

# **WEST VIRGINIA LEGISLATURE**

**2017 REGULAR SESSION**

**ENGROSSED**

**Committee Substitute**

**for**

**House Bill 2502**

BY DELEGATES ELLINGTON, SUMMERS, ROHRBACH AND

CRISS

[Originating in the Committee on Government

Organization; February 27, 2017]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §30-1-21, relating to reciprocity of professional and occupational licenses with  
3 other states or jurisdictions; proscribing requirements of applicants; and providing for  
4 background checks and interviews of applicants.

*Be it enacted by the Legislature of West Virginia:*

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
2 section, designated §30-1-21, to read as follows:

**ARTICLE 1. GENERAL PROVISIONS APPLICABLE TO ALL STATE BOARDS OF  
EXAMINATION OR REGISTRATION REFERRED TO IN CHAPTER.**

**§30-1-21. Reciprocity.**

1 (a) Notwithstanding the requirements of each profession or occupation in this chapter, a  
2 person who has obtained and maintained for three years an unrestricted license, registration,  
3 certificate or permit, granted by another state or jurisdiction to practice a profession or occupation  
4 as provided under this chapter, and has not received any completed disciplinary actions in which  
5 discipline was ordered or the subject of any pending disciplinary actions in any of the three most  
6 recent years, meets the educational and experience requirements to apply for licensure: *Provided,*  
7 That the board may still require all other elements necessary for licensure be met: *Provided,*  
8 *however,* That nothing in this section applies to any profession for which West Virginia has entered  
9 into an interstate compact.

10 (b) An applicant shall provide a list of all professional and occupational licenses,  
11 registrations, permits or certificates held in each state or jurisdiction for the previous three years,  
12 and pay the applicable application fees.

13 (c) The board may perform a criminal history record check and interview the applicant to  
14 determine his or her character: *Provided,* That before performing a criminal history record check  
15 on a person applying for a reciprocal license, the board shall propose rules for legislative approval

16 in accordance with article three, chapter twenty-nine-a of this code. The rules shall set forth the  
17 requirements and procedures for the criminal history record check and must be consistent with  
18 standards established by the Federal Bureau of Investigation and the National Crime Prevention  
19 and Privacy Compact as authorized by 42 U. S. C. A. §14611, et seq. The costs associated with  
20 a criminal history record check, including the cost of fingerprinting and finger print analysis, shall  
21 be paid by the applicant.