

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 117

BY BUSINESS COMMITTEE

AN ACT

RELATING TO OCCUPATIONAL LICENSES; REPEALING SECTION 67-2614, IDAHO CODE, RELATING TO RENEWAL AND REINSTATEMENT OF LICENSES; AND AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2614, IDAHO CODE, TO PROVIDE THAT CERTAIN LICENSES OR REGISTRATIONS BE SUBJECT TO ANNUAL RENEWAL AND TO SPECIFY RENEWAL AND REINSTATEMENT REQUIREMENTS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 67-2614, Idaho Code, be, and the same is hereby repealed.

SECTION 2. That Chapter 26, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-2614, Idaho Code, and to read as follows:

67-2614. RENEWAL OR REINSTATEMENT OF LICENSES. All licenses or registrations issued by the boards served by the bureau of occupational licenses as a prerequisite to engaging in a trade, occupation or profession shall be subject to annual renewal and shall expire and be canceled unless renewed prior to expiration as provided by this section. The required fee for annual renewals shall be the amount set forth in the laws and rules of the governing board. As used in this section, the term "person," unless otherwise indicated, shall mean a natural person or an entity applying for licensure or registration pursuant to the laws or rules of a board served by the bureau.

(1) All natural persons required to procure a license or registration must annually renew the same on or before the birthday of the holder of the license or registration in the manner prescribed in subsection (3) of this section. However, the first renewal of the license or registration shall not be required until twelve (12) months after the holder's next birthday following the initial licensure or registration.

(2) All persons required to procure a license or registration for an entity or a facility as a prerequisite for operating a business or place of business in which a trade, occupation or profession is practiced must annually renew the same on or before the anniversary of the original issue date of the license or registration in the manner prescribed in subsection (3) of this section.

(3) Licenses or registrations may be renewed up to six (6) weeks prior to the expiration date.

(a) Submission of an approved and completed paper or electronic renewal application prior to expiration is the responsibility of each licensee or registrant. Failure to receive a renewal application or notice shall not excuse failure to comply with renewal requirements.

(b) The renewal application shall be submitted to the bureau along with the required renewal fee and confirmation of compliance with renewal

1 requirements of the relevant board including, but not limited to, in-
2 surance, completion of any continuing education and payment of all
3 fines, costs, fees, including attorney's fees, or other amounts that
4 are due and owing to the board or in compliance with a payment arrange-
5 ment with the board.

6 (4) Whenever a change of the licensee's or registrant's address of
7 record occurs, the licensee or registrant must immediately notify the bureau
8 in writing of the change. The bureau will use the most recent mailing address
9 it has on file for purposes of all written communication with a licensee or
10 registrant. It is the responsibility of each licensee and registrant to
11 keep the bureau informed of a current mailing address and any other contact
12 information.

13 (5) Fees for renewal and reinstatement cannot be waived or refunded un-
14 less otherwise provided by board law or rule.

15 (6) If a license or registration is not renewed on or before the expira-
16 tion date, it shall be immediately canceled by the bureau following the date
17 of expiration. Within five (5) years of the date of expiration, the bureau
18 may reinstate a license or registration canceled for failure to renew upon
19 receiving documentation of compliance with requirements for timely renewal
20 as set forth in subsection (3) (b) of this section and any other reinstatement
21 requirements of the board plus payment of a reinstatement fee of thirty-five
22 dollars (\$35.00) or other amount as provided by board law or rule.

23 (7) (a) When a license or registration has been canceled for a period
24 of more than five (5) years, the person so affected shall be required to
25 make application for a new license or registration to the bureau. The
26 application shall consist of the following:

27 (i) All forms and information required of an applicant for a new
28 license or registration; and

29 (ii) The fee currently required of an applicant for a new license
30 or registration.

31 (b) In addition to the application, the person shall provide:

32 (i) All moneys due and owing to the board, or proof that the person
33 is in compliance with a payment arrangement made with the board;
34 and

35 (ii) Information required by the board that demonstrates the per-
36 son is of good moral character.

37 (c) The person shall fulfill certain requirements as determined by the
38 board that demonstrate the person's competency to resume practice in
39 this state. Such requirements may include, but are not limited to, ed-
40 ucation, supervised practice and examination. The board may consider
41 the person's practice in another jurisdiction in determining the per-
42 son's competency.

43 (d) Persons who fulfill the conditions and requirements of this subsec-
44 tion shall be issued a new license or registration.