

CHAPTER 190

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 16-1197

BY REPRESENTATIVE(S) Carver and Melton, Lebsock, Priola, Joshi, Roupe, Wist, Windholz, Lee, Lundeen, McCann, Becker J., Brown, Landgraf, Nordberg, Rosenthal, Arndt, Buckner, Conti, Court, Danielson, Duran, Esgar, Fields, Ginal, Hamner, Kagan, Klingenschmitt, Kraft-Tharp, Lawrence, Lontine, Mitsch Bush, Pabon, Primavera, Ryden, Saine, Salazar, Williams, Winter, Young, Hullinghorst;
also SENATOR(S) Todd and Crowder, Heath, Jones, Kefalas, Kerr, Martinez Humenik, Newell, Roberts.

AN ACT

CONCERNING A REQUIREMENT THAT STATE AGENCIES IMPLEMENT A PROGRAM TO STREAMLINE THE GRANTING OF OCCUPATIONAL CREDENTIALS TO VETERANS BASED ON MILITARY TRAINING, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The Colorado General Assembly finds and declares that:

(a) Colorado would benefit from having military veterans bring their expertise to the state, enriching the economy and civil society.

(b) Many veterans have extensive military training and job experience in occupations that would benefit Colorado. Many of these occupations are licensed or certified.

(2) The public policy of Colorado is to:

(a) Recognize the value and expertise military training and experience imparts to veterans;

(b) Give veterans credit for this training towards state licensing and certification standards;

(c) Streamline and expedite the occupational licensing and certification process for veterans by a comprehensive and systematic evaluation of military training and

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

job experience from military occupations that are substantially equivalent to civilian occupations; and

(d) Help veterans enter the workforce quickly and at the lowest possible cost to expand the pool of skilled personnel to fill available positions as needed.

SECTION 2. In Colorado Revised Statutes, **add** part 2 to article 4 of title 24 as follows:

PART 2
MILITARY OCCUPATIONAL STREAMLINING

24-4-201. Definitions. AS USED IN THIS PART 2, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "AUTHORITY TO PRACTICE" OR "AUTHORIZED TO PRACTICE" MEANS THE HOLDING OF A CURRENTLY VALID LICENSE TO PRACTICE IN AN OCCUPATION OR A CURRENTLY VALID CERTIFICATION OR REGISTRATION NECESSARY TO PRACTICE IN AN OCCUPATION IF THE PERSON IS LICENSED, CERTIFIED, OR REGISTERED.

(2) "MILITARY OCCUPATIONAL SPECIALTY" MEANS THE CATEGORY OR CATEGORIES OF SPECIAL DUTIES A MEMBER OF THE UNITED STATES ARMED FORCES IS TRAINED TO PERFORM.

(3) "OCCUPATION" MEANS AN OCCUPATION OR PROFESSION THAT IS LICENSED, CERTIFIED, OR REGISTERED UNDER STATE STATUTE.

(4) "STATE AGENCY" MEANS ANY DEPARTMENT, DIVISION, BOARD, OR OTHER AGENCY OF THE STATE OF COLORADO THAT CERTIFIES, LICENSES, OR REGISTERS AN OCCUPATION.

24-4-202. Legislative declaration - reports - repeal. (1) THE GENERAL ASSEMBLY INTENDS THAT:

(a) EACH STATE AGENCY THAT AUTHORIZES MORE THAN TEN OCCUPATIONS TO PRACTICE OR OVERSEES OTHER AGENCIES THAT AUTHORIZE MORE THAN TEN OCCUPATIONS TO PRACTICE SHOULD HAVE IMPLEMENTED THIS PART 2 FOR:

(I) AT LEAST TWENTY-FIVE PERCENT OF THE OCCUPATIONS BY DECEMBER 30, 2018;

(II) AT LEAST FIFTY PERCENT OF THE OCCUPATIONS BY DECEMBER 30, 2020; AND

(III) ALL OF THE OCCUPATIONS BY DECEMBER 30, 2022;

(b) EACH STATE AGENCY THAT AUTHORIZES TEN OR FEWER OCCUPATIONS TO PRACTICE OR OVERSEES OTHER AGENCIES THAT AUTHORIZE TEN OR FEWER OCCUPATIONS TO PRACTICE SHOULD HAVE IMPLEMENTED THIS PART 2 FOR:

(I) AT LEAST FIFTY PERCENT OF THE OCCUPATIONS BY DECEMBER 30, 2018; AND

(II) ALL OF THE OCCUPATIONS BY DECEMBER 30, 2020.

