



# Occupational Licensing and Sunset Review

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# Agenda



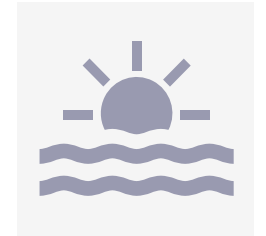
Occupational  
Licensing Policy  
Changes



Consortium  
Lessons Learned



Idaho's Path



Sunset Review

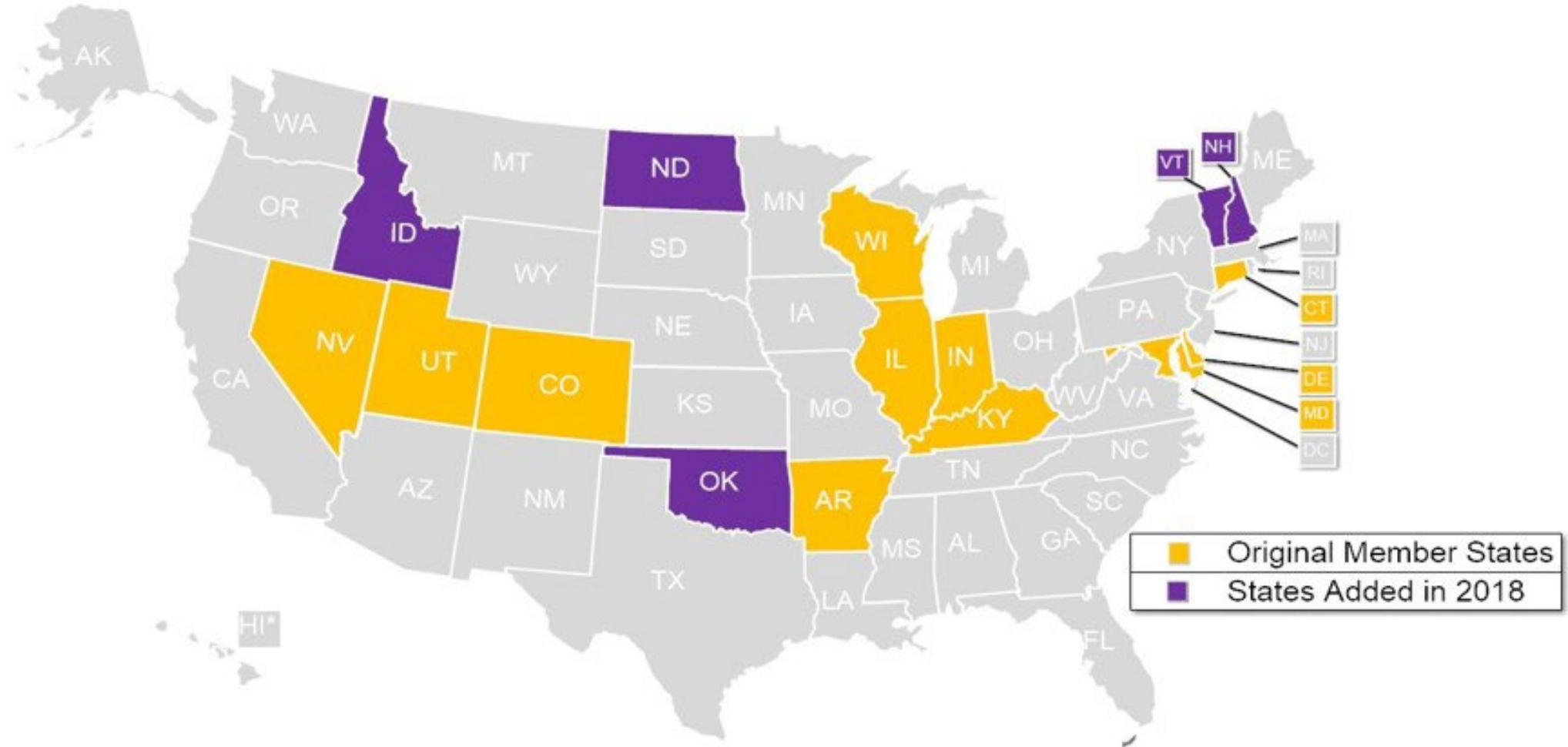


# Occupational Licensing Policy Changes

- Licensing as a barrier to employment
- Major trends
  - Reciprocity agreements and state compacts
  - Universal licensure
  - Targeting specific demographics



# Occupational Licensing Learning Consortium



OCCUPATIONAL LICENSING FINAL REPORT

# Assessing State Policies and Practices

Project Overview and Lessons Learned from  
the Occupational Licensing Learning Consortium





## Sunset Processes in States



- Periodic reviews or audits of a state board, commission, agency or regulation created by legislation.
- Allows legislators to periodically evaluate government functions.
- Specifically applied to occupational licensing, sunset reviews often result in modifying licensing requirements and boards or, in some cases, eliminating (or “sunsetting”) them entirely.



