

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 505

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMEND-
2 ING SECTION 67-2614, IDAHO CODE, TO REVISE PROVISIONS REGARDING RENEWAL
3 AND REINSTATEMENT OF LICENSES; AMENDING SECTION 54-211, IDAHO CODE, TO
4 PROVIDE FOR BIENNIAL LICENSE RENEWAL AND EXPIRED LICENSURE STATUS, TO
5 PROVIDE FOR LICENSE TERMS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING
6 SECTION 54-312, IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE RENEWAL;
7 AMENDING SECTION 54-416, IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE
8 RENEWAL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-607,
9 IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSE RENEWAL, FEES, AND
10 DISPLAY; AMENDING SECTION 54-708, IDAHO CODE, TO PROVIDE FOR BIENNIAL
11 LICENSE RENEWAL; AMENDING SECTION 54-920, IDAHO CODE, TO REMOVE PROVI-
12 SIONS REGARDING LICENSING PERIODS AND TO PROVIDE FOR CERTAIN RENEWAL;
13 AMENDING SECTION 54-1008, IDAHO CODE, TO REVISE PROVISIONS REGARDING
14 THE DURATION OF LICENSES; AMENDING SECTION 54-1115A, IDAHO CODE, TO
15 PROVIDE FOR BIENNIAL LICENSE RENEWAL; AMENDING SECTION 54-1216, IDAHO
16 CODE, TO REVISE PROVISIONS REGARDING LICENSE EXPIRATION AND RENEWAL;
17 AMENDING SECTION 54-1608, IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE
18 RENEWAL; AMENDING SECTION 54-1723A, IDAHO CODE, TO REVISE A PROVISION
19 REGARDING CERTIFICATE RENEWAL; AMENDING SECTION 54-1729, IDAHO CODE,
20 TO PROVIDE FOR BIENNIAL CERTIFICATE RENEWAL AND TO REVISE PROVISIONS
21 REGARDING RENEWAL; AMENDING SECTION 54-1807A, IDAHO CODE, TO REVISE
22 PROVISIONS REGARDING LICENSE RENEWAL; AMENDING SECTION 54-1912, IDAHO
23 CODE, TO PROVIDE FOR BIENNIAL LICENSE RENEWAL AND TO REVISE PROVISIONS
24 REGARDING RENEWAL AND REINSTATEMENT OF LICENSES; AMENDING SECTION
25 54-2018, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSE RENEWALS;
26 AMENDING SECTION 54-2035, IDAHO CODE, TO PROVIDE FOR BIENNIAL CERTIFI-
27 CATION RENEWAL; AMENDING SECTION 54-2112, IDAHO CODE, TO PROVIDE FOR
28 BIENNIAL CERTIFICATION RENEWAL; AMENDING SECTION 54-2215, IDAHO CODE,
29 TO PROVIDE FOR BIENNIAL LICENSE RENEWAL; AMENDING SECTION 54-2315,
30 IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE RENEWAL AND TO REVISE PRO-
31 VISIONS REGARDING A CERTAIN FEE; AMENDING SECTION 54-2318, IDAHO CODE,
32 TO REVISE A PROVISION REGARDING FEES FOR CERTIFICATION; AMENDING SEC-
33 TION 54-2411, IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE RENEWAL;
34 AMENDING SECTION 54-2616, IDAHO CODE, TO REMOVE PROVISIONS REGARDING
35 CERTIFICATE FEES; AMENDING SECTION 54-2816, IDAHO CODE, TO PROVIDE
36 FOR BIENNIAL CERTIFICATION RENEWAL AND TO REVISE PROVISIONS REGARDING
37 A CERTAIN FEE; AMENDING SECTION 54-2921, IDAHO CODE, TO PROVIDE FOR
38 BIENNIAL LICENSE RENEWAL; AMENDING SECTION 54-2922, IDAHO CODE, TO RE-
39 VISE A PROVISION REGARDING THE REPORTING OF NAME OR ADDRESS CHANGES;
40 AMENDING SECTION 54-3003, IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE
41 RENEWAL AND TO REVISE PROVISIONS REGARDING CERTAIN FEES; AMENDING SEC-
42 TION 54-3108, IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE RENEWAL;
43 AMENDING SECTION 54-3110, IDAHO CODE, TO REVISE PROVISIONS REGARDING
44 CERTIFICATE RENEWALS; AMENDING SECTION 54-3209, IDAHO CODE, TO PRO-

1 VIDE FOR BIENNIAL LICENSE RENEWAL AND TO REVISE PROVISIONS REGARDING
 2 CERTAIN FEES; AMENDING SECTION 54-3312, IDAHO CODE, TO REVISE PROVI-
 3 SIONS REGARDING LICENSE FEES; AMENDING SECTION 54-3316, IDAHO CODE,
 4 TO PROVIDE FOR BIENNIAL LICENSE RENEWAL; AMENDING SECTION 54-3411,
 5 IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE RENEWAL AND TO REVISE A
 6 PROVISION REGARDING A FEE; AMENDING SECTION 54-3509, IDAHO CODE, TO
 7 REMOVE A PROVISION REGARDING ANNUAL LICENSE RENEWAL; AMENDING SECTION
 8 54-3711, IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE RENEWAL; AMENDING
 9 SECTION 54-3910, IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE RENEWAL,
 10 TO REVISE A PROVISION REGARDING REPORTING A CHANGE OF NAME OR ADDRESS,
 11 AND TO REVISE A PROVISION REGARDING REINSTATEMENT FEES; AMENDING SEC-
 12 TION 54-4008, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSE FEES;
 13 AMENDING SECTION 54-4114, IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE
 14 RENEWAL; AMENDING SECTION 54-4205, IDAHO CODE, TO REVISE PROVISIONS
 15 REGARDING LICENSE RENEWAL; AMENDING SECTION 54-4310, IDAHO CODE, TO
 16 REMOVE A PROVISION REGARDING ANNUAL RENEWAL; AMENDING SECTION 54-4708,
 17 IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE RENEWAL; AMENDING SECTION
 18 54-4710, IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE RENEWAL; AMENDING
 19 SECTION 54-5012, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSE
 20 RENEWAL; AMENDING SECTION 54-5013, IDAHO CODE, TO PROVIDE FOR BIEN-
 21 NIAL LICENSE RENEWAL; AMENDING SECTION 54-5108, IDAHO CODE, TO REVISE
 22 PROVISIONS REGARDING LICENSE RENEWAL AND TO REMOVE OBSOLETE LANGUAGE;
 23 AMENDING SECTION 54-5211, IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE
 24 RENEWAL; AMENDING SECTION 54-5308, IDAHO CODE, TO REVISE A PROVISION
 25 REGARDING LICENSE RENEWAL; AMENDING SECTION 54-5313, IDAHO CODE, TO
 26 REVISE PROVISIONS REGARDING LICENSE RENEWAL; AMENDING SECTION 54-5404,
 27 IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE RENEWAL; AMENDING SECTION
 28 54-5405, IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE RENEWAL; AMENDING
 29 SECTION 54-5612, IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE RENEWAL;
 30 AMENDING SECTION 54-5613, IDAHO CODE, TO REVISE PROVISIONS REGARD-
 31 ING LICENSE RENEWAL AND FEES; AMENDING SECTION 54-5821, IDAHO CODE,
 32 TO PROVIDE FOR BIENNIAL LICENSE RENEWAL; AMENDING SECTION 54-5909,
 33 IDAHO CODE, TO PROVIDE FOR BIENNIAL LICENSE RENEWAL; AMENDING SECTION
 34 36-2102, IDAHO CODE, TO REMOVE A DEFINITION AND TO DEFINE TERMS; AND
 35 AMENDING SECTION 36-2108, IDAHO CODE, TO REVISE PROVISIONS REGARDING
 36 LICENSES; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

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

38 SECTION 1. That Section 67-2614, Idaho Code, be, and the same is hereby
 39 amended to read as follows:

40 67-2614. RENEWAL OR REINSTATEMENT OF LICENSES. (1) Licenses or regis-
 41 trations issued by the division of occupational and professional licenses as
 42 a prerequisite to engaging in a trade, occupation, or profession may be sub-
 43 ject to ~~annual~~ biennial renewal and may expire and be canceled unless renewed
 44 prior to expiration as provided by this section, unless a longer time period
 45 is otherwise specified in law or rule. The required fees for renewals and re-
 46 instatements shall be the amounts set forth in the laws or rules of the rele-
 47 vant agency within the division. As used in this section, the term "person,"
 48 unless otherwise indicated, shall mean a natural person or an entity apply-

1 ing for licensure or registration pursuant to the laws or rules of an agency
2 within the division.

3 (2) All natural persons required to procure a license, ~~or registration,~~
4 ~~or certificate~~ must annually renew the same on or before the birthday of the
5 holder of the license or registration in the manner prescribed in subsection
6 (4) of this section, unless otherwise specified in law or rule. However,
7 the first renewal of the license or registration shall not be required until
8 twelve (12) months after the holder's next birthday following the initial
9 licensure or registration, unless otherwise specified in law or rule. renew
10 on or before the birthday of the licensee, registrant, or certificate holder
11 in the manner prescribed in subsection (6) of this section. The first re-
12 newal of the license, registration, or certificate shall not be required un-
13 til at least twelve (12) months after the licensee's, registrant's, or cer-
14 tificate holder's birthday following the initial licensure or registration.

15 (3) All persons required to procure a license, ~~or registration,~~ or
16 certificate for an entity or a facility as a prerequisite for operating a
17 business or place of business in which a trade, occupation, or profession is
18 practiced must annually renew the same on or before the anniversary of the
19 original issue date of the license, ~~or registration,~~ or certificate in the
20 manner prescribed in subsection ~~(4)~~ (6) of this section, unless otherwise
21 specified in law or rule. The first renewal of the license, registration, or
22 certificate shall not be required until twelve (12) months after the last day
23 of the licensee's, registrant's, or certificate holder's anniversary date
24 following the initial licensure, registration, or certification.

25 (4) A renewal period may be extended or shortened by as much as one (1)
26 year to maintain established renewal cycles or to change an established re-
27 newal cycle.

28 (5) A licensee, registration, or certificate automatically expires
29 upon the death of a licensee, registrant, or certificate holder who is a
30 natural person or upon the dissolution of a licensee, registrant, or cer-
31 tificate holder that is a business entity.

32 ~~(4)~~ (6) Licenses or registrations may be renewed up to six (6) weeks
33 prior to the expiration date, unless otherwise specified in law or rule.

34 (a) Submission of an approved and completed paper or electronic renewal
35 application prior to expiration is the responsibility of each licensee
36 or registrant. Failure to receive a renewal application or notice shall
37 not excuse failure to comply with renewal requirements.

38 (b) The renewal application shall be submitted to the division along
39 with the required renewal fee and confirmation of compliance with re-
40 newal requirements of the relevant agency within the division, includ-
41 ing but not limited to insurance, completion of any continuing educa-
42 tion, and payment of all fines, costs, fees including attorney's fees,
43 or other amounts that are due and owing or in compliance with a payment
44 arrangement.

45 ~~(5)~~ (7) Applicants, licensees, permittees, and registrants are respon-
46 sible for keeping their information up to date as follows:

47 (a) Whenever a change of the applicant's, licensee's, or registrant's
48 name or address of record occurs, the licensee or registrant must imme-
49 diately notify the division in writing of the change. The division will
50 use the most recent mailing or electronic mail address it has on file for

1 purposes of written communication with a licensee or registrant. It is
2 the responsibility of each applicant, licensee, and registrant to keep
3 the division informed of a current mailing and electronic mail address
4 and any other contact information; and

5 (b) Unless otherwise specified by law or rule, all substantive changes
6 in professional status must be reported to the division in writing
7 within ninety (90) days. Substantive changes may include but are not
8 limited to:

9 (i) Any criminal convictions of felonies or misdemeanors other
10 than traffic violations;

11 (ii) Administrative adjudicative proceedings against the appli-
12 cant, licensee, or registrant in other states or jurisdictions;

13 (iii) Adjudicated ethics violations or other sanctions levied
14 against the applicant, licensee, or registrant by a professional
15 association or specialty association; and

16 (iv) Any civil proceedings adjudicated against the applicant,
17 licensee, or registrant related to his license, registration, or
18 certificate.

19 ~~(6)~~ (8) Fees for renewal and reinstatement cannot be waived, prorated,
20 transferred, or refunded unless otherwise specified in law or rule.

21 ~~(7)~~ (9) If a license, registration, certificate, or authority is not
22 renewed on or before the expiration date, it shall be immediately canceled
23 by the division following the date of expiration, unless otherwise specified
24 in law or rule. Within five (5) years of the date of expiration, the division
25 may reinstate a license or registration canceled for failure to renew upon
26 receiving documentation of compliance with requirements for timely renewal
27 as set forth in subsection ~~(4)(b)~~ (6)(b) of this section and any other rein-
28 statement requirements of the division plus. The division may also require
29 payment of a reinstatement fee of thirty-five dollars (\$35.00) or other
30 amount as specified in law or rule.

31 ~~(8)~~ (10) (a) When a license, registration, certificate, or authority
32 has been canceled for a period of more than five (5) years, the person so
33 affected shall be required to make application for a new license, reg-
34 istration, certificate, or authority to the division. The application
35 shall consist of the following:

36 (i) All forms and information required of an application for a new
37 license, registration, certificate, or authority; and

38 (ii) The fee currently required of an applicant for a new license,
39 registration, certificate, or authority.

40 (b) In addition to the application, the person shall provide all moneys
41 due and owing to the division or proof that the person is in compliance
42 with a payment arrangement.

43 (c) The person shall fulfill certain requirements as determined by the
44 division that demonstrate the person's competency to resume practice in
45 this state. Such requirements may include but are not limited to educa-
46 tion, supervised practice, and examination. The division may consider
47 the person's practice in another jurisdiction in determining the per-
48 son's competency.

1 (d) Persons who fulfill the conditions and requirements of this subsection
 2 shall be issued a new license, registration, certificate, or au-
 3 thority.

4 SECTION 2. That Section 54-211, Idaho Code, be, and the same is hereby
 5 amended to read as follows:

6 54-211. LICENSES -- LICENSING PERIOD -- NONRENEWAL -- REINSTATEMENT
 7 -- INACTIVE LICENSES -- RETIREMENT -- FEES. (1) The board shall issue ini-
 8 tial certificates and licenses, and renewal and reinstatement licenses to
 9 practice as a certified public accountant, and renewal and reinstatement li-
 10 censes to practice as a licensed public accountant to persons who have quali-
 11 fied therefor in accordance with the provisions of this chapter and the rules
 12 of the board. A certificate and license, once issued, shall continue in ef-
 13 fect so long as the holder thereof complies with the provisions of this chap-
 14 ter and the rules and orders of the board.

15 (a) Initial. The board shall collect an initial license fee upon board
 16 approval of an initial license to practice as a certified public accoun-
 17 tant in the state of Idaho as set forth in section 54-212, Idaho Code,
 18 and as prescribed by the rules of the board. Those individuals meeting
 19 the requirements for initial licensure in Idaho, pursuant to the provi-
 20 sions of this chapter and the rules of the board, shall be issued a li-
 21 cense effective for no more than ~~twelve (12)~~ twenty-four (24) months.
 22 The license shall then be subject to ~~annual~~ biennial renewal.

23 (b) Renewal. The board shall collect ~~an annual~~ a license fee from all
 24 licensees ~~each year~~ as set forth in section 54-212, Idaho Code, and as
 25 prescribed by the rules of the board. Those persons meeting the re-
 26 quirements of this subsection for license renewal shall be issued a
 27 license effective for a period of ~~one (1) year~~ no more than twenty-four
 28 (24) months after its issuance. Requirements include:

29 (i) Good character;
 30 (ii) Completion of continuing professional education as speci-
 31 fied by the board's rules;
 32 (iii) Identification, in the renewal application, of the firm with
 33 which the licensee is affiliated; and
 34 (iv) Where applicable, verification of satisfactory completion
 35 of a peer review program by the firm with which the licensee is
 36 affiliated, pursuant to section 54-214, Idaho Code, and the rules
 37 prescribed by the board. Any licensee who issues compilation
 38 reports for the public other than through a firm must undergo no
 39 more frequently than once every three (3) years, a peer review
 40 conducted in accordance with rules prescribed by the board, and
 41 such review shall include verification that such licensee has met
 42 the competency requirements set out in professional standards for
 43 such service.

