

# **WEST VIRGINIA LEGISLATURE**

**2019 REGULAR SESSION**

**Enrolled**

**Committee Substitute**

**for**

**Senate Bill 396**

SENATORS TARR AND CLINE, *original sponsors*

[Passed March 8, 2019; in effect 90 days from passage]



1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §30-1-22, relating to waiver of initial occupational licensing fees for certain  
3 individuals; requiring boards and licensing authorities to waive certain initial occupational  
4 licensing fees for low-income individuals and military families; defining terms; requiring  
5 individuals seeking waiver of initial occupational licensing fees to apply on a form provided  
6 by the board or licensing authority; and granting rule-making authority.

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

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

**§30-1-22. Waiver of initial licensing fees for certain individuals; definitions.**

1 (a) As used in this section:

2 (1) "Initial" means obtaining a license in West Virginia for the occupation sought for the  
3 first time;

4 (2) "Low-income individuals" means individuals in the local labor market as defined in §21-  
5 1C-2 of this code whose household adjusted gross income is below 130 percent of the federal  
6 poverty line. This term also includes any person enrolled in a state or federal public assistance  
7 program including, but not limited to, the Temporary Assistance for Needy Families Program,  
8 Medicaid, or the Supplemental Nutrition Assistance Program; and

9 (3) "Military families" means any person who serves as an active member of the armed  
10 forces of the United States, the National Guard, or a reserve component as described in 38 U.S.C.  
11 §101, honorably discharged veterans of those forces, and their spouses. This term also includes  
12 surviving spouses of deceased service members who have not remarried.

13 (b) Each board or licensing authority referred to in this chapter shall waive all initial  
14 occupational licensing fees for the following classes of individuals:

15 (1) Low-income individuals; and

16           (2) Military families.

17           (c) Individuals seeking a waiver of initial occupational licensing fees must apply to the  
18 appropriate board or licensing authority in a format prescribed by the board or licensing authority.  
19 The board or licensing authority shall process the application within 30 days of receiving it from  
20 the applicant.

21           (d) The board or licensing authority shall propose rules for legislative approval in  
22 accordance with §29A-3-1 *et seq.* of this code to implement the provisions of this section.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, Senate Committee*

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*Chairman, House Committee*

Originated in the Senate.

In effect 90 days from passage.

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*Clerk of the Senate*

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*Clerk of the House of Delegates*

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*President of the Senate*

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*Speaker of the House of Delegates*

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The within ..... this the.....  
Day of ....., 2019.

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*Governor*