

[First Reprint]

SENATE, No. 3475

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED JANUARY 12, 2023

Sponsored by:

Senator JOSEPH P. CRYAN

District 20 (Union)

Co-Sponsored by:

Senators A.M.Bucco and Cruz-Perez

SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Senate Military and Veterans' Affairs Committee on January 30, 2023, with amendments.



(Sponsorship Updated As Of: 3/6/2023)

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 read
 8 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 in
 13 section 2 of P.L.1978, c.73 (C.45:1-15) that issues a professional or
 14 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 of
 17 the Armed Forces of the United States who has been transferred to this
 18 State in the course of the member's service, is legally domiciled in this
 19 State, or has moved to this State on a permanent change-of-station
 20 basis.

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

28 (1) pursuant to any law, rule, or regulation providing for licensure
 29 by endorsement or reciprocity in the profession or occupation
 30 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 a
 38 temporary basis, subject to the requirements of subsection d. of this
 39 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 occupation
 44 in another jurisdiction that the board determines has licensure

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 SMV committee amendments adopted January 30, 2023.

1 requirements to practice the profession or occupation that are
2 equivalent to those adopted by the board;

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

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

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

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

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

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

34 (9) complies with any other requirements the board may
35 reasonably determine are necessary to effectuate the purposes of this
36 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 that
41 revocation or suspension of a nonresident military spouse's license in
42 the nonresident military spouse's state of residence or any jurisdiction
43 in which the nonresident military spouse held licensure shall
44 automatically cause the same revocation or suspension of the person's
45 temporary courtesy license in New Jersey if that revocation or
46 suspension was on the basis of a charge or commission of a criminal
47 offense, competency, or harmful or inappropriate behavior.

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

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

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

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

14 (3) the New Jersey Board of Nursing;

15 (4) the Occupational Therapy Advisory Council;

16 (5) the State Board of Psychological Examiners; 'or'

17 (6) the State Board of Social Work Examiners'; or

18 (7) the Audiology and Speech-Language Pathology Advisory
19 Committee'.

20 A temporary courtesy license issued by any of the boards in
21 paragraphs (1) through '[(6)] (7)' of this subsection shall be valid for
22 two years, with the possibility of an extension, at the discretion of the
23 requisite board, for an additional one year upon application of the
24 holder of the temporary courtesy license.

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

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

36
37 2. This act shall take effect immediately.