# Sunset: A Brief History

**1970s-1980s:** Gained traction in many states as a tool to review all actions of state government.

**1990:** States start repealing sunset laws in favor of broader “program evaluation” processes.

**2020:** 3 states have recently implemented new sunset processes; at least 6 states have considered legislation.

**1980s:** 36 states had passed legislation to create a sunrise or sunset review process.

**2010s:** States start to reexamine the value of sunset processes, particularly as they apply to occupational licensing.



# Major Considerations

For New Sunset Process

## Where is the Process Housed?

- Who is responsible for what?
- Opportunity for cross-branch collaboration.

## What are the Resources Available?

- Staff?
- Resources?
- Partnerships with other government entities or private organizations.

## What Approach is being Used?

- Impacts what is being reviewed, structure of review may need to change based on approach.

## What Approach is Being Used, cont.?

- Comprehensive
- Regulatory
- Selective
- Discretionary





# State Examples



## Small Staff & Legislatively Driven

- Arkansas
- New Mexico
- Nevada

## Large Staff & Legislatively Driven

- Washington

## Cross Branch Process

- Texas (Large staff)
- Colorado (Small staff)



# Arkansas: Small staff, legislature driven

2019 – Act 600

## Enabling Legislation

- Created systemic process for reviewing licensing entities over the course of a six-year cycle.
- Review type: Regulatory

## Responsible for Process

- Created the Occupational Licensing Review Subcommittee and housed in the Arkansas Legislative Council
- Relies on staff from the Bureau of Legislative Research (BLR).

## Resources and Staff

- BLR, which staffs Arkansas' legislative committees, did not hire any new staff specifically to support the subcommittee.
- Typically, about four staff working to share responsibilities.



# Washington: Large staff, legislature driven

1977 – Washington Sunset Act

## Enabling Legislation

- Provided the legislature with the authority to request sunset reviews on an as-needed basis.
- Review type: Discretionary

## Responsible for Process

- Housed exclusively in the Joint Legislative Audit & Review Committee (JLARC).
- Committee members review the reports created by staff and make ultimate recommendations to the full legislature.

## Resources and Staff

- JLARC has a robust staff totaling 24 who share responsibilities for performance audits, program evaluations, sunset reviews and other analyses.
- Sunset-related responsibilities are spread among the staff.



# Texas: Large staff, cross-branch process

1977 – Texas Sunset Act

## Enabling Legislation

- Established the process for reviewing an average of 22 entities every two years.
- Review type: Selective

## Responsible for Process

- The Commission is an independent state oversight body with cross-branch collaboration.
- Voting body is the Legislative Sunset Commission

