

1 **H. B. 4164**

2
3 (By Delegates Frich, Poored, Fleischauer,
4 Sobonya, Iaquinta, Marcum, Azinger, Longstreth,
5 Ashley and Eldridge)
6

7 [Introduced January 14, 2014; referred to the
8 Committee on Government Organization then the Judiciary.]
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10 A BILL to amend and reenact §30-1-6b of the Code of West Virginia,
11 1931, as amended, relating to professional licensure,
12 certification or registration of persons and spouses of
13 persons on military active duty outside this state; and
14 removing requirement that the licensee verifies that he or she
15 performs the licensed, certified or registered profession or
16 occupation as part of his or her military duties as annotated
17 in Defense Department Form 214, in order to be exempt from
18 certain renewal and continuing education requirements.

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

20 That §30-1-6b of the Code of West Virginia, 1931, as amended,
21 be amended and reenacted to read as follows:

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

24 **§30-1-6b. Licensure, certification or registration of persons and**
25 **spouses of persons on military active duty outside**

1 **this state; extension of licenses or registration;**
2 **waiver of certain license, certification or**
3 **registration requirements.**

4 (a) During periods when the licensee, certificate holder or
5 registrant is on active duty as a member of the Armed Forces of the
6 United States, the National Guard of this state or any other state,
7 or any other military reserve component and deployed outside of
8 this state, and for six months after discharge from active duty,
9 the license, certification or registration of a person regulated by
10 a board in this chapter shall continue in good standing and shall
11 be renewed without payment of any dues or fees for the maintenance
12 or renewal of the license, certification or registration, and
13 without meeting continuing education requirements for the license,
14 certification or registration, when circumstances associated with
15 military duty prevent the individual from obtaining the required
16 continuing education.

17 (b) The licensee shall submit a waiver request to the
18 appropriate board, informing the board of circumstances which
19 include, but are not limited to, deployment outside of the United
20 States or in any combat area. ~~and verify that the individual~~
21 ~~performs the licensed, certified or registered profession or~~
22 ~~occupation as part of his or her military duties as annotated in~~
23 ~~Defense Department Form 214 (DD214).~~

24 (c) During periods when the licensee, certificate holder or

1 registrant is accompanying his or her spouse who is on active duty
2 as a member of the Armed Forces of the United States, the National
3 Guard of this state or any other state or any other military
4 reserve component and deployed outside of this state, and for six
5 months after discharge from active duty, the license, certification
6 or registration of that person regulated by a board referred to in
7 this chapter, shall continue in good standing and shall be renewed
8 without payment of any dues or fees for the maintenance or renewal
9 of the license, certification or registration, and without meeting
10 continuing education requirements for the license certification or
11 registration when circumstances associated with accompanying a
12 spouse on military duty prevent the individual from obtaining the
13 required continuing education.

14 (d) The licensee shall submit a waiver request to the
15 appropriate board informing the board of these circumstances which
16 include, but are not limited to, deployment outside of the United
17 States or in any combat area.

NOTE: The purpose of this bill is to remove the requirement that a person authorized to practice certain professions verifies that he or she performs the authorized profession as part of his or her military duties as annotated in Defense Department Form 214, in order to be exempt from certain renewal and continuing education requirements.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.

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