



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB5608

Introduced 2/9/2024, by Rep. Paul Jacobs

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Universal Recognition of Licenses Act. Defines "board". Provides that, notwithstanding any other State law to the contrary, a board in the State shall issue an occupational license or government certification to a person who holds an occupational license or government certification in another state if the person satisfies specified conditions. Provides that, notwithstanding any other State law to the contrary, a board shall issue an occupational license or government certification to a person upon application based on work experience in another state if the person satisfies specified conditions. Sets forth provisions concerning State law examinations; decisions of a board; appeals; State laws and jurisdiction; exceptions to the Act; limitations of the Act; application fees; and emergency powers. Effective immediately.

LRB103 38922 RTM 69059 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Universal Recognition of Occupational Licenses Act.

6 Section 5. Definitions. As used in this Act:

7 "Board" means a government agency, board, department, or  
8 other government entity that regulates a lawful occupation and  
9 issues an occupational license or government certification to  
10 an individual.

11 "Government certification" means a voluntary,  
12 government-granted, and nontransferable recognition to an  
13 individual who meets personal qualifications related to a  
14 lawful occupation that upon the government's initial and  
15 continuing approval, the individual may use "government  
16 certified" or "state certified" as a title. "Government  
17 certification" does not mean "occupational license."  
18 "Government certification" does not include credentials, such  
19 as those used for medical-board certification or held by a  
20 certified public accountant, that are prerequisites to working  
21 lawfully in an occupation.

22 "Lawful occupation" means a course of conduct, pursuit, or  
23 profession that includes the sale of goods or services that

1 are not themselves illegal to sell irrespective of whether the  
2 individual selling them is subject to an occupational license.

3 "Military" means the Armed Forces of the United States  
4 including the Air Force, Army, Coast Guard, Marine Corps,  
5 Navy, Space Force, National Guard, and all reserve components  
6 and auxiliaries. "Military" includes the military reserves and  
7 militia of any United States territory or state.

8 "Occupational license" is a nontransferable authorization  
9 in law for an individual to perform exclusively a lawful  
10 occupation based on meeting personal qualifications.  
11 "Occupational license" includes a military occupational  
12 specialty.

13 "Other state" or "another state" means any territory, or  
14 state other than this State in the United States. It also means  
15 any branch or unit of the military.

16 "Scope of practice" means the procedures, actions,  
17 processes and work that a person may perform under an  
18 occupational license or government certification issued in  
19 this State.

20 Section 10. Recognition of another occupational license or  
21 government certification.

22 (a) Notwithstanding any other State law to the contrary, a  
23 board shall issue an occupational license or government  
24 certification to a person upon application if all the  
25 following apply:

1           (1) The person holds a current and valid occupational  
2 license or government certification in another state in a  
3 lawful occupation with a similar scope of practice, as  
4 determined by the relevant board in this State;

5           (2) The person has held the occupational license or  
6 government certification in the other state for at least  
7 one year;

8           (3) The board in the other state required the person  
9 to pass an examination or to meet education, training or  
10 experience standards;

11           (4) The board in the other state holds the person in  
12 good standing;

13           (5) The person does not have a disqualifying criminal  
14 record as determined by the relevant board in this State  
15 under State law;

16           (6) No board in another state revoked the person's  
17 occupational license or government certification because  
18 of negligence or intentional misconduct related to the  
19 person's work in the occupation;

20           (7) The person did not surrender an occupational  
21 license or government certification because of negligence  
22 or intentional misconduct related to the person's work in  
23 the occupation in another state;

24           (8) The person does not have a complaint, allegation,  
25 or investigation pending before a board in another state  
26 which relates to unprofessional conduct or an alleged

1 crime. If the person has a complaint, allegation, or  
2 investigation pending, then the board in this State may  
3 not issue or deny an occupational license or government  
4 certification to the person until the complaint,  
5 allegation, or investigation is resolved or the person  
6 otherwise meets the criteria for an occupational license  
7 or government certification in this State to the  
8 satisfaction of the board in this State; and

9 (9) The person pays all applicable fees to the State.

10 (b) If another state issued the person a government  
11 certification but the board in this State requires an  
12 occupational license to work, then the relevant board in this  
13 State shall issue an occupational license to the person if the  
14 person otherwise satisfies subsection (a).

15 Section 15. Recognition of work experience.  
16 Notwithstanding any other State law to the contrary, the board  
17 shall issue an occupational license or government  
18 certification to a person upon application based on work  
19 experience in another state if all the following apply:

20 (1) The person worked in a state that does not use an  
21 occupational license or government certification to  
22 regulate a lawful occupation, but the State uses an  
23 occupational license or government certification to  
24 regulate a lawful occupation with a similar scope of  
25 practice, as determined by the board;

1           (2) The person worked for at least 3 years in the  
2           lawful occupation; and

3           (3) The person satisfies paragraphs (5), (6), (7),  
4           (8), and (9) of subsection (a) of Section 10.

5           Section 20. State law examination. A board may require a  
6           person to pass a jurisprudential examination specific to  
7           relevant State laws that regulate the occupation if an  
8           occupational license or government certification in this State  
9           requires a person to pass a jurisprudential examination  
10          specific to relevant State statutes and administrative rules  
11          that regulate the occupation.

12          Section 25. Decision. The board shall provide the person  
13          with a written decision regarding the application within 30  
14          days after receiving a complete application.

15          Section 30. Appeal.

16          (a) The person may appeal the board's decision to a court  
17          of general jurisdiction.

18          (b) The person may appeal the board's:

19               (1) denial of an occupational license or government  
20               certification;

21               (2) determination of the occupation;

22               (3) determination of the similarity of the scope of  
23               practice of the occupational license or government

1 certification issued; or

2 (4) other determinations under this Act.

3 Section 35. State laws and jurisdiction. A person who  
4 obtains an occupational license or government certification  
5 pursuant to this chapter is subject to:

6 (1) the laws regulating the occupation in this State;

7 and

8 (2) the jurisdiction of the relevant board in this  
9 State.

10 Section 40. Exception. This Act does not apply to an  
11 occupation regulated by the Illinois Supreme Court.

12 Section 45. Limitations.

13 (a) Nothing in this Act shall be construed to prohibit a  
14 person from applying for an occupational license or government  
15 certification under another statute or rule in State law.

16 (b) An occupational license or government certification  
17 issued pursuant to this Act is valid only in this State. It  
18 does not make the person eligible to work in another state  
19 under an interstate compact or reciprocity agreement unless  
20 otherwise provided in law.

21 (c) Nothing in this chapter shall be construed to prevent  
22 this State from entering into a licensing compact or  
23 reciprocity agreement with another state, foreign province, or

1 foreign country.

2 (d) Nothing in this chapter shall be construed to prevent  
3 this State from recognizing occupational credentials issued by  
4 a private certification organization, foreign province,  
5 foreign country, international organization, or other entity.

6 (e) Nothing in this Act may be construed to require a  
7 private certification organization to grant or deny private  
8 certification to any individual.

9 Section 50. Application fees. The board may charge a fee,  
10 not to exceed \$100, to an applicant to recoup its costs for  
11 each application.

12 Section 55. Emergency powers.

13 (a) During a declared emergency, the Governor may order  
14 the recognition of an occupational license from another state  
15 or foreign country as if the license was issued by this State.

16 (b) The Governor may expand any license's scope of  
17 practice and may authorize any licensee to provide services in  
18 this State in person, telephonically, or by other means for  
19 the duration of the emergency.

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.