

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 22-0741.01 Yelana Love x2295

SENATE BILL 22-116

SENATE SPONSORSHIP

Holbert and Pettersen, Bridges, Buckner, Coleman, Cooke, Coram, Donovan, Fenberg, Gardner, Ginal, Gonzales, Hansen, Hinrichsen, Hisey, Jaquez Lewis, Kirkmeyer, Kolker, Lee, Liston, Lundeen, Moreno, Priola, Rankin, Rodriguez, Simpson, Smallwood, Sonnenberg

HOUSE SPONSORSHIP

Van Winkle and Bird,

Senate Committees

Business, Labor, & Technology

House Committees

Business Affairs & Labor

A BILL FOR AN ACT

101 **CONCERNING THE ABILITY OF AN INDIVIDUAL TO OBTAIN AN**
102 **OCCUPATIONAL CREDENTIAL THROUGH THE OCCUPATIONAL**
103 **CREDENTIAL PORTABILITY PROGRAM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law authorizes a regulator of a profession or occupation to approve an application for licensure, certification, registration, or enrollment by endorsement, reciprocity, or transfer through the occupational credential portability program (program). The bill amends the program by:

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
Amended 2nd Reading
April 8, 2022

SENATE
3rd Reading Unamended
March 1, 2022

SENATE
Amended 2nd Reading
February 28, 2022

- Removing the requirement that an applicant seeking a credential through the program must prove the applicant's substantially equivalent experience or credentials;
- Adding a military occupational specialty to the types of occupational credentials that qualify a person for a credential through the program; and
- Requiring an applicant to have held the license, certification, registration, enrollment, or military occupational specialty in another state for at least one year.

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

2 **SECTION 1. Short title.** The short title of this act is the "Red
3 Tape Reduction Act of 2022".

4
5 **SECTION 2.** In Colorado Revised Statutes, 12-20-202, **amend**
6 **(3)(b)(I) introductory portion, (3)(b)(I)(A), (3)(c) introductory portion,**
7 **and (3)(c)(I); and add (3)(d.5) and (3)(e)(II.5) as follows:**

8 **12-20-202. Licenses, certifications, and registrations - renewal**
9 **- reinstatement - fees - occupational credential portability program**
10 **- temporary authority for military spouses - definitions - exceptions**
11 **for military personnel - rules - consideration of criminal convictions**
12 **or driver's history - executive director authority. (3) Occupational**
13 **credential portability program. (b) (I) Except as specified in**
14 **subsections (3)(c) and (3)(f) of this section, a person duly licensed,**
15 **certified, registered, or enrolled in good standing in another state or**
16 **United States territory OR THROUGH THE FEDERAL GOVERNMENT to**
17 **practice a particular profession or occupation, OR WHO HOLDS A MILITARY**
18 **OCCUPATIONAL SPECIALTY, AS DEFINED IN SECTION 24-4-201, is, upon**
19 **application to the division for licensure, certification, registration, or**
20 **enrollment in that profession or occupation in this state, entitled to the**

1 issuance of the applicable license, certification, registration, or enrollment
2 upon IF ALL OF THE FOLLOWING APPLY:

3 (A) Submission of satisfactory proof to the regulator, under
4 penalty of perjury, of the applicant's substantially equivalent experience
5 or credentials, as required by the part or article of this title 12 that
6 regulates the applicable profession or occupation OR SATISFACTORY
7 PROOF THAT THE APPLICANT HAS HELD FOR AT LEAST ONE YEAR A
8 CURRENT AND VALID LICENSE, CERTIFICATION, REGISTRATION, OR
9 ENROLLMENT UNDER A JURISDICTION WITH A SCOPE OF PRACTICE THAT IS
10 SUBSTANTIALLY SIMILAR TO THE SCOPE OF PRACTICE OF THE PROFESSION
11 OR OCCUPATION AS SPECIFIED IN THIS TITLE 12, and that the applicant has
12 not committed an act that would be grounds for disciplinary action under
13 the law governing the applicable profession or occupation;

14 (c) An applicant is not entitled to licensure, certification,
15 registration, or enrollment pursuant to this subsection (3) if approving the
16 licensure, certification, registration, or enrollment would violate an
17 existing compact or reciprocity agreement or if the regulator demonstrates
18 by a preponderance of evidence, after notice and opportunity for a
19 hearing, that the applicant:

20 (I) Lacks the requisite substantially equivalent EDUCATION,
21 experience, or credentials to practice the applicable profession or
22 occupation; or

23 (d.5) NOTHING IN THIS SUBSECTION (3) PROHIBITS A PERSON FROM
24 APPLYING FOR AN OCCUPATIONAL LICENSE, REGISTRATION, OR
25 CERTIFICATION PURSUANT TO ANOTHER STATUTE OR RULE.

26 (e) Subsections (3)(a) to (3)(d) of this section do not apply to the
27 following professions or occupations:

1 (II.5) ENGINEERS, SURVEYORS, AND ARCHITECTS, REGULATED
2 PURSUANT TO ARTICLE 120 OF THIS TITLE 12;

3 **SECTION 3. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly; except
6 that, if a referendum petition is filed pursuant to section 1 (3) of article V
7 of the state constitution against this act or an item, section, or part of this
8 act within such period, then the act, item, section, or part will not take
9 effect unless approved by the people at the general election to be held in
10 November 2022 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.