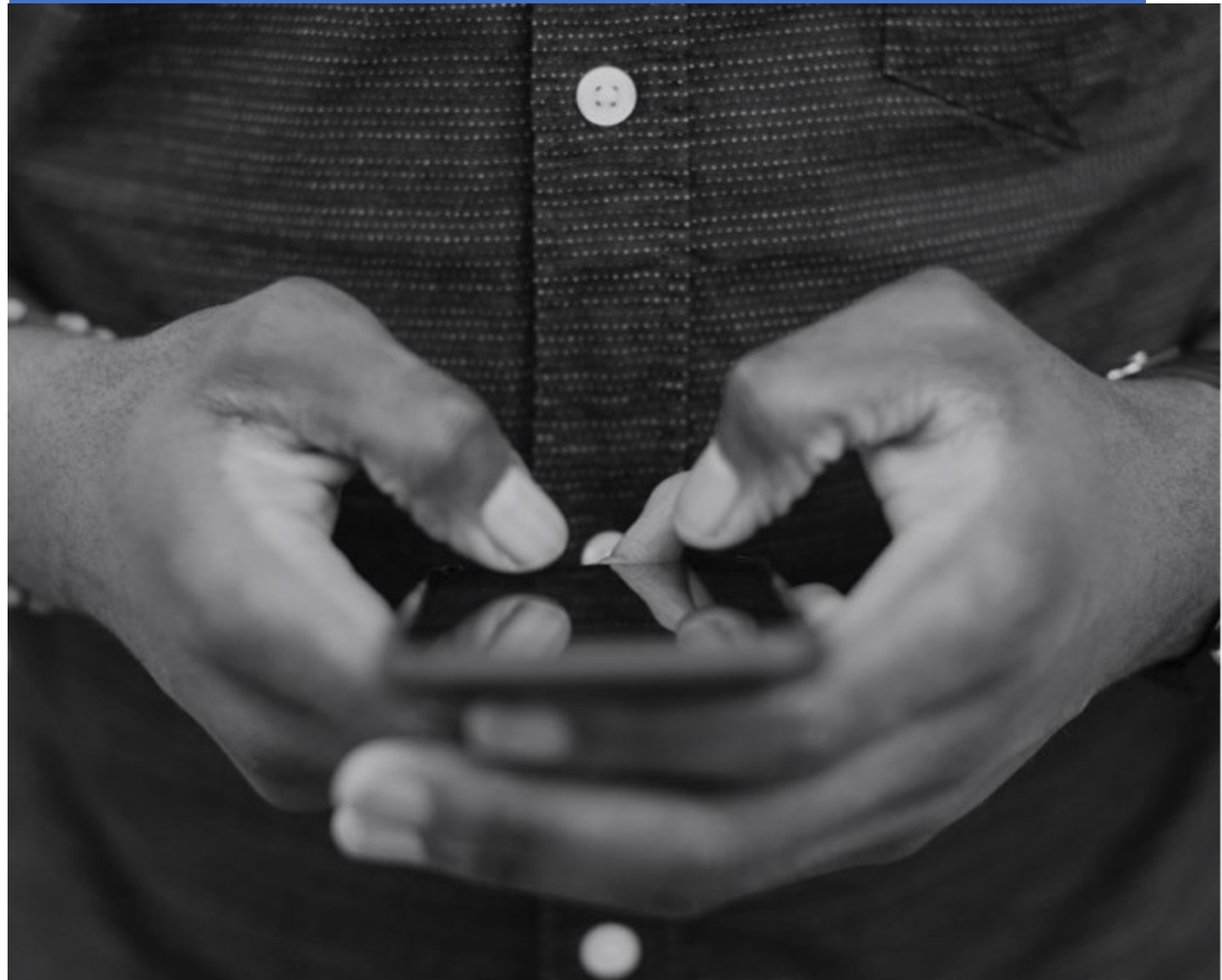
## Resources and Staff

- The Sunset Commission employs an executive director as well as about 30 staff to conduct the reviews.
- Funded by legislative appropriation each session.

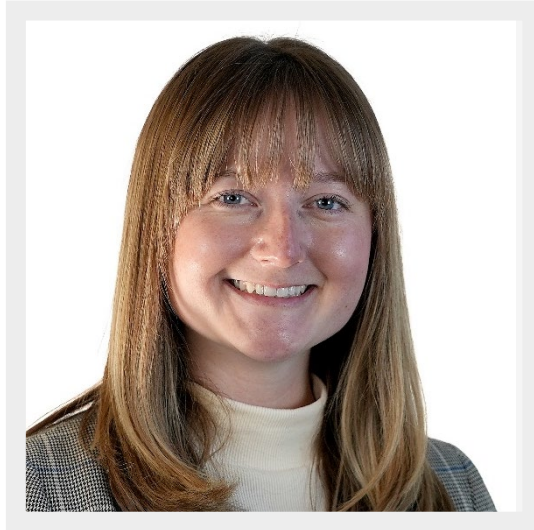


# Additional NCSL Resources

- [National Occupational Licensing Database](#)
- [Occupational Licensing Legislation Database](#)
- [Sunset and Sunrise in Occupational Licensing Policy](#) (November 2022)
- [2022 Occupational Licensing Trends](#) (March 2023)
- [Occupational Licensing Final Report: Assessing State Policies and Practices](#) (December 2020)
- [Barriers to Work: Improving Access to Licensed Occupations for Immigrants With Work Authorization](#) (August 2023)



Reach out anytime!



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