44 (c) Inactive status. Any licensee in current compliance with the pro-
 45 visions of this chapter who chooses not to perform or offer to perform
 46 for the public one (1) or more kinds of attest or compilation services
 47 may apply to place his or her license in inactive status. The ~~annual~~ re-
 48 newal fee for inactive status shall be as set forth in section 54-212,
 49 Idaho Code, and as prescribed by the rules of the board. Licensees with

1 inactive status must place the word "inactive" adjacent to their CPA or
2 LPA title on any business card, letterhead or any other document or de-
3 vice when using the title, with the exception of their certificate on
4 which their title appears.

5 (d) Retired. After a person reaches the age of fifty-five (55) years,
6 or in the event of a disability preventing continued practice, the
7 certificate of a certified public accountant or licensed public ac-
8 countant, upon application to the board by the holder, may be placed
9 by the board in retired status. Retired status shall allow the holder
10 to retain the wall certificate and remain on the board's mailing list.
11 The ~~annual~~ renewal fee for retired status shall be as set forth in sec-
12 tion 54-212, Idaho Code, and as prescribed by the rules of the board.
13 Licensees with retired status must place the word "retired" adjacent
14 to their CPA or LPA title on any business card, letterhead or any other
15 document or device when using the title, with the exception of their
16 certificate on which their title appears. An individual who performs or
17 offers to perform for the public attest or compilation services shall
18 not qualify for retired status.

19 (e) Nonrenewal. A licensee may place the license into ~~lapsed~~ expired
20 status as prescribed by the rules of the board rather than renew the
21 license. Any license not renewed or placed into ~~lapsed~~ expired status
22 within thirty (30) days after the expiration of the previous license
23 shall be automatically placed into ~~lapsed~~ expired status.

24 (f) Reinstatement. Any certificate and license placed in ~~lapsed~~
25 expired status may be reinstated upon completion of an application
26 supplied by the board along with payment of a reinstatement fee as set
27 forth in section 54-212, Idaho Code, and as prescribed by the rules of
28 the board. In addition, the board shall require the applicant to meet
29 the qualifications of ~~subsection~~ paragraph (b) of this subsection. Re-
30 instatement following involuntary suspension shall be governed by the
31 terms of the board's order of involuntary suspension.

32 (g) Reentry. A license in inactive or retired status may reenter active
33 status upon completion of an application supplied by the board along
34 with payment of a reentry fee as prescribed by the rules of the board. In
35 addition, the board shall require the applicant to meet the qualifica-
36 tions set forth in ~~subsection (1)~~ paragraph (b) of this subsection.

37 (2) Applicants for initial issuance or reinstatement of licenses under
38 this section shall in their application list all states in which they have
39 applied for or hold a license and list any past disciplinary action against
40 or denial, revocation or suspension of a certificate, license or permit.

41 (3) Applicants and licensees shall notify the board in writing, within
42 thirty (30) days after its occurrence of:

43 (a) Any charges or convictions of, or guilty pleas to, a felony; or

44 (b) Any disciplinary action against or the denial, restriction, re-
45 vocation or suspension of a certificate, license or permit by another
46 state or by any federal agency.

47 SECTION 3. That Section 54-312, Idaho Code, be, and the same is hereby
48 amended to read as follows:

1 54-312. RENEWAL AND REINSTATEMENT. All licenses issued under the pro-
 2 visions of this chapter, except for temporary licenses, shall be for a term
 3 of ~~one (1) year~~ twenty-four (24) months and shall expire on the birthday of
 4 the licensee unless renewed in the manner prescribed by rule. License re-
 5 newal and reinstatement shall be in accordance with section 67-2614, Idaho
 6 Code.

7 SECTION 4. That Section 54-416, Idaho Code, be, and the same is hereby
 8 amended to read as follows:

9 54-416. ~~ANNUAL BIENNIAL~~ LICENSES -- FEES -- REVOCATION. (1) The com-
 10 mission shall grant ~~annual~~ biennial licenses in compliance with the rules
 11 prescribed by the commission, ~~and the~~ upon payment of the fees, the amount of
 12 which is to be determined by the commission upon application, prescribed to
 13 promoters, managers, booking agents, matchmakers, ring officials, combat-
 14 ants and corner persons; provided, that the provisions of this section shall
 15 not apply to combatants or other persons who may participate in contests or
 16 exhibitions which are exempted from the provisions of this chapter pursuant
 17 to section 54-406(3), Idaho Code.

18 (2) Any such license may be revoked by the commission for any cause
 19 which it shall deem sufficient.

20 (3) No person shall participate or serve in any of the above capacities
 21 unless licensed as provided in this chapter.

22 (4) The ring officials for any contest shall be designated by the com-
 23 mission from among the active pool of licensed or appointed ring officials.

24 (5) The ring officials for any exhibition shall be provided by the pro-
 25 moter and licensed by the commission.

26 SECTION 5. That Section 54-607, Idaho Code, be, and the same is hereby
 27 amended to read as follows:

28 54-607. LICENSES -- ISSUANCE -- RENEWALS ~~--- DISPLAY~~. (1) If the appli-
 29 cant passes a satisfactory examination and shows that he is a person who has
 30 not been convicted, found guilty, or received a withheld judgment or a sus-
 31 pended sentence in this state or in any other state of a crime that is deemed
 32 relevant in accordance with section 67-9411(1), Idaho Code, and that he pos-
 33 sesses the qualifications required by this chapter to entitle him to a li-
 34 cense as a podiatrist, he shall be entitled to a license authorizing him to
 35 practice podiatry within the state of Idaho. The successful applicant shall
 36 be issued his license by the board upon payment of the original license fee
 37 that shall be established by board rule and shall not exceed the ~~annual~~ re-
 38 newal fee.

39 (2) All licenses issued under the provisions of this chapter shall be
 40 subject to ~~annual~~ biennial renewal and shall expire unless renewed in the
 41 manner prescribed by the board regarding applications for renewal, contin-
 42 uing education, and fees. License renewal and reinstatement shall be in
 43 accordance with section 67-2614, Idaho Code. ~~An annual~~ A biennial renewal
 44 license fee established by board rule shall not exceed ~~six hundred fifty~~
 45 ~~dollars (\$650)~~ one thousand three hundred dollars (\$1,300) for podiatrists.
 46 Payment of fees herein provided and satisfactory evidence of having complied

1 with continued education requirements as established by board rule are con-
2 ditions precedent for issuance of a license.

3 ~~(3) Every person to whom a license is granted shall have such license~~
4 ~~displayed continuously in a conspicuous part of his office wherein his prac-~~
5 ~~tice of podiatry is conducted.~~

6 ~~(4)~~ (3) The board shall keep on file a register of all applicants for
7 license, rejected applicants and licensees.

8 ~~(5)~~ (4) The fee for reinstatement of a license shall be as provided in
9 section 67-2614, Idaho Code. All fees shall be paid to the division of occu-
10 pational and professional licenses.

11 SECTION 6. That Section 54-708, Idaho Code, be, and the same is hereby
12 amended to read as follows:

13 54-708. BOARD TO ISSUE LICENSES -- RENEWAL AND REINSTATEMENT -- INAC-
14 TIVE LICENSE -- CLINICAL NUTRITION CERTIFICATION. (1) The board shall is-
15 sue licenses to practice chiropractic to persons who have qualified therefor
16 in accordance with the provisions of this chapter. The board may refuse li-
17 censure if it finds that the applicant has engaged in conduct prohibited by
18 sections 54-704 and 54-712, Idaho Code, provided, that the board shall take
19 into consideration the rehabilitation of the applicant and other mitigating
20 circumstances. An applicant for a license or permit under this chapter must
21 submit the fee set by board rules. All licenses issued under the provisions
22 of this chapter shall be subject to ~~annual~~ biennial renewal and shall expire
23 unless renewed in the manner prescribed by the board regarding applications
24 for renewal, continuing education, and fees. License renewal and reinstate-
25 ment shall be in accordance with section 67-2614, Idaho Code.

26 (2) A physician holding a current active license in this state who is
27 not practicing chiropractic in this state may be issued an inactive license.
28 The physician must submit the fee set by board rules and a written request
29 for an inactive license. Each inactive license shall be issued for a period
30 of ~~one (1) year~~ twenty-four (24) months. A physician holding an inactive li-
31 cense may not engage in the practice of chiropractic in this state. A physi-
32 cian wishing to convert an inactive license to an active license must account
33 to the board for that period of time in which the license was inactive and
34 must fulfill requirements that demonstrate competency to resume practice.
35 Those requirements may include, but are not limited to, education, super-
36 vised practice and examination. The board may consider practice in another
37 jurisdiction in determining competency.

38 (3) The board may issue a clinical nutrition certification to a li-
39 censee under this chapter who submits a completed application, pays the
40 application fee set by board rule, and provides proof to the board of suc-
41 cessful completion of the educational requirements provided in section
42 54-717, Idaho Code.

43 SECTION 7. That Section 54-920, Idaho Code, be, and the same is hereby
44 amended to read as follows:

45 54-920. LICENSING -- LICENSE FEES -- BIENNIAL RENEWAL OF LICENSES --
46 LATE FEES AND RETURNED CHECKS -- CLASSIFICATIONS OF LICENSES -- RIGHTS OF LI-
47 CENSEES -- NOTIFICATION OF CHANGE OF ADDRESS. (1) Each person determined by

1 the board as qualified for licensure under this chapter shall pay the pre-
 2 scribed biennial license fee to the board prior to issuance of a license.
 3 ~~Unless otherwise specified on a license, licenses issued by the board shall~~
 4 ~~be effective for the biennial licensing period specified in this section.~~
 5 ~~The biennial licensing period for dental and dental therapy licenses shall~~
 6 ~~be a two (2) year period from October 1 of each even-numbered calendar year~~
 7 ~~to September 30 of the next successive even-numbered calendar year. The bi-~~
 8 ~~ennial licensing period for dental hygiene licenses shall be a two (2) year~~
 9 ~~period from April 1 of each odd-numbered calendar year to March 31 of the next~~
 10 ~~successive odd-numbered calendar year. Unless otherwise specified on a li-~~
 11 ~~cence, any license issued during a biennial licensing period shall be effec-~~
 12 ~~tive until the beginning date of the next successive biennial licensing pe-~~
 13 ~~riod and the~~ The board may prorate the amount of the license fee from the date
 14 of issuance of the license until the beginning date of the next applicable
 15 biennial licensing period at the discretion of the board. A license issued
 16 by the board shall expire unless renewed in the manner specified in ~~this sec-~~
 17 ~~tion~~ 67-2614, Idaho Code.

18 (2) The nonrefundable biennial license fees shall be fixed by the
 19 board, but shall not exceed the following amounts:

20 (a) Four hundred dollars (\$400) for a dentist with an active status;

21 (b) Two hundred dollars (\$200) for a dentist with an inactive status;

22 (c) Three hundred dollars (\$300) for a dental therapist with an active
 23 status;

24 (d) One hundred fifty dollars (\$150) for a dental therapist with an in-
 25 active status;

26 (e) Two hundred twenty dollars (\$220) for a dental hygienist with an ac-
 27 tive status;

28 (f) One hundred twelve dollars (\$112) for a dental hygienist with an in-
 29 active status; or

30 (g) Four hundred dollars (\$400) for a dentist with a specialist status.

31 (3) A license issued by the board shall be renewed as prescribed in this
 32 section. Prior to the expiration of the effective period of a license, the
 33 board shall provide notice of renewal to the licensee's address of record on
 34 file with the board. To renew a dental license, each licensee shall submit a
 35 properly completed renewal application and the appropriate biennial license
 36 fee to the board prior to September 30 of every even-numbered calendar year.
 37 To renew a dental hygiene license, each licensee shall submit a properly com-
 38 pleted renewal application and the appropriate biennial license fee to the
 39 board prior to March 31 of each odd-numbered calendar year. Each licensee
 40 determined by the board as qualified for renewal of a license shall be issued
 41 a license for the applicable biennial licensing period.

42 (4) Failure to timely submit a complete renewal application and li-
 43 cense fee shall result in expiration of the license and termination of the
 44 licensee's right to practice. Failure to submit a complete renewal applica-
 45 tion, license fee and fifty dollar (\$50.00) late fee within thirty (30) days
 46 of expiration of the license shall result in cancellation of the license.

47 (5) Any person who delivers a check or other payment to the board that is
 48 returned to the board unpaid by the financial institution upon which it was
 49 drawn shall pay to the board as an administrative cost, in addition to any
 50 other amount owing, the amount of fifty dollars (\$50.00). Following notifi-

1 cation by the board of the returned check or other payment, the person shall
2 make payment of all moneys owing to the board by certified check or money or-
3 der within thirty (30) days of the date of notification. A failure to submit
4 the necessary remittance within the thirty (30) day period may result in the
5 expiration of a license or constitute grounds for the board to deny, cancel,
6 suspend or revoke a license.

7 (6) The board of dentistry may issue different classes of licenses as
8 defined in this subsection.

9 (a) The term "license with active status" means a license issued by the
10 board to a qualified person who is authorized to practice dentistry,
11 dental therapy, or dental hygiene in the state of Idaho.

12 (b) The term "license with an inactive status" means a license issued
13 by the board to a qualified person who is not authorized to be an ac-
14 tive practitioner of dentistry, dental therapy, or dental hygiene in
15 the state of Idaho. A person issued a license with an inactive status is
16 not entitled to practice dentistry, dental therapy, or dental hygiene
17 in the state of Idaho.

18 (c) The terms "license with special status" and "license with provi-
19 sional status" mean licenses issued by the board to a qualified person
20 on a provisional, conditional, restricted or limited basis under the
21 terms of which the licensee is authorized to practice dentistry, den-
22 tal therapy, or dental hygiene in the state of Idaho subject to condi-
23 tions, limitations and requirements imposed by the board. The condi-
24 tions, limitations and requirements imposed by the board may include,
25 but are not limited to, a limitation on the effective period of the li-
26 cense, a requirement that specific conditions must be fulfilled in or-
27 der for the license to remain effective, a requirement that specified
28 education, examinations and skills testing be successfully completed
29 during the effective period of the license, a restriction on the scope
30 of permissible services that the licensee is authorized to perform, a
31 restriction on the type of patients for whom treatment may be rendered
32 and a restriction on the locations at which the licensee can perform au-
33 thorized services.

34 (7) (a) The board may issue a license with active status to any quali-
35 fied applicant or qualified licensee who is authorized to practice den-
36 tistry, dental therapy, or dental hygiene in the state of Idaho. Re-
37 newal of a license with active status requires compliance with require-
38 ments specified in rule.

39 (b) The board may issue a license with inactive status to any qualified
40 applicant or qualified licensee who fulfilled the licensure require-
41 ments but does not practice in the state of Idaho. Renewal of a license
42 with inactive status requires compliance with requirements specified
43 in rule.

44 (c) The board may issue a license with provisional status or special
45 status to any person who fulfills, or substantially fulfills, the
46 applicable licensure requirements when the board, acting in its dis-
47 cretion, determined that special circumstances existed which, for the
48 protection of the public health, safety and welfare, required that
49 specific conditions, restrictions or limitations be imposed on the li-
50 cense. A license with special status or provisional status entitles

1 the holder thereof to practice dentistry, dental therapy, or dental
 2 hygiene in the state of Idaho subject to the conditions, restrictions
 3 and limitations specifically determined by the board and for the period
 4 of time prescribed. A provisional license is effective for the period
 5 specified by the board and may not be renewed. The board shall develop
 6 rules to include definitions, application and renewal requirements,
 7 limitations of practice and other conditions regarding provisional and
 8 special status licenses.

