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HOUSE BILL NO. 1253

Offered January 20, 2022

A BILL to amend the Code of Virginia by adding in Chapter 1 of Title 54.1 a section numbered 54.1-120, relating to Department of Professional and Occupational Regulation; licensure by apprenticeship.

Patron—Fowler

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 1 of Title 54.1 a section numbered 54.1-120 as follows:

§ 54.1-120. Licensure by apprenticeship.

A. As used in this section:

"Apprenticeship" means an apprenticeship program that meets the federal labor standards for the registration of apprenticeship programs pursuant to 29 C.F.R. § 29.1 et seq.

"Board" means any regulatory board within the Department of Professional and Occupational Regulation.

"License" means a license, certificate, registration, permit, or other evidence of qualification that an individual is required to obtain before engaging in an occupation or presenting himself as a member of a profession.

"Scope of practice" means the procedures, actions, processes, and work that an individual may perform under a board-issued license.

B. A board shall grant a license to an applicant for licensure by apprenticeship if the applicant has (i) completed an apprenticeship in an occupation that is regulated by a board, and such board grants licensure to individuals in such occupation or an occupation with a similar scope of practice; (ii) passed all requisite examinations; and (iii) paid all applicable fees, as determined by the board.

C. No board shall:

1. Require an applicant for licensure by apprenticeship to complete an apprenticeship for a greater duration of time than the minimum required by federal law;

2. Require an applicant for licensure by apprenticeship to pass an examination unless such requirement is also imposed on other types of applicants;

3. Require an applicant for licensure by apprenticeship to receive a higher score on any examination that a score required to be received by other types of applicants;

4. Require an applicant for licensure by apprenticeship to pay a licensing fee unless it also requires other types of applicants to pay a licensing fee; or

5. Impose on an applicant for licensure by apprenticeship a licensing fee greater than the licensing fee imposed on other types of applicants.

D. Except for any provision of law related to specific qualifications for an occupation or profession, a license issued pursuant to this section shall be subject to the same provisions of law governing such occupation or profession.

E. A board shall amend existing regulations or adopt new regulations necessary for the implementation of this section pursuant to § 54.1-103.

2. That the provisions of this act shall become effective on January 1, 2023.

INTRODUCED

HB1253