

## HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Bird

1 Amend printed bill, page 4, line 2, strike "SUBSECTION (3)(c)" and  
2 substitute "SUBSECTIONS (3)(c) AND (3)(f)".

3 Page 5, line 13, strike "THIS SUBSECTION (3) DOES" and substitute  
4 "SUBSECTIONS (3)(a) TO (3)(d) OF THIS SECTION DO".

5 Page 6, after line 5 insert:

6         "(f) (I) EXCEPT AS SPECIFIED IN SUBSECTION (3)(f)(III) OF THIS  
7 SECTION, A MILITARY SPOUSE DULY LICENSED, CERTIFIED, REGISTERED, OR  
8 ENROLLED IN GOOD STANDING IN ANOTHER STATE OR UNITED STATES  
9 TERRITORY TO PRACTICE A PARTICULAR PROFESSION OR OCCUPATION IS,  
10 UPON APPLICATION TO THE DIVISION FOR LICENSURE, CERTIFICATION,  
11 REGISTRATION, OR ENROLLMENT IN THAT PROFESSION OR OCCUPATION IN  
12 THIS STATE, ENTITLED TO THE ISSUANCE OF A TEMPORARY LICENSE,  
13 CERTIFICATION, REGISTRATION, OR ENROLLMENT UPON SUBMISSION OF  
14 SATISFACTORY PROOF TO THE REGULATOR, UNDER PENALTY OF PERJURY,  
15 OF THE APPLICANT'S ACTIVE LICENSE, CERTIFICATION, REGISTRATION, OR  
16 ENROLLMENT IN ANOTHER STATE OR UNITED STATES TERRITORY IN GOOD  
17 STANDING, AND THAT THE APPLICANT HAS NOT COMMITTED AN ACT THAT  
18 WOULD BE GROUNDS FOR DISCIPLINARY ACTION UNDER THE LAW  
19 GOVERNING THE APPLICABLE PROFESSION OR OCCUPATION.

20         (II) FOR THE PURPOSES OF THIS SUBSECTION (3)(f):

21             (A) "IN GOOD STANDING" MEANS THAT A LICENSE, CERTIFICATION,  
22 REGISTRATION, OR ENROLLMENT HAS NOT BEEN REVOKED, EXPIRED, OR  
23 SUSPENDED AND AGAINST WHICH THERE ARE NO OUTSTANDING  
24 DISCIPLINARY OR ADVERSE ACTIONS.

25             (B) "MILITARY SPOUSE" MEANS THE SPOUSE OF A PERSON WHO IS  
26 ACTIVELY SERVING IN THE UNITED STATES ARMED FORCES AND WHO IS  
27 STATIONED IN COLORADO IN ACCORDANCE WITH MILITARY ORDERS.

28             (III) AN APPLICANT IS NOT ENTITLED TO TEMPORARY LICENSURE,  
29 CERTIFICATION, REGISTRATION, OR ENROLLMENT PURSUANT TO THIS  
30 SUBSECTION (3)(f) IF APPROVING THE TEMPORARY LICENSURE,  
31 CERTIFICATION, REGISTRATION, OR ENROLLMENT WOULD VIOLATE AN  
32 EXISTING COMPACT OR RECIPROCITY AGREEMENT OR IF THE REGULATOR  
33 DEMONSTRATES BY A PREPONDERANCE OF EVIDENCE, AFTER NOTICE AND  
34 OPPORTUNITY FOR A HEARING, THAT:

35             (A) THE APPLICANT HAS COMMITTED AN ACT THAT WOULD BE  
36 GROUNDS FOR DISCIPLINARY ACTION UNDER THE LAW GOVERNING THE  
37 APPLICABLE PROFESSION OR OCCUPATION; OR

38             (B) THE APPLICANT'S LICENSE, CERTIFICATION, REGISTRATION, OR

1 ENROLLMENT ISSUED BY ANOTHER STATE OR UNITED STATES TERRITORY  
2 IS NOT IN GOOD STANDING.

3 (IV) NOTWITHSTANDING ANY PROVISION OF THE LAW TO THE  
4 CONTRARY:

5 (A) A TEMPORARY LICENSE, CERTIFICATION, REGISTRATION, OR  
6 ENROLLMENT ISSUED TO A MILITARY SPOUSE PURSUANT TO THIS  
7 SUBSECTION (3)(f) IS VALID FOR THREE YEARS AFTER THE DATE OF  
8 ISSUANCE.

9 (B) EACH REGULATOR SHALL WAIVE THE APPLICATION FEE FOR  
10 TEMPORARY LICENSES, CERTIFICATIONS, REGISTRATIONS, OR  
11 ENROLLMENTS ISSUED PURSUANT TO THIS SUBSECTION (3)(f).

12 **SECTION 4.** In Colorado Revised Statutes, 12-20-301, **repeal**  
13 (3) as follows:

14 **12-20-301. Definitions.** As used in this part 3, unless the context  
15 otherwise requires:

16 ~~(3) "Military spouse" means the spouse of a person who is  
17 actively serving in the United States armed forces and who is stationed  
18 in Colorado in accordance with military orders.~~

19 **SECTION 5.** In Colorado Revised Statutes, **repeal** 12-20-304 as  
20 follows:

21 **12-20-304. Military spouse - authority to practice - reciprocity  
- notice.** (1) ~~Notwithstanding any other part or article of this title 12, a  
23 person need not obtain authority to practice an occupation or profession  
24 under this title 12 during the person's first year of residence in Colorado  
25 if:~~

26 ~~(a) The person is a military spouse who is authorized to practice  
27 that occupation or profession in another state;~~

28 ~~(b) Other than the person's lack of licensure, registration, or  
29 certification in Colorado, there is no basis to disqualify the person under  
30 this title 12; and~~

31 ~~(c) The person consents, as a condition of practicing in Colorado,  
32 to be subject to the jurisdiction and disciplinary authority of the  
33 appropriate agency.~~

34 ~~(2) If a person who is practicing in Colorado under this section  
35 applies for authority to continue to practice after the first year under a  
36 part or article of this title 12, the applicant shall notify the agency  
37 receiving the application of the following:~~

38 ~~(a) The applicant is currently practicing in Colorado under this  
39 section;~~

40 ~~(b) The date the applicant began practicing in Colorado; and~~

41 ~~(c) The name and contact information of any person employing  
42 the applicant to practice in Colorado.~~

43 ~~(3) If an agency denies the application for authority to practice  
44 under this title 12, the agency shall notify the employer that the person~~

1       was denied authority to continue to practice under this title 12.

2           (4) This section does not:

3           (a) Prevent an agency from entering into a reciprocity agreement  
4       with the regulating authority of another state or jurisdiction if otherwise  
5       authorized by law; and

6           (b) Apply to the authority to practice under article 120, 240, or  
7       275 of this title 12.".

8       Renumber succeeding sections accordingly.

9       Page 34, strike line 27.

10      Strike page 35 and substitute:

11           **"SECTION 47. Applicability.** This act applies to conduct  
12       occurring on or after the effective date of this act.

13           **SECTION 48. Safety clause.** The general assembly hereby finds,  
14       determines, and declares that this act is necessary for the immediate  
15       preservation of the public peace, health, or safety.".

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