9 (d) The board may convert a license with inactive status to a li-
 10 cense with active status in the event the holder pays the license fee
 11 prescribed for licenses with active status and submits to the board sat-
 12 isfactory evidence of:

- 13 (i) Compliance with the requirements of this chapter and all
- 14 rules promulgated under the provisions of this chapter;
- 15 (ii) Good professional conduct; and
- 16 (iii) Completion of accumulated continuing education as required
- 17 of a license with uninterrupted active status.

18 (e) Persons unable to otherwise fully meet the requirements for conver-
 19 sion of an inactive status license to an active status license must ap-
 20 ply as a first-time applicant.

21 (8) Each person licensed under this chapter shall notify the board in
 22 writing of any change in the person's name or address of record within thirty
 23 (30) days after the change has taken place.

24 SECTION 8. That Section 54-1008, Idaho Code, be, and the same is hereby
 25 amended to read as follows:

26 54-1008. DURATION OF LICENSE. (1) All licenses, including license
 27 renewals, for master electricians, residential electricians, journeyman
 28 electricians, and limited electrical installers shall be issued for a period
 29 of three (3) years and shall expire three (3) years from the ~~date of issue~~
 30 birthday of the licensee unless renewed, revoked, or suspended.

31 (2) Electrical contractor and limited electrical contractor licenses
 32 shall be issued for a period of ~~one (1) year~~ two (2) years and shall expire
 33 ~~one (1) year from the date of issue~~ two (2) years from the birthday of the li-
 34 cencee unless renewed, revoked, or suspended.

35 (3) Electrical apprentice registrations issued or renewed shall be is-
 36 sued for a period of ~~one (1) year~~ two (2) years. No person shall be issued an
 37 apprentice license for more than ~~ten (10) one (1) five (5) two (2) year~~
 38 periods.

39 (4) Limited electrical installer trainee registrations shall be issued
 40 for a period of three (3) years.

41 (5) Facility account licenses shall be issued and renewed for a period
 42 of ~~one (1) year~~ two (2) years.

43 (6) (a) Provisional journeyman electrician's licenses shall be issued
 44 for a period of six (6) months and shall expire six (6) months from the
 45 date issued, during which time a provisional journeyman electrician
 46 shall apply for and take the journeyman electrician examination. A six
 47 (6) month renewal shall be issued upon application if:

- 48 (i) The applicant has taken, but failed to pass, the journeyman
- 49 electrician examination within the six (6) month period; or

1 (ii) The applicant has failed to take the journeyman electrician
2 examination within the six (6) month period and has shown that ex-
3 ceptional circumstances prevented the applicant from taking the
4 journeyman electrician examination.

5 (b) A provisional journeyman electrician's license shall be issued and
6 renewed only once. If the applicant fails to pass the journeyman elec-
7 trician examination, or fails to take the journeyman electrician ex-
8 amination, within one (1) year from the date of issue of a provisional
9 journeyman electrician's license, the applicant is no longer eligible
10 to apply for a provisional journeyman electrician's license.

11 (7) Each licensing period and each registration period shall end at
12 midnight on the last day of the month of the licensing or registration
13 period. Licenses and registrations not renewed by this date shall have ex-
14 pired.

15 (8) The board shall promulgate rules to provide for a staggered system
16 of issuing and renewing licenses.

17 SECTION 9. That Section 54-1115A, Idaho Code, be, and the same is hereby
18 amended to read as follows:

19 54-1115A. ~~ANNUAL BIENNIAL~~ RENEWAL -- REINSTATEMENT. All licenses is-
20 sued under the provisions of this chapter shall be subject to ~~annual biennial~~
21 renewal and shall expire unless renewed in the manner prescribed by the board
22 regarding applications for renewal, continuing education, and fees. Li-
23 cense renewal and reinstatement shall be in accordance with section 67-2614,
24 Idaho Code. In the event a licensee fails to renew a license as provided, the
25 reinstatement fee shall be two hundred fifty dollars (\$250).

26 SECTION 10. That Section 54-1216, Idaho Code, be, and the same is hereby
27 amended to read as follows:

28 54-1216. EXPIRATIONS AND RENEWALS -- FEES. (1) Each licensee or intern
29 shall apply for renewal by the ~~last day of the month during which the licensee~~
30 ~~was born,~~ licensee's birthday in even-numbered state of Idaho fiscal years
31 for those born in even-numbered calendar years and in odd-numbered state of
32 Idaho fiscal years for those born in odd-numbered calendar years, and shall
33 become invalid on that date unless renewed.

34 (2) Certificates of authorization for business entities shall expire
35 annually biennially on the last day of the month ~~in which the certificates~~
36 ~~were initially issued and shall become invalid on that date unless renewed.~~
37 of the anniversary of the original issue date of the certificate of autho-
38 rization. The first renewal of the certificate of authorization shall not
39 be required until twelve (12) months after the last day of the certificate
40 holder's anniversary date following the initial certificate of authoriza-
41 tion.

42 (3) Renewal shall be effective after the payment of a renewal fee to be
43 fixed by the board at not more than one hundred fifty dollars (\$150) per year
44 and upon completion of any requirements for renewal required by this chapter
45 or administrative rule.

46 (4) The failure on the part of any licensee or certificate holder to re-
47 new his or its license or certificate before expiration shall not deprive

1 such person or business entity of the right of renewal, but the fee to be paid
2 for the renewal of a license or certificate after the month in which it is due
3 shall be increased fifty percent (50%) for each month or fraction of a month
4 that payment of renewal is delayed; provided however, that the maximum fee
5 for delayed renewal shall not exceed five hundred dollars (\$500).

6 (5) Any work performed after a license or certificate of authorization
7 has expired, but before delayed renewal has been effected, shall become
8 valid upon delayed renewal as if the license or certificate of authorization
9 had not expired, but the licensee or certificate holder may be subject to
10 disciplinary action by the board for practice on an expired license or such
11 other action as provided pursuant to this chapter.

12 (6) The renewal of intern certificates shall be processed as prescribed
13 in subsections (1) and (4) of this section for licensees, except that the bi-
14 ennial renewal fee shall not be more than thirty dollars (\$30.00). The fail-
15 ure on the part of any intern to effect renewal shall not invalidate his sta-
16 tus as an engineer intern or land surveyor intern, but his name shall be re-
17 moved from the board's mailing list.

18 SECTION 11. That Section 54-1608, Idaho Code, be, and the same is hereby
19 amended to read as follows:

20 54-1608. ATTENDANCE AT CONTINUING EDUCATION PROGRAM -- REVOCATION OR
21 SUSPENSION -- RENEWAL AND REINSTATEMENT. (1) Every ~~individual person~~ who
22 holds a valid license as a nursing home administrator issued by the board
23 shall ~~annually~~ biennially be required to apply to the board for a renewal
24 of license and report any facts requested by the board on forms provided
25 for such purpose. All licenses issued under the provisions of this chapter
26 shall be subject to ~~annual~~ biennial renewal and shall expire unless renewed
27 in the manner prescribed by the board regarding applications for renewal,
28 continuing education, and fees. License renewal and reinstatement shall be
29 in accordance with section 67-2614, Idaho Code.

30 (2) Upon making an application for a renewal of license, each
31 ~~individual person~~ shall pay ~~an annual~~ a renewal fee and submit evidence
32 satisfactory to the board documenting the attendance and completion of a
33 continuing education program or course of study as may be provided in the
34 rules of the board.

35 (3) Upon receipt of such application for renewal of license, the li-
36 cense fee, and the evidence required with respect to continuing education,
37 the board shall issue a renewal of license to such nursing home administra-
38 tor.

39 (4) The licensed nursing home administrator who fails to comply with
40 the provisions of this section, and who continues to act as a nursing home ad-
41 ministrator, shall be subject to discipline by the board, in accordance with
42 the provisions of this act.

43 SECTION 12. That Section 54-1723A, Idaho Code, be, and the same is
44 hereby amended to read as follows:

45 54-1723A. CERTIFICATE TO ENGAGE IN THE PRACTICE OF PHARMACY INTO
46 IDAHO. (1) To obtain a certificate to practice as a pharmacist into the state
47 of Idaho, the applicant shall:

- 1 (a) Be licensed and in good standing in the state from which the appli-
2 cant practices pharmacy;
3 (b) Submit a written application in the form prescribed by the board;
4 (c) Pay the fee(s) specified by the board for the issuance of the cer-
5 tificate; and
6 (d) Comply with all other requirements of the board.
7 (2) A successful applicant for a certificate under this section shall
8 be subject to the disciplinary provisions of section 54-1726, Idaho Code,
9 the penalty provisions of section 54-1728, Idaho Code, and the rules of the
10 board.
11 (3) A successful applicant for a certificate under this section shall
12 comply with the board's laws and rules of this state unless compliance would
13 violate the laws or rules in the state in which the applicant is located.
14 (4) Renewal shall be required ~~annually~~ biennially and submitted to the
15 board no later than the ~~last day of the applicant's birth month~~ applicant's
16 birthday. The board shall specify by rule the procedures to be followed and
17 the fees to be paid for renewal of the certificate.

18 SECTION 13. That Section 54-1729, Idaho Code, be, and the same is hereby
19 amended to read as follows:

- 20 54-1729. REGISTRATION AND LICENSURE OF FACILITIES. (1) All drug or de-
21 vice outlets doing business in or into Idaho shall:
22 (a) If a nonresident, be licensed or registered and in good standing in
23 the applicant's state of residence and, if a pharmacy, have a PIC who is
24 registered by the board;
25 (b) Submit a written application in the form prescribed by the board;
26 and
27 (c) Pay the fee or fees specified by the board for the issuance of the
28 certificate.
29 (2) Each drug or device outlet shall apply for a certificate in one (1)
30 of the following classifications:
31 (a) Resident drug outlet;
32 (b) Nonresident drug outlet;
33 (c) Manufacturer;
34 (d) Wholesaler; or
35 (e) Prescriber drug outlet.
36 (3) The board shall establish by rule under the powers granted to it un-
37 der sections 54-1718 and 54-1719, Idaho Code, the criteria that each outlet
38 with employees or personnel engaged in the practice of pharmacy must meet to
39 qualify for registration or licensure in each classification designated in
40 subsection (2) of this section. The board may issue various types of cer-
41 tificates with varying restrictions to such outlets designated in subsec-
42 tion (2) of this section where the board deems it necessary by reason of the
43 type of outlet requesting a certificate.
44 (4) It shall be lawful for any outlet or facility to sell and distrib-
45 ute nonprescription drugs. Outlets engaging in the sale and distribution of
46 such items shall not be deemed to be improperly engaged in the practice of
47 pharmacy. No rule will be adopted by the board under this chapter that re-
48 quires the sale of nonprescription drugs by a pharmacist or under the super-

1 vision of a pharmacist or otherwise applies to or interferes with the sale
2 and distribution of such medicines.

3 (5) If the regulatory board or licensing authority of the state in which
4 a nonresident outlet is located fails or refuses to conduct an inspection or
5 fails to obtain records or reports required by the board, upon reasonable no-
6 tice to the nonresident outlet, the board may conduct an inspection. Nonres-
7 ident outlets shall also pay the actual costs of the out-of-state inspection
8 of the outlet, including the transportation, lodging and related expenses of
9 the board's inspector.

10 (6) A successful applicant for a certificate under the provisions of
11 this section shall be subject to the disciplinary provisions of section
12 54-1726, Idaho Code, the penalty provisions of section 54-1728, Idaho Code,
13 and the rules of the board.

14 (7) A successful applicant for a certificate under the provisions of
15 this section shall comply with the board's laws and the rules of this state
16 unless compliance would violate the laws, regulations, or rules in the state
17 in which the licensee or registrant is located.

18 (8) Renewal shall be required annually biennially and submitted to the
19 board ~~no later than December 31~~ in accordance with the provisions of section
20 67-2614, Idaho Code. The board shall specify by rule the procedures to be
21 followed and the fees to be paid for renewal of a certificate.

22 SECTION 14. That Section 54-1807A, Idaho Code, be, and the same is
23 hereby amended to read as follows:

24 54-1807A. PHYSICIAN ASSISTANTS -- PHYSICIAN ASSISTANT ADVISORY COM-
25 MITTEE. (1) Physician assistants must be licensed by the board prior to
26 the commencement of activities which may involve the practice of medicine
27 in this state. The licensure requirements for physician assistants shall
28 include passage of an examination acceptable to the board and submission of
29 a completed application to the board on forms furnished by the board. All
30 applicants for original licensure as a physician assistant shall submit to
31 a fingerprint-based criminal history check of the Idaho central criminal
32 database and the federal bureau of investigation criminal history database.
33 Each applicant shall submit a full set of the applicant's fingerprints on
34 forms supplied by the board which shall be forwarded by the board to the Idaho
35 department of law enforcement and to the federal bureau of investigation
36 identification division. The board shall fix a license fee. All physician
37 assistants shall renew their licenses ~~annually or biannually~~ biennially.

38 (2) A physician assistant may practice at a licensed health care facil-
39 ity, a facility with a credentialing and privileging system, a physician-
40 owned facility or practice, or another facility or practice allowed by this
41 chapter. A physician assistant shall collaborate with, consult with, or re-
42 fer to the appropriate member of the facility health care team as indicated
43 by: the condition of the patient; the education, experience, and competence
44 of the physician assistant; and the community standard of care. The degree
45 and nature of collaboration shall be determined by the facility or practice
46 in which the physician assistant works and shall be set forth in facility by-
47 laws or procedures for facilities that have credentialing and privileging
48 systems or in a written collaborative practice agreement for all other fa-
49 cilities and practices. Such provisions may provide for collaborative over-

1 sight to be provided by the employer, group, hospital service, or the cre-
2 dentialing and privileging systems of a licensed facility, but at a mini-
3 mum shall require a physician assistant to collaborate with one (1) or more
4 physicians licensed pursuant to this chapter. Such physicians need not be
5 identified individually in the facility bylaws or procedures or collabora-
6 tive practice agreement if more than one (1) physician works in the facility
7 or practice. A physician assistant is responsible for the care provided by
8 the physician assistant and is responsible for obtaining professional lia-
9 bility insurance if the physician assistant is not covered by the facility
10 or practice in which the physician assistant works. A physician assistant
11 may be employed by nonphysician health care providers if the physician as-
12 sistant has a written collaborative practice agreement with one (1) or more
13 physicians licensed pursuant to this chapter. Both the physician assistant
14 and the physician who are parties to a collaborative practice agreement must
15 comply with all requirements of this chapter and board rules. The collabora-
16 tive practice agreement shall be provided to the board upon request.

17 (3) A physician assistant or a group of physician assistants may inde-
18 pendently own a medical practice in this state provided that each physician
19 assistant has a collaborative practice agreement in place with a physician
20 licensed under this chapter. The collaborative practice agreement shall
21 specify that the physician assistant must collaborate with, consult with,
22 or refer to the collaborating physician or another appropriate physician
23 as indicated by: the condition of the patient; the education, experience,
24 and competence of the physician assistant; and the community standard of
25 care. Both the physician assistant and the physician who are parties to the
26 collaborative practice agreement must comply with all requirements of this
27 chapter and board rules. The collaborative practice agreement shall be pro-
28 vided to the board upon request. Each physician assistant must be licensed,
29 registered or certified as a physician assistant in any state, territory
30 or jurisdiction of the United States for at least two (2) years before the
31 physician assistant may independently own a practice in this state.

32 (4) The facility or practice and each collaborating physician are re-
33 sponsible for ensuring that the medical services performed by the physician
34 assistant are within the physician assistant's scope of education, experi-
35 ence, and competence. Each collaborating physician shall collaborate with
36 the physician assistant on the performance of only those medical services
37 for which the collaborating physician has training and experience.

