

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 107

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO THE OCCUPATIONAL LICENSING REFORM ACT; AMENDING SECTION
2 67-9402, IDAHO CODE, TO PROVIDE THAT LICENSURE REQUIREMENTS SHALL ONLY
3 BE CREATED PURSUANT TO IDAHO CODE AND TO PROVIDE THAT LICENSURE FEES
4 SHALL BE ESTABLISHED IN STATUTE OR RULE; AMENDING SECTION 67-9403,
5 IDAHO CODE, TO REVISE A DEFINITION; REPEALING SECTION 67-9407, IDAHO
6 CODE, RELATING TO A REPORT TO THE LEGISLATURE; AMENDING CHAPTER 94, TI-
7 TLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-9407, IDAHO CODE,
8 TO ESTABLISH PROVISIONS REGARDING UNIVERSAL OCCUPATIONAL AND PROFES-
9 SIONAL LICENSING PRACTICE AUTHORITY; REQUIRING A CERTAIN REPORT; AND
10 DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
11

12 Be It Enacted by the Legislature of the State of Idaho:

13 SECTION 1. That Section 67-9402, Idaho Code, be, and the same is hereby
14 amended to read as follows:

15 67-9402. DECLARATION OF POLICY. The Idaho legislature, recognizing a
16 need for occupational licensing reform, declares it to be the policy of the
17 state to adopt a comprehensive and proactive approach to reducing occupa-
18 tional licensing constraints and barriers. Pursuant to this policy:

19 (1) No new licensure of a person to practice a profession or occupation
20 may be created by an administrative rule or policy in the absence of express
21 statutory authorization; and

22 (2) By July 1, 2026, all licensure fees shall be established in statute
23 or rule.

24 SECTION 2. That Section 67-9403, Idaho Code, be, and the same is hereby
25 amended to read as follows:

26 67-9403. DEFINITIONS. As used in this chapter:

27 (1) "Honorable conditions" means an honorable discharge or a general
28 discharge "under honorable conditions."

29 (2) "Licensing authority" means any agency, bureau, commission, de-
30 partment, division, or professional or occupational licensing board charged
31 with granting, suspending, or revoking the license, certificate, registra-
32 tion, permit, or other authorization of any person to practice a profession
33 or occupation, including but not limited to the professional and occupa-
34 tional licensing boards within the department of self-governing agencies.
35 The term licensing authority does not include the board of commissioners
36 of the Idaho state bar as established pursuant to chapter 4, title 3, Idaho
37 Code, or the Idaho supreme court.

38 (3) "Licensure" means a license, certificate, certification, regis-
39 tration, permit, or other authorization of any person to practice a profes-
40 sion or occupation.

1 (4) "Military" means the armed forces or reserves of the United States,
2 including the army, navy, marine corps, coast guard, space force, air force,
3 and the reserve components thereof, the national guard of any state, the mil-
4 itary reserves of any state, or the naval militia of any state.

5 (5) "Veteran" means any person who has been discharged or released from
6 active duty in the armed forces under honorable conditions, provided the
7 person has served on active duty for a minimum of one hundred eighty (180)
8 consecutive days.

9 SECTION 3. That Section [67-9407](#), Idaho Code, be, and the same is hereby
10 repealed.

11 SECTION 4. That Chapter 94, Title 67, Idaho Code, be, and the same is
12 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
13 ignated as Section 67-9407, Idaho Code, and to read as follows:

14 67-9407. UNIVERSAL OCCUPATIONAL AND PROFESSIONAL LICENSING PRACTICE
15 AUTHORITY. (1) An act is within the practice authority of a licensed profes-
16 sional in Idaho under the authority of the division of occupational and pro-
17 fessional licenses if:

18 (a) The act is consistent with and not expressly prohibited by Idaho
19 Code;

20 (b) The act is consistent with the individual's education, training,
21 and experience; and

22 (c) Performance of the act is within the accepted standard of care for
23 the licensed professional's profession or occupation that would be pro-
24 vided in the same or similar setting by a reasonable and prudent indi-
25 vidual with the same or similar education, training, and experience.

26 (2) Boards and commissions under the authority of the division of oc-
27 cupational and professional licenses shall be authorized to pursue disci-
28 plinary action if a licensed professional subject to licensure by such board
29 or commission fails to meet the standard of care provided by other similarly
30 licensed professionals in the same or similar settings. Any penalties re-
31 sulting from such acts or omissions must comply with applicable state laws
32 and regulations of the licensing board or commission.

33 (3) A licensing authority shall review its administrative rules and
34 modify or eliminate any provisions in conflict with the provisions of this
35 section.

36 SECTION 5. REPORT TO LEGISLATURE. A licensing authority shall, no later
37 than January 1, 2026, prepare and deliver to an appropriate germane leg-
38 islative committee information regarding the actions taken to comply with
39 the provisions of section 67-9407, Idaho Code. Further, the licensing au-
40 thority shall report on the profession-specific endorsement and reciprocity
41 statutes, including proposed legislative language, that must be modified or
42 eliminated for the licensing authority to fully comply with the provisions
43 of sections 67-9407, 67-9409, and 67-9414, Idaho Code.

44 SECTION 6. An emergency existing therefor, which emergency is hereby
45 declared to exist, this act shall be in full force and effect on and after
46 July 1, 2025.