

**FINAL PROPOSAL**  
**Relocate 12-1.5-101 to 24-1-138**

Add the section to Title 24, article 1:

**24-1-138. [Formerly 12-1.5-101] Mandatory donation of services prohibited.**

(1) ~~No~~ A regulatory agency or other department, division, agency, branch, instrumentality, or political subdivision of state government shall NOT require:

(a) ~~any~~ A person practicing a regulated profession or occupation to donate ~~such~~ THE person's professional services without compensation to ~~any other~~ ANOTHER person as a condition of admission to or continued licensure ~~in such~~ OR OTHER AUTHORIZATION TO PRACTICE THE profession or occupation; ~~nor shall~~ OR

(b) Payment of money in lieu of ~~such~~ uncompensated service. ~~be required.~~

(2) This section shall not be construed to prohibit the crediting of required hours of continuing education in exchange for hours of donated services by a person in a regulated profession or occupation.

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**NOTE:** *Section 12-1.5-101 was discussed at a meeting on July 18, 2018. At that time, stakeholders were unsure whether the provision applies only to DPO-regulated professions and occupations. Given that the section refers to any "regulatory agency or other department, division, agency, branch, instrumentality, or political subdivision of the state", it appears to apply more broadly to any state government entity that has regulatory authority. Accordingly, OLLS recommends relocating this provision to title 24, article 1, which is the "Administrative Organization Act of 1968" and contains provisions regarding the organization of state government.*