38 (5) A physician assistant advisory committee is hereby established as
39 follows:

40 (a) The physician assistant advisory committee shall consist of five
41 (5) members appointed by the board. Four (4) members shall be physician
42 assistants who are residents in this state and engaged in the active
43 practice of medicine in this state, and one (1) member shall be a public
44 member. Whenever a term of a member of the advisory committee expires or
45 becomes vacant, the board shall give consideration to recommendations
46 made by professional organizations of physician assistants and physi-
47 cians, and any individual residing in the state. The board may remove
48 any committee member for misconduct, incompetency or neglect of duty
49 after giving the member a written statement of the charges and an oppor-
50 tunity to be heard thereon. The executive director of the Idaho state

1 board of medicine shall serve as the executive director to the physician
2 assistant advisory committee.

3 (b) Members will serve a term of three (3) years and terms will be stag-
4 gered. Members may serve two (2) successive terms. The committee shall
5 elect a chairman from its membership. The committee shall meet as often
6 as necessary to fulfill its responsibilities. Members will be compen-
7 sated according to section 59-509(p), Idaho Code.

8 (c) The physician assistant advisory committee shall not have author-
9 ity to revoke licenses or impose limitations or conditions on licenses
10 issued pursuant to this chapter. The committee has authority to make
11 recommendations to the board. The board shall make all final decisions
12 with respect thereto.

13 (d) The physician assistant advisory committee shall work in the fol-
14 lowing areas in conjunction with and make recommendations to the board
15 and shall perform other duties and functions assigned to it by the
16 board, including:

17 (i) Evaluating the qualifications of applicants for licensure
18 and registration;

19 (ii) Performing investigations of misconduct and making recom-
20 mendations regarding discipline;

21 (iii) Maintaining a list of currently licensed physician assis-
22 tants and graduate physician assistants in this state; and

23 (iv) Advising the board on rule changes necessary to license and
24 regulate physician assistants and graduate physician assistants
25 in this state.

26 SECTION 15. That Section 54-1912, Idaho Code, be, and the same is hereby
27 amended to read as follows:

28 54-1912. EXPIRATION AND RENEWAL OF LICENSES -- FEES. (1) All contrac-
29 tors required by the provisions of this section to be licensed, shall be
30 licensed for a period of ~~twelve (12)~~ twenty-four (24) consecutive calendar
31 months. License renewal shall be in accordance with the provisions of sec-
32 tion 67-2614, Idaho Code.

33 ~~Each licensing period shall start on the first day of a calendar month~~
34 ~~and end on the last day of the twelfth month from the date of beginning.~~

35 ~~Licensing periods shall expire at midnight on the last day of the li-~~
36 ~~ensing period.~~

37 (2) Application for renewal of a current license prior to its expira-
38 tion date shall authorize operation as a contractor by such licensee until
39 actual issuance of such renewal license for the ensuing ~~year~~ twenty-four
40 (24) months or until the final decision of the board is rendered in any pro-
41 ceeding. An applicant for renewal of a license issued under this chapter
42 shall not be required to take any other or further examination to obtain such
43 renewal license, provided that at the time of such application his license
44 has not been suspended or permitted to lapse or expire for any cause for a
45 period of one (1) year or more. All applications for renewal of license shall
46 be made on forms prescribed by the administrator and shall be accompanied by
47 the ~~annual~~ renewal fee and a complete current financial statement on such
48 forms and disclosing such information as shall be required by rule, duly cer-
49 tified as true by the applicant, and if a copartnership, limited liability

1 company or limited liability partnership by a member thereof, and if a cor-
 2 poration, by its executive or financial officer; such renewal application
 3 shall be filed prior to the first day of such renewal licensing period. Fees
 4 accompanying renewal applications under this section are for the adminis-
 5 tration and enforcement of the provisions of this chapter and shall not be
 6 refunded to the applicant.

7 (3) The license issued under this chapter shall be signed both by the
 8 administrator and by the licensee, shall be nontransferable, and shall be
 9 displayed in the licensee's main office or chief place of business, and sat-
 10 isfactory evidence of the possession thereof and of the current ~~annual~~ re-
 11 newal thereof shall be exhibited by licensee upon demand.

12 (4) A surviving member or members of a licensed copartnership, limited
 13 liability company or limited liability partnership by reason of death shall
 14 be entitled to continue in business under such license until the expiration
 15 date thereof, provided due application for permission is made to the admin-
 16 istrator within thirty (30) days after death of the member, and the applica-
 17 tion is approved by the administrator in accordance with rules.

18 (5) All licensees shall report to the administrator all changes of per-
 19 sonnel, name style or addresses recorded under this chapter within thirty
 20 (30) days after the changes are made.

21 SECTION 16. That Section 54-2018, Idaho Code, be, and the same is hereby
 22 amended to read as follows:

23 54-2018. LICENSE RENEWALS -- INACTIVE LICENSE STATUS -- PERSONAL
 24 CHANGES -- EFFECTIVE DATES -- FEES NONREFUNDABLE. (1) Initial license pe-
 25 riod. Each new license shall be for a period of one (1) year plus the months
 26 up to and including the next ~~birth date~~ birthday of the licensee, not to ex-
 27 ceed a period of two (2) years, and shall expire on the ~~last day of the month~~
 28 ~~of the birth date~~ birthday of the licensee. A salesperson licensed in this
 29 state who applies for and obtains a broker license shall retain the license
 30 renewal period and expiration date of his salesperson license. Corpora-
 31 tions, partnerships, limited liability companies and other entities defined
 32 as "persons" in this chapter shall have established as the equivalent of a
 33 birth date, the birth date of its designated broker in accordance with the
 34 provisions of section 67-2614, Idaho Code. Licensed branch offices shall
 35 have established as the equivalent of a birth date, the birth date of the
 36 designated broker for the branch office.

37 (2) License renewal. Each license shall be renewable ~~for a period of~~
 38 ~~two (2) years by timely submitting a completed application. Applications~~
 39 ~~must be received at the commission office on or before 5 p.m., mountain time,~~
 40 ~~of the expiration date~~ in accordance with the provisions of section 67-2614.

41 (a) If renewing an active license, the application shall include:

42 (i) Certification that the applicant has met the commis-
 43 sion's continuing education requirements as set forth in section
 44 54-2023, Idaho Code;

45 (ii) Certification that the applicant has met the mandatory
 46 errors and omissions insurance requirement for real estate li-
 47 censees as set forth in section 54-2013, Idaho Code; and

48 (iii) Payment of all renewal fees established by this chapter or by
 49 the commission.

1 (b) If renewing an inactive license, the application shall include pay-
2 ment of all renewal fees established by this chapter or by the commis-
3 sion by rule.

4 (3) Late renewal. If the licensee fails to submit a completed applica-
5 tion for renewal or pay the renewal fee on or before the expiration date, the
6 commission may accept a later application or payment of the fee, subject to
7 such conditions as the commission may require including, but not limited to,
8 the assessment of a late fee; provided that between the license expiration
9 date and the date of renewal of the license, the rights of the licensee under
10 such license shall be expired, and during such period of expiration it shall
11 be unlawful for any licensee to do or attempt to offer to do any of the acts
12 of the kind and nature described in the definitions of real estate broker or
13 real estate salesperson in section 54-2004, Idaho Code, in consideration of
14 compensation of any kind or expectation thereof. An expired license that is
15 not renewed within one (1) year of the expiration date shall be automatically
16 terminated by the commission and may not be renewed.

17 (4) Active and inactive license status. A licensee who is a designated
18 broker or associated with a designated broker shall hold an active license.
19 A licensee who has paid all applicable fees, who is not associated with a des-
20 ignated broker and who holds a current license that is not revoked, suspended
21 or terminated shall hold his license on inactive status. A licensee seeking
22 to change from active license status to inactive license status shall have
23 the broker submit a change of status application to the commission in the
24 form and manner approved by the commission. During the period that his li-
25 cense is inactive, the licensee shall not engage in the business or act in the
26 capacity of real estate broker, associate broker or salesperson. However,
27 an inactive licensee may receive a referral fee for any referral made during
28 the period his license was active. A licensee may activate an inactive li-
29 cense by meeting each of the following:

30 (a) If activating as a sales associate, associating with a designated
31 Idaho broker and having the broker submit an application in the form and
32 manner approved by the commission;

33 (b) If activating as a designated broker, establishing an office in the
34 manner required by this chapter and submitting an application in the
35 form and manner approved by the commission;

36 (c) Paying any required fees;

37 (d) Obtaining and maintaining a policy of errors and omissions insur-
38 ance as required by section 54-2013, Idaho Code, and in accordance with
39 the rules of the commission and certifying the same; and

40 (e) Successfully completing any continuing education requirements, as
41 prescribed in section 54-2023, Idaho Code, and certifying the same for
42 the current license period.

43 (5) Continuing education. A licensee shall not submit an application
44 to renew a license on active status or to activate an inactive license with-
45 out having obtained the continuing education credit hours required by sec-
46 tion 54-2023, Idaho Code. A licensee who violates this subsection shall be
47 subject to disciplinary action by the commission.

48 (6) Time required. The commission may request satisfactory proof of
49 continuing education compliance from any licensee who has certified to the
50 commission that he has completed the requirement. The request shall state

1 the time within which the proof must be received at the commission office,
2 which time shall not be less than ten (10) business days.

3 (7) Satisfactory proof. Upon request from the commission, the licensee
4 shall submit satisfactory proof of having met the continuing education re-
5 quirement set forth in section 54-2023, Idaho Code. "Satisfactory proof"
6 shall, for each course, consist of documentation:

7 (a) Identifying the licensee, the title of the course, the course cer-
8 tification number, the course provider, the number of classroom hours,
9 the completion date of the course, and including:

10 (i) A transcript of the course taken;

11 (ii) A letter from the provider verifying successful completion
12 of the course; or

13 (iii) A course completion certificate; and

14 (b) Identifying the course certification approval number to establish
15 that the course is approved for continuing education credit as provided
16 by section 54-2023, Idaho Code. The commission may, in its sole discre-
17 tion, accept alternative documentation establishing that the course is
18 approved for credit.

19 (8) Failure to submit proof. A licensee failing to submit satisfac-
20 tory proof of completing the continuing education requirement after being
21 requested to do so by the commission may have his license inactivated by the
22 commission and shall not be entitled to reactivate the license unless and un-
23 til he provides to the commission satisfactory proof that he meets the con-
24 tinuing education requirements of section 54-2023, Idaho Code. Nothing in
25 this section shall limit the ability of the commission to investigate or dis-
26 cipline a licensee for violating subsection (5) of this section or for vio-
27 lating any other section of this chapter.

28 (9) Change in personal information. An individual licensee, whether
29 active or inactive, shall provide written notice to the commission, in the
30 form and manner approved by the commission, of any change of his personal
31 name, address of personal residence or personal telephone number. Notice
32 shall be provided within ten (10) business days of the change. If the li-
33 censee has changed his personal name, he shall also submit legal proof of the
34 change and, if an active licensee, he shall have the broker submit the writ-
35 ten notice of change to the commission.

36 (10) Issuance of the license and effective date. A real estate license
37 shall be deemed issued, and any requested license changes shall become ef-
38 fective, when the completed application, attachments, and any required fees
39 are received at and approved by the commission. An application that is in-
40 complete or lacking the required fees shall be returned to the applicant and
41 no license shall be issued until a completed application and all required
42 fees are received at and actually approved by the commission. A brokerage is
43 not required to obtain, display or possess a physical license certificate as
44 evidence of the individual's active licensure; however, the commission may
45 make license certificates available for a fee as authorized by this chapter.
46 A brokerage shall not display or otherwise make available to the public a li-
47 cense certificate for any individual who does not hold an active license with
48 the brokerage.

49 (11) Fees nonrefundable. No licensee shall be entitled to a refund of
50 any fee after the license or license change has become effective.

1 SECTION 17. That Section 54-2035, Idaho Code, be, and the same is hereby
2 amended to read as follows:

3 54-2035. TERM OF INSTRUCTOR CERTIFICATION AND RENEWAL. (1) Certifica-
4 tion. Each instructor certification issued by the commission shall be for a
5 term of up to ~~one (1) year and shall expire annually on June 30~~ two (2) years
6 and shall expire on the birthday of the certificate holder.

7 (2) Recertification.

8 (a) In order to be recertified, each instructor shall:

9 (i) Return a completed recertification application on a form pro-
10 vided by the commission, along with all necessary attachments and
11 fees, to the commission office prior to the expiration date for
12 commission approval;

13 (ii) Demonstrate the ability to adequately teach the course. The
14 ability to adequately teach shall be determined by the commission
15 based upon any or all of the following:

16 1. Evaluations received from students;

17 2. Direct observation of the instructor's teaching perfor-
18 mance by a commission representative; or

19 3. Review of the outline and reference materials provided
20 for the course; and

21 (iii) Have attended a commission-sponsored instructor develop-
22 ment seminar or received other acceptable training in methods of
23 teaching adults during the preceding two (2) years.

24 (b) Recertification shall not be effective until the commission for-
25 mally approves the application for renewal. An instructor's failure to
26 obtain approved recertification prior to the expiration of the certifi-
27 cation will result in no credit being given for any course taught by the
28 instructor whose certification has expired prior to conclusion of the
29 course.

30 SECTION 18. That Section 54-2112, Idaho Code, be, and the same is hereby
31 amended to read as follows:

32 54-2112. EXPIRATION OF LICENSE OR CERTIFICATION -- NOTICE -- RE-
33 NEWAL -- INACTIVE STATUS. (1) All licenses and certifications shall expire
34 ~~annually~~ biennially on the ~~date established by the board~~ birthday of the li-
35 cencee unless renewed in a timely manner by submission of the ~~annual~~ renewal
36 form prescribed by the board, by proof of completion of the appropriate hours
37 of continuing education, by paying the renewal fee, and by meeting other
38 requirements as defined in the rules of the board.

39 (2) An expired license or certification may be reinstated by paying the
40 established late fee and renewal fee and by fulfilling the other require-
41 ments of this section.

42 (3) An expired license or certification not reinstated prior to thirty
43 (30) days after it has expired will lapse. Individuals whose licenses or
44 certifications have lapsed must submit an application to the board as if for
45 a new license or certification.

46 (4) Once a license or certification has expired or lapsed, the person
47 or agency may not practice veterinary medicine or veterinary technology or
48 function as a certified euthanasia technician or agency until the license or

1 certification has been reinstated or until the person or agency has applied
2 for and received a new license or certification.

3 (5) Any veterinarian licensed in Idaho or veterinary technician cer-
4 tified in Idaho who advises the board, in writing, that the veterinarian or
5 veterinary technician wishes to remain licensed or certified in this state
6 but does not intend to actively practice veterinary medicine or veterinary
7 technology in the state of Idaho and therefore does not intend to meet the
8 licensing or certification requirements for an active license or certifi-
9 cation shall be transferred from active to inactive status and shall be re-
10 quired to pay inactive status fees as prescribed in the rules of the board.
11 Any person may transfer from inactive to active status by making written ap-
12 plication for reinstatement to active status, providing adequate proof of
13 continued competence if requested by the board, by paying all required fees,
14 and by meeting other requirements for reinstatement as defined in the rules
15 of the board.

16 SECTION 19. That Section 54-2215, Idaho Code, be, and the same is hereby
17 amended to read as follows:

18 54-2215. RENEWAL AND REINSTATEMENT OF LICENSE. A licensee must renew
19 his license ~~annually~~ biennially as provided in section 67-2614, Idaho Code,
20 and may reinstate his license within five (5) years after expiration as pro-
21 vided in section 67-2614, Idaho Code.

22 SECTION 20. That Section 54-2315, Idaho Code, be, and the same is hereby
23 amended to read as follows:

24 54-2315. ADMINISTRATION BY DIVISION OF OCCUPATIONAL AND PROFESSIONAL
25 LICENSES -- FEE FOR RENEWAL OF LICENSE -- RENEWAL AND REINSTATEMENT. This
26 chapter shall be administered by the division of occupational and profes-
27 sional licenses. The fee for renewal of license shall be a fee as established
28 by board rule not to exceed ~~four hundred dollars (\$400) per annum~~ eight hun-
29 dred dollars (\$800). All licenses issued under the provisions of this chap-
30 ter shall be subject to ~~annual~~ biennial renewal and shall expire unless re-
31 newed in the manner prescribed by the board regarding applications for re-
32 newal, continuing education, and fees. License renewal and reinstatement
33 shall be in accordance with section 67-2614, Idaho Code.