(2) (a) NOTWITHSTANDING SECTION 24-1-136 (11), EACH STATE AGENCY THAT AUTHORIZES AN OCCUPATION TO PRACTICE SHALL PROVIDE BY JUNE 30, 2017, AND BY JUNE 30 OF EACH YEAR THEREAFTER UNTIL JUNE 30, 2023, A WRITTEN REPORT OF ITS PROGRESS IN IMPLEMENTING THIS PART 2 TO EACH MEMBER OF: THE GENERAL ASSEMBLY; THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF REPRESENTATIVES; THE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE; THE STATE, VETERANS, AND MILITARY AFFAIRS COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR THEIR SUCCESSOR COMMITTEES.

(b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2023.

24-4-203. Evaluation and implementation. (1) EACH AGENCY SHALL:

(a) DOCUMENT THE FOLLOWING RESULTS AND PUBLISH A SUMMARY OF PATHWAYS AVAILABLE TO A VETERAN TO OBTAIN AUTHORIZATION TO PRACTICE AN OCCUPATION:

(I) EVALUATE THE EXTENT TO WHICH MILITARY TRAINING MEETS ALL OR PART OF THE STATE REQUIREMENTS TO BE AUTHORIZED TO PRACTICE AN OCCUPATION;

(II) IDENTIFY RECIPROCITY MECHANISMS WITH OTHER STATES; AND

(III) DETERMINE IF AN OCCUPATIONAL EXAM IS AVAILABLE TO AUTHORIZE A VETERAN TO PRACTICE AN OCCUPATION;

(b) CONSULT WITH COMMUNITY COLLEGES AND OTHER POST-SECONDARY EDUCATIONAL INSTITUTIONS WITH REGARD TO:

(I) COURSES OR PROGRAMS TO COVER THE GAP BETWEEN MILITARY OCCUPATIONAL SPECIALTY TRAINING AND THE TRAINING REQUIRED TO BE AUTHORIZED TO PRACTICE AN OCCUPATION; AND

(II) REFRESHER COURSES FOR THE REINSTATEMENT OF LAPSED CIVILIAN CREDENTIALS; AND

(c) CONSIDER ADOPTING A NATIONAL CREDENTIALING EXAM.

24-4-204. Consultation - cooperation. (1) EACH STATE AGENCY MAY CONSULT WITH ANY FEDERAL OR STATE MILITARY OFFICIAL OR AGENCY, STATE AGENCY, OR POST-SECONDARY EDUCATIONAL INSTITUTION TO DETERMINE HOW BEST TO IMPLEMENT THIS PART 2.

(2) NOTHING IN THIS PART 2 GIVES A STATE AGENCY AUTHORITY TO DETERMINE CURRICULUM, PROGRAMS, OR COURSES OFFERED AT ANY POST-SECONDARY EDUCATION INSTITUTION.

SECTION 3. Appropriation. (1) For the 2016-17 state fiscal year, \$73,551 is appropriated to the department of regulatory agencies. This appropriation is from the division of professions and occupations cash fund created in section 24-34-105

(2) (b) (I), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) \$59,143 for use by the division of professions and occupations for personal services, which amount is based on an assumption that the division will require an additional 0.9 FTE;

(b) \$11,558 for use by the division for operating expenses; and

(c) \$2,850 for the purchase of legal services.

(2) For the 2016-17 state fiscal year, \$2,850 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of regulatory agencies under paragraph (c) of subsection (1) of this section. To implement this act, the department of law may use this appropriation to provide legal services for the department of regulatory agencies.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 20, 2016