and amending P.L.2013, c.264.

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

6
7 1. Section 1 of P.L.2013, c.264 (C.45:1-15.5) is amended to
8 read as follows:

9 1. a. As used in this section:

10 "Another jurisdiction" means the District of Columbia, a territory
11 of the United States, or a state other than New Jersey.

12 "Board" means a professional or occupational board designated
13 in section 2 of P.L.1978, c.73 (C.45:1-15) that issues a professional
14 or occupational license, certificate of registration, or certification.

15 "Nonresident military spouse" means a person who is not
16 domiciled in this State who is the spouse of an active duty member
17 of the Armed Forces of the United States who has been transferred
18 to this State in the course of the member's service, is legally
19 domiciled in this State, or has moved to this State on a permanent
20 change-of-station basis.

21 b. Notwithstanding the provisions of any law, rule or regulation
22 to the contrary, each board shall issue, upon application, a license to
23 a nonresident military spouse who meets the requirements of this
24 section, so that the nonresident military spouse may practice
25 lawfully the person's profession or occupation. At the discretion of
26 the board, a nonresident military spouse shall receive a license
27 under this subsection:

28 (1) pursuant to any law, rule, or regulation providing for
29 licensure by endorsement or reciprocity in the profession or
30 occupation regulated by the board; or

31 (2) pursuant to an application for a temporary courtesy license
32 pursuant to subsection d. of this section.

33 c. Notwithstanding the provisions of any other law, rule, or
34 regulation to the contrary, each board shall establish criteria for the
35 issuance of a temporary courtesy license to a nonresident military
36 spouse so that the nonresident military spouse may lawfully practice
37 the profession or occupation regulated by that board in this State on
38 a temporary basis, subject to the requirements of subsection d. of
39 this section when applicable.

40 d. A nonresident military spouse who applies for a temporary
41 courtesy license pursuant to paragraph (2) of subsection b. of this
42 section shall be entitled to receive that license if that person:

43 (1) holds a current license to practice the profession or
44 occupation in another jurisdiction that the board determines has
45 licensure requirements to practice the profession or occupation that

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 are equivalent to those adopted by the board;

2 (2) was engaged in the active practice of the profession or
3 occupation in another jurisdiction for at least two of the five years
4 immediately preceding the date of application for the temporary
5 courtesy license, for which purpose relevant full-time experience in
6 the discharge of official duties in the Armed Forces of the United
7 States or an agency of the federal government shall be credited in
8 the counting of years of service;

9 (3) has not committed an act in another jurisdiction that would
10 have constituted grounds for the denial, suspension, or revocation
11 of a license to practice the profession or occupation in this State;

12 (4) has not been disciplined, and is not the subject of an
13 investigation of an unresolved complaint, or a review procedure or
14 disciplinary proceeding, which was conducted by, or is pending
15 before, a professional or occupational licensing or credentialing
16 entity in another jurisdiction;

17 (5) pays for, and authorizes the board to conduct, a criminal
18 history record background check of that person pursuant to
19 P.L.2002, c.104 (C.45:1-28 et seq.) if such check is required to
20 practice the occupation or practice regulated by that board;

21 (6) pays any fee the board reasonably requires for the issuance
22 of the temporary courtesy license;

23 (7) has satisfied any continuing education requirements in the
24 jurisdiction where that person holds a current license to practice the
25 profession or occupation, and, at the discretion of the board,
26 completes such continuing education hours or credits as may be
27 required by the board within the time frame the board may
28 establish;

29 (8) at the discretion of the board and if applicable, successfully
30 completes a New Jersey jurisprudence examination required of
31 resident applicants or any other examination specifically predicated
32 on New Jersey law required for practice in the profession or
33 occupation; and

34 (9) complies with any other requirements the board may
35 reasonably determine are necessary to effectuate the purposes of
36 this section.

37 e. A nonresident military spouse who holds a temporary license
38 pursuant to paragraph (2) of subsection b. of this section shall be
39 entitled to the same rights and be subject to the same obligations as
40 provided by the respective board for New Jersey residents, except
41 that revocation or suspension of a nonresident military spouse's
42 license in the nonresident military spouse's state of residence or any
43 jurisdiction in which the nonresident military spouse held licensure
44 shall automatically cause the same revocation or suspension of the
45 person's temporary courtesy license in New Jersey if that revocation
46 or suspension was on the basis of a charge or commission of a
47 criminal offense, competency, or harmful or inappropriate behavior.

1 f. A board may require a nonresident military spouse who has
2 not been engaged in the active practice of the profession or
3 occupation in another jurisdiction during the two years immediately
4 preceding the application to undergo additional training, testing,
5 mentoring, monitoring or education should the board deem it
6 necessary.

7 g. A temporary courtesy license issued pursuant to this section
8 shall be valid for a period of one year and may be extended at the
9 discretion of the board for an additional one year upon application
10 of the holder of the temporary courtesy license, unless issued a
11 temporary courtesy license by the following:

12 (1) the State Board of Applied Behavior Analyst Examiners;

13 (2) the State Board of Marriage and Family Therapy Examiners,
14 including the Alcohol and Drug Counselor Committee;

15 (3) the New Jersey Board of Nursing;

16 (4) the Occupational Therapy Advisory Council;

17 (5) the State Board of Psychological Examiners; or

18 (6) the State Board of Social Work Examiners.

19 A temporary courtesy license issued by any of the boards in
20 paragraphs (1) through (6) of this subsection shall be valid for two
21 years, with the possibility of an extension, at the discretion of the
22 requisite board, for an additional one year upon application of the
23 holder of the temporary courtesy license.

24 h. Each board shall adopt rules and regulations pursuant to the
25 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
26 seq.), to carry out the purposes of this section, except that,
27 notwithstanding any provision of P.L.1968, c.410 (C.52:14B-1 et
28 seq.) to the contrary, each board may adopt, immediately upon
29 filing with the Office of Administrative Law, regulations the board
30 deems necessary to implement the provisions of this section, which
31 shall be effective for a period not to exceed six months and may
32 thereafter be amended, adopted, or re-adopted by the board in
33 accordance with the requirements of P.L.1968, c.410 (C.52:14B-1
34 et seq.).

35 (cf: P.L.2013, c.264, s.1)

36
37 2. This act shall take effect immediately.
38
39

40 STATEMENT

41
42 This bill amends current law on temporary courtesy licenses for
43 nonresident military spouses. Under the bill, a nonresident military
44 spouse who seeks and is approved to be issued a temporary courtesy
45 license in New Jersey from the State Board of Applied Behavior
46 Analyst Examiners; the State Board of Marriage and Family
47 Therapy Examiners, including the Alcohol and Drug Counselor
48 Committee; the New Jersey Board of Nursing; the Occupational

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1 Therapy Advisory Council; the State Board of Psychological
2 Examiners; or the State Board of Social Work Examiners is to have
3 the temporary courtesy license for two years, with the option, at the
4 discretion of the specific board and submission of an application by
5 the holder of the temporary courtesy license, for a one-year
6 extension. Currently, temporary courtesy licenses are granted for
7 one year, with the option for a one-year extension.