34 SECTION 21. That Section 54-2318, Idaho Code, be, and the same is hereby
35 amended to read as follows:

36 54-2318. PRESCRIPTIVE AUTHORITY -- CERTIFICATION. (1) An applicant
37 for certification of prescriptive authority may be granted such certifica-
38 tion by the board if the applicant possesses provisional certification of
39 prescriptive authority and has successfully completed two (2) years of sat-
40 isfactory prescribing as attested to by the supervising physician or physi-
41 cians.

42 (2) An applicant for certification of prescriptive authority who seeks
43 to prescribe for pediatric or geriatric patients shall have completed at
44 least one (1) year of satisfactory prescribing to such patient populations

1 as attested to by a supervising physician or supervising physicians with
2 specialized training and experience in treating such patient populations.

3 (3) The board shall develop rules to effect the purposes of sections
4 54-2316 through 54-2319, Idaho Code. Such rules shall include educational
5 and training standards necessary to qualify for certification of prescrip-
6 tive authority, application and testing procedures, and fees for an appli-
7 cation, provisional certification, certification, and renewal of certifi-
8 cation. Such fees shall not exceed ~~three hundred dollars (\$300)~~ six hundred
9 dollars (\$600) each.

10 SECTION 22. That Section 54-2411, Idaho Code, be, and the same is hereby
11 amended to read as follows:

12 54-2411. ~~ANNUAL~~ BIENNIAL RENEWAL OF LICENSE. Every person licensed
13 under the provisions of this chapter shall ~~annually~~ biennially pay the
14 prescribed renewal fee and certify compliance with continuing education
15 requirements and provide such other information as the board may request.
16 Any license canceled for failure to meet the renewal requirements may be
17 reinstated according to section 67-2614, Idaho Code.

18 SECTION 23. That Section 54-2616, Idaho Code, be, and the same is hereby
19 amended to read as follows:

20 54-2616. FEES FOR CERTIFICATES--~~PRORATING~~. ~~(1)~~ Before a certificate
21 is issued, and for the renewal thereof, the successful applicant shall pay to
22 the division of occupational and professional licenses a fee in accordance
23 with the following schedule:

	Initial Fee	Renewal
24 Plumbing Contractor	\$75.00	\$36.00
25 Plumbing Journeyman	15.00	7.20
26 Specialty Contractor	75.00	36.00
27 Specialty Journeyman	15.00	7.20

28
29 ~~(2) The administrator of the division of occupational and professional~~
30 ~~licenses shall have the authority to prorate and assess the initial certifi-~~
31 ~~cate fees as follows: the amount of the initial fee, plus the product of~~
32 ~~one-twelfth (1/12) of the amount of the renewal fee for that particular cat-~~
33 ~~egory of certificate multiplied by the number of months in excess of twelve~~
34 ~~(12) for which the certificate is issued. No certificate shall be issued for~~
35 ~~less than twelve (12) months.~~

36 ~~(3) The administrator of the division of occupational and professional~~
37 ~~licenses shall have the authority to prorate and assess the renewal fees as~~
38 ~~follows: the number of months the certificate will be in effect, multiplied~~
39 ~~by one-twelfth (1/12) of the renewal fee for that particular category of cer-~~
40 ~~tificate. No renewal shall be issued for less than twelve (12) months.~~

41 SECTION 24. That Section 54-2816, Idaho Code, be, and the same is hereby
42 amended to read as follows:

1 54-2816. EXPIRATION OF CERTIFICATE -- RENEWAL -- RENEWAL FEE. Renewal
2 of a certificate of registration may be effected at any time prior to expira-
3 tion, the payment of a renewal fee to be fixed by the board at not more than
4 ~~one hundred dollars (\$100)~~ two hundred dollars (\$200) biennially. All cer-
5 tificates of registration issued under the provisions of this chapter shall
6 be subject to ~~annual~~ biennial renewal and shall expire unless renewed. The
7 maximum fee for reinstatement shall not exceed ~~two hundred dollars (\$200)~~
8 four hundred dollars (\$400) as determined by the rules of the board. All re-
9 newals and reinstatements shall be in accordance with section 67-2614, Idaho
10 Code.

11 SECTION 25. That Section 54-2921, Idaho Code, be, and the same is hereby
12 amended to read as follows:

13 54-2921. RENEWAL AND REINSTATEMENT OF LICENSES -- PUBLIC DISPLAY --
14 INACTIVE LICENSE. (1) All licenses issued under the provisions of this chap-
15 ter shall be subject to ~~annual~~ biennial renewal and shall expire unless re-
16 newed in the manner prescribed by the board regarding applications for re-
17 newal, continuing education, and fees. License renewal and reinstatement
18 shall be in accordance with section 67-2614, Idaho Code.

19 (2) Each person licensed pursuant to this chapter shall, on or before
20 the expiration of his or her license, submit an application and pay to the
21 board a license fee for a renewal of the license and shall keep such license
22 posted in his or her office or established place of business at all times.

23 (3) The board may issue inactive licenses pursuant to rules adopted by
24 the board that may specify the terms and procedures necessary to maintain an
25 inactive license. The holder of an inactive license shall not engage in any
26 practice defined by this chapter.

27 SECTION 26. That Section 54-2922, Idaho Code, be, and the same is hereby
28 amended to read as follows:

29 54-2922. REPORTING OF NAME OR ADDRESS CHANGE. All licensed audiolo-
30 gists, speech-language pathologists, speech-language pathology aides and
31 assistants, and hearing aid dealers and fitters shall immediately report to
32 the board any name change or changes in business and home addresses ~~prior to~~
33 ~~the expiration of thirty (30) days after the change becomes final.~~

34 SECTION 27. That Section 54-3003, Idaho Code, be, and the same is hereby
35 amended to read as follows:

36 54-3003. QUALIFICATIONS -- EXAMINATIONS -- BOARD -- LICENSES -- FEES
37 -- ENDORSEMENT -- EXEMPTIONS -- INDIVIDUALS, PARTNERSHIPS AND CORPORATIONS
38 -- RESTRICTION ON USE OF NAME -- SEAL. (1) Application and practice. In or-
39 der to safeguard human health and property, and to promote the public wel-
40 fare, any person in either public or private capacity practicing or offer-
41 ing to practice landscape architecture shall be required to submit evidence
42 of qualifications to practice and shall be issued a license under the provi-
43 sions of this chapter.

44 (2) Qualifications. For licensure as a landscape architect, evidence
45 must be submitted to the board that the applicant:

- 1 (a) Is eighteen (18) years of age or older;
- 2 (b) Has graduated from a college or school of landscape architecture
3 approved by the board. In lieu of graduation from an approved college or
4 school of landscape architecture, an applicant may present evidence of
5 at least eight (8) years of actual, practical experience in landscape
6 architecture of a grade and character satisfactory to the board, as
7 established by rule, that the applicant is competent to practice land-
8 scape architecture; and
- 9 (c) Has successfully passed an examination approved by the board.
- 10 (3) Examinations. The board shall adopt rules covering the subjects
11 and scope of the examinations. Every applicant for license as a landscape
12 architect shall be required, in addition to all other requirements, to es-
13 tablish by written examination his competency to plan, design, specify and
14 supervise the installation and construction of landscape architectural
15 projects. Each written examination may be supplemented by such oral exami-
16 nations as the board may determine.
- 17 (4) Board powers. The board shall have, in addition to the powers set
18 forth elsewhere in this chapter, the following powers and duties:
- 19 (a) To authorize, by written agreement, the division of occupational
20 and professional licenses to act as agent in its interest and to make
21 such rules as shall be necessary in the performance of its duties;
- 22 (b) To adopt rules of professional responsibility;
- 23 (c) To adopt rules requiring the completion of continuing education by
24 each licensee on ~~an annual~~ a biennial basis;
- 25 (d) The board, or its duly appointed hearing officer, shall have the
26 power in any disciplinary proceeding against a licensee under this
27 chapter to administer oaths, take depositions of witnesses within or
28 outside of the state in the manner provided by law in civil cases, and to
29 apply to any district court of this state for a subpoena to require the
30 attendance of such witnesses and the production of such books, records
31 and papers as the board deems necessary in a disciplinary proceeding
32 against a licensee. The fees and mileage of the witnesses shall be the
33 same as that allowed in the district courts in criminal cases, which
34 fees and mileage shall be paid in the same manner as other board ex-
35 penses. In any case of disobedience to, or neglect of, any subpoena or
36 subpoena duces tecum served upon any person, or refusal of any witness
37 to testify to any matter about which he may lawfully be interrogated, it
38 shall be the duty of any district court in this state on application by
39 the board to compel compliance with the subpoena by conducting proceed-
40 ings for contempt, as in the case of disobedience of the requirements of
41 a subpoena issued from such court or for refusal to testify therein. The
42 licensed person accused in such proceedings shall have the same right of
43 subpoena.
- 44 (5) Renewal and reinstatement -- revenue.
- 45 (a) All licenses issued under the provisions of this chapter shall be
46 subject to ~~annual~~ biennial renewal and shall expire unless renewed in
47 the manner prescribed by the board regarding applications for renewal,
48 continuing education, and fees. License renewal and reinstatement
49 shall be in accordance with section 67-2614, Idaho Code.

1 (b) Amounts. The amount of fees shall be as determined by the board
2 within the following stated limits:

3 (i) The application fee not to exceed ~~one hundred dollars (\$100)~~
4 two hundred dollars (\$200).

5 (ii) The fee for examination to be established by board rule not to
6 exceed that charged by the council of landscape architectural reg-
7 istration boards plus a fifty-dollar (\$50.00) processing fee. The
8 board may recover the actual costs associated with an applicant's
9 review of a failed examination.

10 (iii) The fee for an original license and the ~~annual~~ biennial li-
11 cense fee not to exceed ~~two hundred dollars (\$200)~~ four hundred
12 dollars (\$400).

13 (c) Refund. Fees shall be nonrefundable.

14 (d) Deposit. All fees received under the provisions of this chapter
15 shall be deposited in the state treasury to the credit of the occupa-
16 tional licenses fund, and all costs and expenses incurred by the board
17 under the provisions of this chapter shall be a charge against and paid
18 from said fund for such purposes, and the funds collected hereunder
19 shall be immediately available for the administration of this chapter,
20 the provisions of any other law notwithstanding. In no instance will
21 the occupational licenses fund be obligated to pay any claims that in
22 aggregate with claims already paid exceed the income to the occupa-
23 tional licenses fund, which has been derived by the application of this
24 chapter.

25 (e) Appropriation. The money paid into the occupational licenses fund
26 is continuously appropriated to the board for expenditure in the manner
27 prescribed herein to defray the expenses of the board and in carrying
28 out and enforcing the provisions of this chapter.

29 (6) Endorsement provisions. The board may approve for licensure:

30 (a) An individual with a current council of landscape architectural
31 registration boards (CLARB) certification; or

32 (b) With limited examination, an applicant who is legally registered
33 or licensed as a landscape architect in any other state or country whose
34 requirements for registration or licensure are at least substantially
35 equivalent to the requirements of this state.

36 (7) Exemptions.

37 (a) None of the provisions of this chapter shall prevent employees of
38 those lawfully practicing as landscape architects from acting under the
39 instruction, control or supervision of their employers.

40 (b) None of the provisions of this chapter shall apply to the business
41 conducted in this state by any land use planner, horticulturist, nurs-
42 eryman, or landscape nurseryman, gardener, landscape gardener, land-
43 scape designer, or landscape contractor, as these terms are generally
44 used, or any other person, including, but not limited to, their right to
45 plan and supervise in connection therewith, except that no such person
46 shall use the designation "landscape architect," "landscape architec-
47 ture," or any description tending to convey the impression that they are
48 a licensed landscape architect unless they are registered as provided
49 in this chapter.

1 (c) This chapter shall not apply to architects, professional en-
2 gineers, geologists, and land surveyors licensed to practice their
3 respective professions.

4 (8) This chapter applies to individuals only.

5 (a) All licenses shall be issued to individuals only, but nothing
6 contained in this chapter shall prevent a duly licensed landscape ar-
7 chitect from rendering professional services for a corporation, firm,
8 partnership or association.

9 (b) Partners. Each partner in a partnership of landscape architects
10 shall be licensed to practice landscape architecture or to provide al-
11 lied professional services as defined in section 30-21-901, Idaho Code.
12 Subject to this requirement, a partnership of landscape architects may
13 use a partnership name if such name consists of:

14 (i) The names of two (2) or more landscape architects; or

15 (ii) The names of one (1) or more landscape architects and one (1)
16 or more professional engineers or architects.

17 (c) Any person applying to the official of any county or city for a
18 business license to practice landscape architecture shall at the time
19 of such application exhibit to such official satisfactory evidence that
20 such applicant possesses a current Idaho license. The business license
21 shall not be granted until such evidence is presented, any contrary pro-
22 vision of any special act or general act notwithstanding.

23 (9) Qualifications for practice -- seal.

24 (a) No person shall use the designation "landscape architect" or "land-
25 scape architecture" or advertise any title or description tending to
26 convey the impression that the person is a landscape architect, or
27 practicing landscape architecture, unless such person is a licensed
28 landscape architect. Every holder of a license shall display it in the
29 principal office, place of business, or place of employment.

30 (b) Every landscape architect shall have a seal approved by the board
31 that contains the name of the landscape architect and the words "Li-
32 censed Landscape Architect, State of Idaho," and such other words or
33 figures as the board may deem necessary and prescribe.

34 (i) The seal may be a rubber stamp or an electronically applied
35 seal. Whenever the seal is applied, the licensee's written sig-
36 nature and the date shall be adjacent to or across the seal. The
37 seal, signature and date shall be placed on all final reports,
38 drawings and title pages of specifications, design information
39 and calculations. Whenever presented to a client or to the public,
40 such documents that are not final and do not contain a seal, signa-
41 ture and date shall be clearly marked as "preliminary," "draft,"
42 "not for construction" or similar words to distinguish the docu-
43 ments from a finished product.

44 (ii) The application of the licensee's seal, signature and the
45 date shall constitute certification that the work thereon was pre-
46 pared by such landscape architect or under the supervision of such
47 landscape architect. Each plan or drawing sheet shall be sealed
48 and signed by the licensee or the licensee's agent responsible for
49 each sheet. The principal landscape architect in charge shall
50 sign and seal the title or first sheet. Copies of electronically

1 produced documents listed in subparagraph (i) of this paragraph
2 that are distributed for informational use, such as for bidding
3 purposes or working copies, may be issued with the licensee's
4 seal and a notice that the original document is on file with the
5 licensee's signature and date. The words "original signed by:"
6 and "date signed:" shall be placed adjacent to or across the seal
7 of the electronic original. The storage location of the original
8 documents shall also be provided. Only the title page of reports,
9 specifications and like documents need bear the seal and signature
10 of the licensee and the date.

11 (iii) Nothing contained herein shall be construed to permit a
12 landscape architect to practice as a licensed architect, a li-
13 censed professional engineer or a licensed land surveyor as these
14 professions are defined by Idaho Code; provided however, nothing
15 contained herein shall be construed to prevent a landscape archi-
16 tect from practicing landscape architecture.

17 SECTION 28. That Section 54-3108, Idaho Code, be, and the same is hereby
18 amended to read as follows:

19 54-3108. QUALIFICATIONS -- REQUIRED EXAMINATION -- RENEWAL OF CER-
20 TIFICATES. (1) Applicants for certification must take and pass the Idaho
21 certified shorthand reporter examination. Alternatively, applicants for
22 certification must provide proof, satisfactory to the board, of having
23 passed one (1) of the following examinations within the two (2) years prior
24 to the date of the application:

- 25 (a) The registered professional reporter (RPR) examination;
- 26 (b) The registered merit reporter (RMR) examination;
- 27 (c) The registered diplomate reporter (RDR) examination;
- 28 (d) The certified realtime reporter (CRR) examination; or
- 29 (e) The certified realtime captioner (CRC) examination.

30 (2) Any applicant who is a lawful resident of the United States, who
31 has not been convicted, found guilty, or received a withheld judgment or a
32 suspended sentence in this state or in any other state of a crime that is
33 deemed relevant in accordance with section 67-9411(1), Idaho Code, and who
34 has graduated from an accredited high school or has an equivalent education,
35 shall be entitled to receive a certificate as a certified shorthand reporter
36 upon payment of the fees required by this chapter. All applications shall
37 be in such form as prescribed by the board and filed with the board at least
38 thirty (30) days prior to the announced date of the reporter examination.
39 The board in its discretion may make such additional investigation and in-
40 quiry, or require additional information from the applicant, as it shall
41 deem necessary in determining the qualifications of the applicant. The
42 board shall thereupon notify the applicant as to whether their application
43 to take the reporter examination is accepted.

44 (3) All certified shorthand reporter certificates shall be issued for a
45 period of ~~one (1) year~~ two (2) years and shall be renewable upon payment of a
46 renewal fee. The renewal and reinstatement of all certificates issued under
47 the provisions of this chapter shall be in accordance with section 67-2614,
48 Idaho Code.

1 SECTION 29. That Section 54-3110, Idaho Code, be, and the same is hereby
2 amended to read as follows:

3 54-3110. FEES. The board shall be entitled to charge and collect the
4 following fees:

5 (1) The sum of fifty dollars (\$50.00) as an application fee for any cer-
6 tificate or temporary permit.

7 (2) The sum of fifty dollars (\$50.00) as an examination fee for the ad-
8 ministration of the reporters examination to any applicant.

9 (3) A sum not to exceed ~~seventy-five dollars (\$75.00)~~ one hundred fifty
10 dollars (\$150) as a renewal fee for any certificate or temporary permit.

11 (4) The failure to renew a certificate ~~annually~~ biennially, prior to
12 expiration, shall not deprive such person of the right of renewal or rein-
13 statement in accordance with section 67-2614, Idaho Code.

14 (5) A sum not to exceed twenty dollars (\$20.00) as a fee for examination
15 preparation materials.

16 SECTION 30. That Section 54-3209, Idaho Code, be, and the same is hereby
17 amended to read as follows:

18 54-3209. FEES -- LICENSING -- DURATION OF LICENSES. Each person sub-
19 mitting an application for licensure to practice social work shall pay an ap-
20 plication fee, as determined by the rules of the board, which shall not ex-
21 ceed ~~one hundred fifty dollars (\$150)~~ three hundred dollars (\$300) bienni-
22 ally and which shall include the original license fee. Each person licensed
23 to practice social work shall pay a license renewal fee, not to exceed ~~one~~
24 ~~hundred fifty dollars (\$150)~~ three hundred dollars (\$300) as determined by
25 the rules of the board. All licenses issued under the provisions of this
26 chapter shall be subject to ~~annual~~ biennial renewal and shall expire unless
27 renewed in the manner prescribed by the board regarding applications for re-
28 newal, continuing education, and fees. Renewal shall be in accordance with
29 the requirements of section 67-2614, Idaho Code.

30 SECTION 31. That Section 54-3312, Idaho Code, be, and the same is hereby
31 amended to read as follows:

32 54-3312. FEES. The board shall be entitled to charge and collect the
33 following fees subject to adjustment as prescribed by section 54-3309(c),
34 Idaho Code:

35 (a) An application fee (which shall include the cost of an examination
36 when required) of not to exceed three hundred dollars (\$300);

37 (b) An initial license fee of not to exceed ~~three hundred dollars (\$300)~~
38 six hundred dollars (\$600);

39 (c) A renewal fee of not to exceed ~~one thousand dollars (\$1,000)~~ two
40 thousand dollars (\$2,000).

41 SECTION 32. That Section 54-3316, Idaho Code, be, and the same is hereby
42 amended to read as follows:

43 54-3316. RENEWAL OR REINSTATEMENT OF LICENSE. All licenses issued
44 under the provisions of this chapter shall be subject to ~~annual~~ biennial

1 renewal and shall expire unless renewed in the manner prescribed by the board
 2 regarding applications for renewal, continuing education, and fees. Li-
 3 cense renewal and reinstatement shall be in accordance with section 67-2614,
 4 Idaho Code.

5 SECTION 33. That Section 54-3411, Idaho Code, be, and the same is hereby
 6 amended to read as follows:

7 54-3411. FEES ON LICENSURE. (1) The board shall establish fees for li-
 8 censure under the provisions of this chapter as follows:

9 (a) The fee for applications not to exceed one hundred seventy-five
 10 dollars (\$175);

11 (b) The fee for examination, when required, equal to that charged by
 12 the national examining entity plus an administration fee not to exceed
 13 twenty-five dollars (\$25.00);

14 (c) The fee for endorsement not to exceed one hundred seventy-five dol-
 15 lars (\$175);

16 (d) The fee for the original license not to exceed one hundred seventy-
 17 five dollars (\$175);

18 (e) The fee for ~~annual~~ biennial renewal not to exceed ~~one hundred sev-~~
 19 ~~enty-five dollars (\$175)~~ three hundred and fifty dollars (\$350); and

20 (f) The fee for the original registration of interns not to exceed
 21 twenty-five dollars (\$25.00).

22 (2) All fees paid pursuant to this section shall be nonrefundable ex-
 23 cept that, if a license fee is tendered but the board does not issue a li-
 24 cense, the respective license fee shall be returned.

25 SECTION 34. That Section 54-3509, Idaho Code, be, and the same is hereby
 26 amended to read as follows:

27 54-3509. LICENSE EXPIRATION AND RENEWAL. (1) A license issued under
 28 the provisions of this chapter shall be subject to ~~annual~~ or biennial renewal
 29 and shall expire unless renewed in the manner prescribed by the rules of the
 30 licensure board, upon payment of a renewal fee.

31 (2) The board shall establish the following fees relating to licensing,
 32 which fees shall be established in an amount sufficient to defray all costs
 33 necessary for the administration of this chapter:

34 (a) Initial license and examination fee;

35 (b) Renewal of license fee;

36 (c) Inactive license fee;

37 (d) Limited permit fee;

38 (e) Late renewal fees.

39 (3) No license that has been expired for more than twenty-four (24)
 40 months may be renewed. The applicant shall comply with the requirements of
 41 section 54-3506, Idaho Code, for obtaining an initial license.

42 (4) Maintenance of registration by the CDR or its successor organiza-
 43 tion is required for license renewal.

44 SECTION 35. That Section 54-3711, Idaho Code, be, and the same is hereby
 45 amended to read as follows:

1 54-3711. RENEWAL AND REINSTATEMENT OF LICENSE. (1) All licenses is-
 2 sued under the provisions of this chapter shall be for a term of ~~one (1) year~~
 3 two (2) years and shall expire on the birthday of the licensee unless renewed
 4 in the manner prescribed by rule. License renewal and reinstatement shall be
 5 in accordance with section 67-2614, Idaho Code.

6 (2) The board may issue an inactive license to a licensee pursuant to
 7 rules adopted by the board that may specify the terms, procedures, and fees
 8 necessary to maintain an inactive license. The holder of an inactive license
 9 shall not engage in any practice requiring a license under this chapter. An
 10 occupational therapist or occupational therapy assistant wishing to convert
 11 an inactive license to an active license must account to the board for that
 12 period of time in which the license was inactive and must fulfill require-
 13 ments that demonstrate competency to resume practice. Those requirements
 14 may include, but are not limited to, education, supervised practice, and ex-
 15 amination. The board may consider practice in another jurisdiction in de-
 16 termining competency.

17 SECTION 36. That Section 54-3910, Idaho Code, be, and the same is hereby
 18 amended to read as follows:

19 54-3910. RENEWAL OF LICENSURE. (1) Any licensure issued under this
 20 chapter shall be subject to renewal and shall expire unless renewed in the
 21 manner prescribed by the rules of the board. The board, upon recommendation
 22 of the board of athletic trainers, may reinstate a licensure canceled for
 23 failure to renew upon compliance with requirements of the board for renewal
 24 of licenses.

25 (a) A license shall be issued for a period of not less than ~~one (1) year~~
 26 twenty-four (24) months nor more than five (5) years, in conformance
 27 with administrative rules adopted by the board. Each license shall set
 28 forth its expiration date on the face of the certificate. The failure
 29 of any licensee to renew his or her license, as required herein and by
 30 the rules of the board, shall not deprive such person of the right to
 31 renewal, except as provided for in this chapter.

32 (b) Fees for renewal of licensure of athletic trainers shall be fixed by
 33 the board in its rules.

34 (c) All licensed athletic trainers must be in good standing with and
 35 provide documentation of current certification by the national ath-
 36 letic trainers' association board of certification or a nationally
 37 recognized credentialing agency, accepted by the board. All athletic
 38 trainers holding current Idaho registration/licensure who are not
 39 certified by the national athletic trainers' association board of cer-
 40 tification or a nationally recognized credentialing agency, accepted
 41 by the board, are required to provide documentation of successful com-
 42 pletion of eighty (80) hours of board approved continuing educational
 43 units during each three (3) year reporting period on forms provided by
 44 the board.

45 (d) All licensed athletic trainers shall immediately report to the
 46 board any name change or changes in business and or home addresses
 47 ~~thirty (30) days after the change becomes final.~~

48 (2) Reinstatement of licensure.

1 (a) Reinstatement of a license that has lapsed for a period of three
 2 (3) consecutive years shall require good standing with and documenta-
 3 tion of current certification by the national athletic trainers' asso-
 4 ciation board of certification or a nationally recognized credential-
 5 ing agency, accepted by the board.

6 (b) Reinstatement of a license that has lapsed for a period of three
 7 (3) consecutive years shall require the payment of a renewal fee and
 8 reinstatement fee in accordance with the rules adopted by the board,
 9 provided however, that no reinstatement fee shall be greater than ~~fifty~~
 10 ~~dollars (\$50.00)~~ thirty-five dollars (\$35.00).

11 (c) Reinstatement of a license that has lapsed for a period of more than
 12 three (3) consecutive years shall require reapplying for a license and
 13 payment of fees in accordance with the rules adopted by the board. The
 14 applicant shall successfully demonstrate to the board, upon recommen-
 15 dation of the board of athletic trainers, competency in the practice of
 16 athletic training. The board, upon recommendation of the board of ath-
 17 letic trainers, may also require the applicant to take an examination,
 18 remedial courses, or both, as shall be recommended by the board of ath-
 19 letic trainers.

20 (3) Upon application and recommendation by the board of athletic train-
 21 ers, the board shall grant inactive status to a licensed athletic trainer
 22 who:

23 (a) Does not practice as an athletic trainer; and

24 (b) Is in good standing with and provides documentation of current cer-
 25 tification by the national athletic trainers' association board of cer-
 26 tification or a nationally recognized credentialing agency, accepted
 27 by the board.

28 SECTION 37. That Section 54-4008, Idaho Code, be, and the same is hereby
 29 amended to read as follows:

30 54-4008. FEES. (1) All fees received under the provisions of this
 31 chapter shall be paid to the department of self-governing agencies, division
 32 of occupational and professional licenses, and deposited in the state trea-
 33 sury to the credit of the occupational licenses fund. All costs and expenses
 34 incurred under the provisions of this chapter shall be a charge against and
 35 paid from said fund. In no case shall any salary, expense or other obligation
 36 of the board be charged against the general fund.

37 (2) The board, by rule, may impose fees not to exceed ~~two hundred dol-~~
 38 ~~lars (\$200) annually~~ four hundred dollars (\$400) biennially per fee to pro-
 39 vide for the administration of this section including, but not limited to,
 40 the following:

41 (a) Original license fee;

42 (b) Application fee;

43 (c) License renewal fee;

44 (d) License by endorsement;

45 (e) Duplicate license; and

46 (f) Reinstatement fee.

47 SECTION 38. That Section 54-4114, Idaho Code, be, and the same is hereby
 48 amended to read as follows:

1 54-4114. TERM OF LICENSE OR CERTIFICATE -- RENEWAL AND REINSTATE-
 2 MENT. All licenses issued under the provisions of this chapter shall be
 3 subject to ~~annual~~ biennial renewal and shall expire unless renewed in the
 4 manner prescribed by the board regarding applications for renewal, contin-
 5 uing education, and fees. License renewal and reinstatement shall be in
 6 accordance with section 67-2614, Idaho Code.

7 SECTION 39. That Section 54-4205, Idaho Code, be, and the same is hereby
 8 amended to read as follows:

9 54-4205. FUNCTIONS AND DUTIES OF THE BOARD -- FEE FOR LICENSE APPLI-
 10 CANTS -- RULES. (1) It shall be the functions and duties of such board to:

11 (a) Develop, impose and enforce standards consistent with this chap-
 12 ter which shall be met by individuals in order to receive and retain a
 13 license or permit as a residential care facility administrator. Such
 14 standards shall be designed to ensure that residential care facility
 15 administrators will be individuals who are of good character and are
 16 otherwise suitable, and who, by training or experience in the field of
 17 institutional administration, are qualified to serve as residential
 18 care facility administrators;

19 (b) Develop and apply appropriate techniques, including examinations
 20 and investigations, for determining whether an individual meets such
 21 standards;

22 (c) Issue licenses and permits to individuals determined, after appli-
 23 cation of such techniques, to meet such standards, and revoke or suspend
 24 licenses and permits previously issued by the board in any case where
 25 the individual holding any such license or permit is determined to have
 26 violated the provisions of this chapter;

27 (d) Establish and carry out procedures designed to ensure that individ-
 28 uals licensed as residential care facility administrators will, during
 29 any period that they serve as such, comply with the requirements of such
 30 standards;

31 (e) Receive, investigate and take appropriate action with respect to
 32 any charge or complaint filed with the board charging that any individ-
 33 ual licensed as a residential care facility administrator has failed to
 34 comply with the requirements of such standards;

35 (f) Conduct a continuing study and investigation of residential care
 36 facility administrators to improve the standards imposed in order to
 37 obtain a license or a permit and to improve the procedures and methods
 38 for the enforcement of such standards with respect to those who have
 39 obtained a license or a permit;

40 (g) The board shall establish by rule a fee schedule not to exceed two
 41 hundred dollars (\$200) each for applications for licenses, provisional
 42 permits, ~~annual~~ per year renewal and applications for endorsement of a
 43 license issued by the proper authorities in another state.

44 (2) The board or any committee or member thereof or any hearing officer
 45 designated by such board, acting in an official capacity, shall have powers
 46 and duties as provided by law. Such board shall not be bound by the strict
 47 rules of evidence in the conduct of its proceedings but any determinations
 48 made shall be founded upon sufficient legal evidence to sustain them.

1 (3) The board shall also have the authority to make rules not inconsis-
2 tent with law as may be necessary for the proper performance of its duties.

3 (4) The board shall have the authority to adopt a code of ethics for res-
4 idential care facility administrators in the state which shall be adopted in
5 compliance with chapter 52, title 67, Idaho Code.

6 SECTION 40. That Section 54-4310, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 54-4310. LICENSE OR PERMIT EXPIRATION AND RENEWAL. (1) A license or
9 permit issued under the provisions of this chapter shall be subject to re-
10 newal every ~~one (1) or~~ two (2) years and shall expire unless renewed in the
11 manner prescribed by the rules of the licensure board upon payment of a re-
12 newal fee.

13 (2) Each individual applicant for renewal of an active license shall,
14 on or before the expiration of the license, submit satisfactory proof to the
15 licensing board of successful completion of no fewer than twelve (12) hours
16 of board-approved continuing education in addition to any other require-
17 ments for renewal.

18 (3) Upon application, the board shall grant inactive status to the
19 holder of a license who does not practice or provide respiratory care.

20 (4) The board shall establish the following fees relating to licensing,
21 which fees shall be established in an amount sufficient to defray all costs
22 necessary for the administration of this chapter:

23 (a) Initial license and examination fee;

24 (b) Renewal of license fee;

25 (c) Inactive license fee; and

26 (d) Provisional license or permit fee.

27 (5) No license that has been expired for more than twenty-four (24)
28 months may be renewed. The applicant shall comply with the requirements of
29 section 54-4308, Idaho Code, for obtaining an initial license.

30 SECTION 41. That Section 54-4708, Idaho Code, be, and the same is hereby
31 amended to read as follows:

32 54-4708. ACUPUNCTURE TRAINEE PERMIT. (1) A person seeking the experi-
33 ence needed to obtain licensure or certification pursuant to this chapter
34 may apply for an acupuncture trainee permit. Such person shall pay all re-
35 quired fees, submit a written application provided by the board and show to
36 the satisfaction of the board that such person is qualified and actively pur-
37 suing an acupuncture license or certification.

38 (2) In approving an acupuncture trainee permit the board shall consider
39 the scope and extent of the applicant's academic and other training and
40 experience in health care to date and may, for each individual acupuncture
41 trainee:

42 (a) Require such supervision, as the board may deem appropriate, by a
43 person licensed or certified pursuant to this chapter;

44 (b) Restrict the practice of acupuncture for the acupuncture trainee to
45 specified therapies or treatments.

46 (3) A person's acupuncture trainee permit expires ~~one (1) year~~ two (2)
47 years from the date of issuance. However, the board may renew the permit for

1 up to ~~one (1) year~~ two (2) years if, before the permit expires, the person
2 asks the board for an extension and establishes to the board's satisfaction
3 that good cause exists for the board to renew the permit. The renewal of any
4 acupuncture trainee permit may be upon such conditions as the board may re-
5 quire. The board may not renew a permit more than once and the board may not
6 issue more than one (1) permit to any person.

7 SECTION 42. That Section 54-4710, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 54-4710. EXPIRATION AND RENEWAL -- REINSTATEMENT. (1) All licenses
10 and certifications issued under the provisions of this chapter shall be sub-
11 ject to ~~annual~~ biennial renewal and shall expire unless renewed in the manner
12 prescribed by the board regarding applications for renewal, continuing ed-
13 ucation and fees. License renewal and reinstatement shall be in accordance
14 with section 67-2614, Idaho Code.

15 (2) The board shall establish the following fees relating to licensing,
16 which fees shall be established in an amount that is sufficient to defray all
17 costs necessary for the administration of this chapter:

- 18 (a) Initial license;
- 19 (b) Renewal of license fee;
- 20 (c) Initial fee for certification;
- 21 (d) Initial acupuncture trainee permit;
- 22 (e) Renewal acupuncture technician certificate or acupuncture trainee
23 permit;
- 24 (f) Inactive license and certification fees;
- 25 (g) Late renewal fees.

26 SECTION 43. That Section 54-5012, Idaho Code, be, and the same is hereby
27 amended to read as follows:

28 54-5012. FEES FOR APPLICATION FOR EXAMINATION, CERTIFICATES OF COMPE-
29 TENCY AND REGISTRATION OF APPRENTICES. (1) Application for examination.

- 30 (a) HVAC contractor or specialty contractor\$35.00
- 31 (b) HVAC journeyman or specialty journeyman\$35.00

32 (2) Certificate of competency, initial issue, valid for ~~one (1) year~~
33 two (2) years; or may be issued at the annual rate for up to three (3) years.

- 34 (a) HVAC contractor or specialty contractor\$75.00
- 35 (b) HVAC journeyman or specialty journeyman\$50.00

36 (3) Renewal of certificate of competency, valid for ~~one (1) year~~ two (2)
37 years; or may be issued at the annual rate for up to three (3) years.

- 38 (a) HVAC contractor or specialty contractor\$50.00
- 39 (b) HVAC journeyman or specialty journeyman\$25.00

40 (4) Each apprentice and specialty apprentice is required to register
41 with the division of occupational and professional licenses and maintain
42 such registration during the entire period in which work experience is ac-
43 crued. An apprentice registration shall be valid for ~~one (1) year~~ two (2)
44 years and shall expire on the ~~last day of the month in which it is set to~~
45 expire apprentice's birthday unless renewed. A specialty apprentice reg-
46 istration shall be valid for two (2) years and shall expire on the ~~last day~~
47 of the month in which it is set to expire specialty apprentice's birthday

1 unless renewed. The registration fee for an apprentice shall be ~~ten dollars~~
 2 ~~(\$10.00)~~ twenty dollars (\$20.00), and the registration fee for a specialty
 3 apprentice shall be twenty dollars (\$20.00).

4 SECTION 44. That Section 54-5013, Idaho Code, be, and the same is hereby
 5 amended to read as follows:

6 54-5013. CERTIFICATE EXPIRATION -- RENEWAL -- REINSTATEMENT. (1) Cer-
 7 tificates of competency shall expire ~~twelve (12)~~ twenty-four (24) calendar
 8 months from the date of issue, or on the last day of the month of the certifi-
 9 cation period, unless renewed as provided in this section, or unless sooner
 10 revoked or suspended.

11 (2) Renewal of a certificate may be requested within sixty (60) days
 12 prior to the expiration date. Any certificate which has expired may be re-
 13 vived at any time within one (1) year from the first day of the final month
 14 of the certification period, by payment of a thirty-five dollar (\$35.00) re-
 15 vival fee in addition to the full ~~annual~~ renewal fee, and if any, all out-
 16 standing civil penalties, permits or other fees and penalties.

17 (3) Any person whose certificate has been revoked may, after the expi-
 18 ration of one (1) year from the date of such revocation, but not before, apply
 19 for a new certificate. Successful application shall require satisfactory
 20 proof of payment of any and all outstanding civil penalties, permits or other
 21 fees and penalties.

22 SECTION 45. That Section 54-5108, Idaho Code, be, and the same is hereby
 23 amended to read as follows:

24 54-5108. LICENSE EXPIRATION AND RENEWAL. (1) A license issued under
 25 the provisions of this chapter shall be subject to ~~annual or~~ biennial renewal
 26 and shall expire unless renewed in the manner prescribed by the rules of the
 27 naturopathic medical board, upon payment of a renewal fee.

28 (2) The board shall establish the following fees relating to licensing,
 29 which fees shall be established in an amount sufficient to defray all costs
 30 necessary for the administration of this chapter:

- 31 (a) Initial license and examination fee;
- 32 (b) Renewal of license fee;
- 33 (c) Inactive license fee; and
- 34 (d) Late renewal fees.

35 (3) No license expired for more than twenty-four (24) months may be re-
 36 newed. The applicant shall comply with the requirements of section 54-5106,
 37 Idaho Code, for obtaining an initial license.

38 ~~(4) This section shall take effect on July 1, 2020.~~

39 SECTION 46. That Section 54-5211, Idaho Code, be, and the same is hereby
 40 amended to read as follows:

41 54-5211. REGISTRATION -- INACTIVE STATUS -- RENEWAL. (1) A registra-
 42 tion shall be issued for a period of not less than ~~one (1) year~~ twenty-four
 43 (24) months nor more than five (5) years, as determined by the board. Each
 44 registration shall set forth its expiration date on the face of the certifi-
 45 cate. No less than thirty (30) days prior to the expiration of such registra-

1 tion, the board shall notify a registered contractor that such registration
2 is set to expire.

3 (2) A registered contractor in this state who is not engaging in busi-
4 ness as a contractor as defined in this chapter may be issued an inactive reg-
5 istration. The registered contractor must submit the fee set by board rule
6 and a written request for an inactive registration. Each inactive registra-
7 tion shall be issued for a period of ~~one (1) year~~ twenty-four (24) months.
8 A registered contractor holding an inactive registration may not engage in
9 business as a contractor in this state and does not need to keep current in-
10 surance coverage as required by this chapter. A registered contractor wish-
11 ing to convert an inactive registration to an active registration must pay
12 the fee as defined by board rule and provide proof of current insurance cov-
13 erage as required by this chapter.

14 (3) Reinstatement of a lapsed registration shall require the payment
15 of a renewal fee and reinstatement fee in accordance with the administrative
16 rules adopted by the board. The failure of any registered contractor to re-
17 new his registration as required herein and by the administrative rules of
18 the board shall not deprive such person of the right to renewal upon subse-
19 quent application for registration and payment of the required board fees.

20 SECTION 47. That Section 54-5308, Idaho Code, be, and the same is hereby
21 amended to read as follows:

22 54-5308. FACILITY LICENSE -- EQUIPMENT -- INSPECTIONS -- FEES. (1) The
23 board shall issue a facility license to any person, corporation, partner-
24 ship, trust, association or other legal entity to operate at specific loca-
25 tions only. No facility license shall be transferable, but an applicant may
26 make application for more than one (1) facility license as long as all of the
27 requirements are met for each license individually. Except as herein other-
28 wise provided, the following shall be considered minimum requirements for a
29 facility license:

30 (a) That the applicant is lawfully entitled to do business within the
31 United States;

32 (b) That the applicant has not been refused a license for a facility, or
33 its equivalent, or had a personal or facility license revoked in Idaho
34 or in any other state;

35 (c) That the applicant has designated the name under which the facility
36 will operate and has designated a specific location for which the facil-
37 ity license is to be issued;

38 (d) For a facility with a storage capacity of four thousand one (4,001)
39 gallons or more, that the applicant has at least one (1) dealer licensed
40 under this chapter who is a resident of the state of Idaho and who is, and
41 will be, responsible for the operation of the facility;

42 (e) That the applicant has filed an application and paid the required
43 filing fee;

44 (f) That the applicant's facility meets the requirements of the LPG
45 code, except as designated by the board by rule;

46 (g) All applications for facility licenses are in writing and contain
47 the name of the applicant, the address, and location of the facility
48 and a description of the type of structure and equipment to be used in
49 the operation of the facility and such further information as may be re-

1 quired by the board to ensure the safe operation of the facility and its
2 compliance with the requirements of this chapter;

3 (h) The person responsible for the operation of a facility maintains
4 such records documenting the storage, transportation, dispensation and
5 utilization of LPG as may be required by the laws of the state of Idaho
6 and the rules adopted by the board;

7 (i) In the event a licensed facility ceases to have a licensed dealer
8 in its employ responsible for operation of the facility, all opera-
9 tion involving practices regulated under this chapter shall cease and
10 written notification of such fact shall be submitted immediately to the
11 board. In the event a licensed facility fails to have a licensed dealer
12 in its employ responsible for the facility within thirty (30) days of
13 said notice, the facility license shall be summarily suspended until a
14 licensed dealer is so employed; and

15 (j) A certificate issued by an insurance company authorized to do busi-
16 ness in the state of Idaho as proof that the applicant has procured and
17 has in effect a general liability policy in the sum of not less than one
18 million dollars (\$1,000,000) single limit.

19 (2) The board may adopt rules setting forth minimum general standards
20 covering the design, construction, location, installation and operation of
21 systems, equipment, pipes and containers for storing, handling, transport-
22 ing by tank truck or tank trailer, and using liquefied petroleum gases and
23 specifying the odorization of the gases and the degree thereof.

24 (3) The board shall adopt inspection rules regarding LPG facilities.

25 (4) The division of occupational and professional licenses shall col-
26 lect a fee not to exceed five hundred dollars (\$500) for each application,
27 each original license, and ~~each annual~~ per renewal year of any facility li-
28 cense issued pursuant to this chapter and shall deposit all fees in the state
29 treasury in accordance with section 67-2608, Idaho Code. The actual fees
30 shall be set by board rule. Fees paid under the provisions of this chapter
31 shall not be refunded unless otherwise specified herein.

32 SECTION 48. That Section 54-5313, Idaho Code, be, and the same is hereby
33 amended to read as follows:

34 54-5313. LICENSES -- RECORDS -- FEES -- PAYMENT OF COSTS AND EX-
35 PENSES. (1) The division of occupational and professional licenses shall,
36 upon the approval of the board and subject to the provisions of this chapter,
37 register and issue licenses to persons who have been approved by the board in
38 accordance with this chapter. The licenses shall bear on their face the seal
39 of the state and the signature of the division administrator of the division
40 of occupational and professional licenses and shall be effective until the
41 next birthday of the person being licensed. Licenses so issued shall be
42 renewed ~~annually~~ biennially in accordance with section 67-2614, Idaho Code.
43 The provisions of sections 67-2609 through 67-2614, Idaho Code, shall apply
44 to licenses issued pursuant to this chapter.

45 (2) The board shall keep and the division shall maintain a record of
46 board proceedings and a register of all applications that show:

47 (a) The name, age, social security number and residency of each appli-
48 cant;

49 (b) The date of application;

- 1 (c) The place of business of such applicant;
 2 (d) The educational and other qualifications of each applicant;
 3 (e) Whether or not an examination was required;
 4 (f) Whether the applicant was denied;
 5 (g) Whether a license was issued;
 6 (h) The dates of the action by the board;
 7 (i) Compliance with continuing education requirements; and
 8 (j) Such other information as may be deemed necessary by the board.

9 (3) The division of occupational and professional licenses shall col-
 10 lect a fee not to exceed two hundred dollars (\$200) for each application,
 11 each original license, and ~~each annual~~ per renewal year of any license issued
 12 pursuant to this chapter and shall deposit all fees in the state treasury in
 13 accordance with section 67-2608, Idaho Code. The actual fees shall be set by
 14 board rule. The division shall also collect a fee equal to that charged by
 15 the examination provider when an examination is required as a condition of
 16 licensing. Fees paid under the provisions of this chapter shall not be re-
 17 funded unless otherwise specified herein.

18 (4) All fees received under the provisions of this chapter shall be paid
 19 to the division of occupational and professional licenses and deposited in
 20 the state treasury to the credit of the occupational licenses fund, and all
 21 costs and expenses incurred under the provisions of this chapter shall be
 22 charged against and paid from said fund.

23 SECTION 49. That Section 54-5404, Idaho Code, be, and the same is hereby
 24 amended to read as follows:

25 54-5404. FEES. (1) All fees received under the provisions of this
 26 chapter shall be paid to the division of occupational and professional li-
 27 censes and deposited in the state treasury to the credit of the occupational
 28 licenses fund. All costs and expenses incurred under the provisions of this
 29 chapter shall be a charge against and paid from said fund. Actual fees shall
 30 be set by administrative rule.

31 (2) All licenses issued under the provisions of this chapter shall be
 32 subject to ~~annual~~ biennial renewal. License renewal and reinstatement shall
 33 be in accordance with section 67-2614, Idaho Code.

34 (3) All fees are nonrefundable.

35 SECTION 50. That Section 54-5405, Idaho Code, be, and the same is hereby
 36 amended to read as follows:

37 54-5405. DRIVING BUSINESSES -- LICENSE REQUIREMENTS. (1) No private
 38 driver training business shall be established nor shall any existing busi-
 39 ness continue to operate unless the business applies for and obtains from
 40 the board a license that expires on the license issue date and must be re-
 41 newed ~~annually~~ biennially. The application for license shall include the
 42 name of the owner, a satisfactory fingerprint-based criminal history check
 43 of the Idaho central criminal database and the federal bureau of investiga-
 44 tion criminal history database, the location of the business, a certificate
 45 of occupancy for a business that offers classroom instruction in a physi-
 46 cal classroom location, a certificate of commercial automobile insurance,
 47 a list of licensed instructors, proof of an annual vehicle check, board-ap-

1 proved curriculum components and a course of instruction for students that
2 shall include the following:

- 3 (a) Not less than thirty (30) hours of classroom instruction;
4 (b) Not less than six (6) hours of behind-the-wheel practice driving;
5 and
6 (c) Not less than six (6) hours of observation.

7 (2) Any private driver training business or driving instructor li-
8 censed pursuant to this chapter shall be exempt from the provisions of title
9 33, Idaho Code, that regulate driver education as long as such license is
10 current and valid and the private driver training business or driving in-
11 structor is acting pursuant to activities that the license permits.

12 (3) Any driving business licensed pursuant to this chapter may contract
13 with a public school to provide driver education. Any driving business that
14 contracts with a public school to provide driver education may be allowed
15 to use the services of any or all of the driving instructors of that driving
16 business. Once a person has been licensed as a driving instructor, that per-
17 son is authorized to teach in any approved driver education program.

18 (4) A driving business shall ensure that each of its employees and per-
19 sons under its control who provide driver education to its students is at all
20 times licensed under this chapter as a driving instructor or permitted as a
21 driving instructor apprentice.

22 SECTION 51. That Section 54-5612, Idaho Code, be, and the same is hereby
23 amended to read as follows:

24 54-5612. LICENSE RENEWAL. (1) All licenses issued under the provi-
25 sions of this chapter shall be subject to ~~annual~~ biennial renewal and shall
26 expire on the licensee's birthday unless renewed in the manner prescribed by
27 the board regarding applications for renewal, continuing education and fees
28 and in compliance with section 67-2614, Idaho Code.

29 (2) In addition to such other requirements as the board may establish
30 by rule, each applicant shall present satisfactory evidence when seeking li-
31 cense renewal that in the period since the license was issued or last renewed
32 the applicant has completed the amount of board-approved continuing educa-
33 tion required by the board by rule. The board may waive all or a portion of
34 these requirements or grant an extension of time in which to complete these
35 requirements upon a finding of good cause.

36 SECTION 52. That Section 54-5613, Idaho Code, be, and the same is hereby
37 amended to read as follows:

38 54-5613. FEES. (1) The board shall establish by rule fees for licen-
39 sure under the provisions of this chapter as follows:

- 40 (a) An application fee not to exceed five hundred dollars (\$500);
41 (b) A fee established by rule for an initial full license not to exceed
42 ~~five hundred dollars (\$500)~~ one thousand dollars (\$1,000);
43 (c) A fee established by rule for a provisional license, an endorsement
44 license and an existing genetic counselor license not to exceed ~~five~~
45 ~~hundred dollars (\$500)~~ one thousand dollars (\$1,000);

1 (d) The fee established by rule for ~~annual~~ renewal of licenses not to
2 exceed ~~five hundred dollars (\$500)~~ one thousand dollars (\$1,000) per
3 renewal cycle; and

4 (e) Fees charged pursuant to paragraph (b), (c) or (d) of this subsec-
5 tion shall be in addition to the application fee.

6 (2) All fees received under the provisions of this chapter shall be non-
7 refundable and shall be deposited in the state treasury to the credit of the
8 occupational licenses fund in the dedicated fund, and all costs and expenses
9 incurred by the board under the provisions of this chapter shall be a charge
10 against and paid from the fund for such purposes, and the funds collected
11 hereunder shall be immediately available for the administration of this
12 chapter, the provisions of any other law notwithstanding.

13 SECTION 53. That Section 54-5821, Idaho Code, be, and the same is hereby
14 amended to read as follows:

15 54-5821. RENEWAL AND REINSTATEMENT OF LICENSE, REGISTRATION, AND CER-
16 TIFICATES. All licenses, registrations, or certificates issued under the
17 provisions of this chapter shall be subject to ~~annual~~ biennial renewal and
18 shall expire unless renewed in the manner prescribed by the board regarding
19 applications for renewal and fees. License, registration, or certificate
20 renewal and reinstatement shall be in accordance with section 67-2614, Idaho
21 Code. A barber school or cosmetology school licensed under the provisions
22 of this chapter that fails to renew on or before the expiration date may
23 request retroactive reinstatement to the date of expiration as provided in
24 this section. If the board finds that such school has paid the renewal fee
25 within ninety (90) days of the failure to renew, there being no other cause
26 for the school's license to have been lapsed or canceled, and the school has
27 paid all costs and penalties related to the license renewal and reinstate-
28 ment required by law or rule, the board may retroactively renew said license
29 to the date of expiration of the previous license. The school may continue
30 to operate during the time period required by the board for consideration of
31 the reinstatement request.

32 SECTION 54. That Section 54-5909, Idaho Code, be, and the same is hereby
33 amended to read as follows:

34 54-5909. LICENSE AND REGISTRATION ISSUANCE, REVOCATION, AND RE-
35 NEWAL. (1) The board shall issue and renew licenses or issue and renew
36 registrations to persons who have qualified for such license or registration
37 pursuant to the provisions of this chapter.

38 (2) The board may deny an application for licensure or registration,
39 revoke a license or registration, or place restrictions on a license or reg-
40 istration if the holder of such license or registration or applicant for li-
41 censure or registration:

42 (a) Is a current health care professional whose licensure is or pre-
43 viously has been revoked, suspended, placed on probation, reprimanded,
44 limited, restricted, or conditioned, or if such person has been or is
45 currently subject to disciplinary action with respect to professional
46 licensure;

47 (b) Engages in conduct prohibited by this chapter;

1 (c) Obtains or attempts to obtain the issuance or renewal of a license
2 or registration pursuant to this chapter by means of fraud, misrepresenta-
3 tion, or concealment of material facts;

4 (d) Has at any time failed to maintain the confidentiality of records or
5 other information pertaining to an identifiable client, except as re-
6 quired or authorized by law;

7 (e) Engages in any conduct that constitutes an abuse or exploitation of
8 a client arising out of the trust and confidence placed in the licensed
9 naturopathic doctor or registered naturopath by the client;

10 (f) Fails to, or has previously failed to, adhere to the limitations set
11 forth in section 54-1804(1) (1), Idaho Code;

12 (g) Is convicted of, or in the past was convicted of, a crime deemed rel-
13 evant in accordance with section 67-9411(1), Idaho Code;

14 (h) Engages in conduct that violates the provisions of this chapter,
15 the rules of the board, or the terms of any license or registration is-
16 sued by the board; or

17 (i) Fails to comply with a board order entered in any disciplinary mat-
18 ter.

19 (3) In making a determination under subsection (2) of this section, the
20 board shall take into consideration the rehabilitation of the applicant and
21 other mitigating circumstances.

22 (4) An applicant for a license or registration under this chapter shall
23 submit any fee established pursuant to board rules.

24 (5) All licenses issued under the provisions of this chapter shall be
25 subject to ~~annual~~ biennial renewal and shall expire unless renewed in the
26 manner prescribed by the board. License renewal and reinstatement shall be
27 in accordance with section 67-2614, Idaho Code.

28 SECTION 55. That Section 36-2102, Idaho Code, be, and the same is hereby
29 amended to read as follows:

30 36-2102. DEFINITIONS. (a) "Person" includes any individual, firm,
31 partnership, corporation or other organization or any combination thereof.

32 (b) "Outfitter" includes any person who, while engaging in the acts
33 enumerated herein: (1) advertises or otherwise holds himself out to the
34 public for hire; (2) provides facilities and services for consideration; and

35 (3) maintains, leases, or otherwise uses equipment or accommodations for
36 compensation for the conduct of outdoor recreational activities that are
37 known to involve inherent risk limited to the following: hunting animals
38 or birds; float or power boating on Idaho lakes, reservoirs, rivers, and
39 streams; fishing on Idaho lakes, reservoirs, rivers, and streams; and haz-
40 ardous desert or mountain excursions. Any firm, partnership, corporation or
41 other organization or combination thereof operating as an outfitter shall
42 designate one (1) or more individuals as agents who shall, together with
43 the licensed outfitter, be held responsible for the conduct of the licensed
44 outfitter's operations and who shall meet all of the qualifications of a
45 licensed outfitter.

46 (c) "Guide" is any natural person who is employed by a licensed outfit-
47 ter to furnish personal services for the conduct of outdoor recreational ac-
48 tivities directly related to the conduct of activities for which the employ-
49 ing outfitter is licensed. Any such person not employed by a licensed out-

1 fitter who offers or provides facilities or services as specified in subsec-
 2 tion (b) of this section shall be deemed in violation of the provisions of
 3 this chapter, except: (1) any employee of the state of Idaho or the United
 4 States when acting in his official capacity, or (2) any natural person who is
 5 employed by a licensed outfitter solely for the following activities: car-
 6 ing for, grooming or saddling of livestock, cooking, woodcutting, and trans-
 7 porting people, equipment and personal property on public roads shall be ex-
 8 empt from the provisions of this chapter.

9 (d) "Board" means the Idaho outfitters and guides licensing board.

10 ~~(e) "License year" means that period of time beginning on April 1 and~~
 11 ~~expiring March 31 the following year.~~

12 (e) (i) "Renewal cycle" for outfitters and their designated agents
 13 means that period of time beginning on April 1 and expiring March 31 the
 14 following year for a one (1) year license or March 31 of the subsequent
 15 year for a two (2) year license.

16 (ii) "Renewal cycle" for a guide shall be on the licensee's birthday. A
 17 guide may renew the guide's license up to twelve (12) weeks prior to the
 18 expiration date.

19 (f) "Individual" means any person other than a partnership, corpora-
 20 tion or any other organization or combination thereof.

21 (g) "Allocated tag" means a hunting tag that has been allocated by the
 22 fish and game commission pursuant to section 36-408(4), Idaho Code.

23 (h) "Capped hunt" means a game management area, unit, or zone for which
 24 the fish and game commission has limited or "capped" the number of deer or elk
 25 tags available for use in a general season hunt.

26 (i) "Controlled hunt" means a hunt for a species that has a framework
 27 determined by the fish and game commission and that has a limited number of
 28 tags that are distributed by random drawing to hunters.

29 (j) "Outfitted hunter tag use history" means the number of tags used by
 30 clients of an outfitter for the hunt or hunts with the most similar framework
 31 to the hunt for which the allocated tag is being designated.

32 (k) "Remaining allocated tag" means an allocated tag in an existing
 33 capped or controlled hunt that would have been designated to a particular
 34 outfitting operation had the outfitting operation used all of its previously
 35 designated allocated tags in the preceding big game season or seasons and
 36 that will be designated pursuant to this chapter.

37 (l) "Base allocation" means the historic tag use of an outfitting oper-
 38 ation over the preceding two (2) years in a given hunt as computed in section
 39 36-2120(2), Idaho Code.

40 (m) "Pool" means a group of tags that have not been utilized or have been
 41 surrendered by the outfitting operation to which they were originally desig-
 42 nated and are made available to other operations in the same hunt.

43 (n) "Utilized" means that a tag has been purchased, exchanged, or con-
 44 verted at the department of fish and game as a designated allocated tag.

45 (o) "Commission" means the Idaho fish and game commission.

46 (p) "Compensation" means the receipt, exchange, or taking of goods,
 47 services, or cash in exchange for outfitted or guided activities. A bona
 48 fide charging of out-of-pocket travel expenses by members of a recreational
 49 party is not deemed compensation. However, such out-of-pocket expenses
 50 shall not include depreciation, amortization, wages, or other recompense.

1 (q) "Facilities and services" or "facilities or services" means the
 2 provision of personnel; lodging, including a tent, home, lodge, or hotel or
 3 motel; transportation, other than by commercial carrier; guiding; prepara-
 4 tion and serving of food and equipment; or any other accommodation for the
 5 benefit of clientele in the conduct of outdoor recreational activities as
 6 designated in subsection (b) of this section.

7 (r) "Hazardous desert or mountain excursions" means outfitted or
 8 guided activities conducted in a desert or mountainous environment that may
 9 constitute a potential danger to the health, safety, or welfare of partic-
 10 ipants involved and are known to involve inherent risk. These activities
 11 include day or overnight trailrides, backpacking, technical mountaineering
 12 and rock climbing, cross-country skiing, backcountry alpine skiing, animal
 13 pack trips, snowmobiling, operating an all-terrain vehicle, paragliding,
 14 anadromous fishing, chukar hunting, trapping, motored and non-motored cy-
 15 cling, wagon rides, sleigh rides, and dog sled rides.

16 (s) "Minor amendment" means all outfitter license amendment requests
 17 that can be processed by the board without requiring recommendation of a land
 18 managing agency or other agency before the board takes final action on said
 19 amendment request.

20 (t) "Operating area" means the area assigned by the board to an outfit-
 21 ter for the conduct of outfitting activities.

22 (u) "Out-of-pocket expenses" means the direct expenses attributable to
 23 a recreational activity. Such direct expenses do not include compensation
 24 for either sponsors or participants, amortization or depreciation of debt or
 25 equipment, or costs of nonexpendable supplies.

26 SECTION 56. That Section 36-2108, Idaho Code, be, and the same is hereby
 27 amended to read as follows:

28 36-2108. APPLICATION FOR LICENSE -- CONTENTS -- FEE -- QUALIFICATIONS
 29 -- TERM -- BOND. (a) Each applicant for an outfitter's, designated agent's,
 30 or guide's license shall make application for such license for either one (1)
 31 or two (2) years upon a form to be prescribed and furnished by the board.

32 1. All applications for an outfitter's license shall be signed by the
 33 applicant, under oath or affirmation that all information supplied by
 34 him in the application form is true and correct as he verily believes and
 35 shall be duly notarized. Such applications shall include, but are not
 36 limited to, a worded description of the boundaries of the operating area
 37 in which such activity will be conducted.

38 2. All applications for a guide's license shall be signed by the appli-
 39 cant.

40 (b) Applications shall be made to and filed with the board and, unless
 41 arrangements have been made otherwise with the board, accompanied by proof
 42 of eligibility for a bond payable to the person or persons employing the li-
 43 censee and in a form approved by the board in the sum of ten thousand dollars
 44 (\$10,000) for outfitters, to be executed by a qualified surety, duly autho-
 45 rized to do business in this state, conditioned that for the current ~~license~~
 46 year renewal cycle said applicant, his agents and employees, if said license
 47 is issued to him, shall conduct his business as an outfitter without fraud or
 48 fraudulent representation, and will faithfully perform his contracts with

1 and duties to his patrons; said bond shall be filed with the board before is-
2 suance of the license as provided herein.

3 (c) The board, in its discretion, may make such additional investiga-
4 tion and inquiry relative to the applicant and his qualifications as it shall
5 deem advisable, provided that final decision by the board upon an applica-
6 tion submitted by an applicant who has held during the preceding ~~license year~~
7 renewal cycle a license of the same kind for which application is made, and
8 upon an application submitted by an applicant not holding during the preced-
9 ing ~~license year renewal cycle~~ a license of the same kind or embracing the
10 same ~~activity(ies)~~ activities or area for which application is made, shall
11 be made not later than the end of the ~~license year renewal cycle~~ in which the
12 board receives all materials required to be submitted in order to complete a
13 license application or ninety (90) days from the date the board receives all
14 such materials, whichever is later.

15 (d) The applicant shall pay license, penalty, amendment and applica-
16 tion fees to the board as hereinafter provided:

17 1. The license fee shall be paid prior to the issuance of a license.

18 2. The license fee shall be used for the investigation of applicants,
19 for enforcement of this chapter, and for the administration costs of the
20 board.

21 3. The license fee for outfitters shall ~~be not exceed~~ not exceed four hundred dol-
22 lars (\$400) for one (1) year or seven hundred fifty dollars (\$750) for
23 two (2) years for online licensing and four hundred fifty dollars (\$450)
24 for one (1) year or nine hundred dollars (\$900) for two (2) years for of-
25 line licensing; the. The license fee for a designated agent as defined
26 in section 36-2102 (b), Idaho Code, shall ~~be not exceed~~ not exceed one hundred forty
27 dollars (\$140) for one (1) year or two hundred sixty-five dollars (\$265)
28 for two (2) years for online licensing and one hundred sixty dollars
29 (\$160) for one (1) year or three hundred twenty dollars (\$320) for two
30 (2) years for offline licensing; and the. The license fee for guides
31 shall ~~be not exceed~~ not exceed one hundred five dollars (\$105) for one (1) year
32 or two hundred dollars (\$200) for two (2) years for online licensing
33 and one hundred fifteen dollars (\$115) for one (1) year or two hundred
34 thirty dollars (\$230) for two (2) years for offline licensing.

35 4. A penalty fee in the amount of one hundred fifty dollars (\$150) may be
36 charged in addition to the regular outfitter's license fee for any such
37 renewal applicant whose application is not complete by the end of the
38 outfitter's ~~license year renewal cycle~~; this does not apply to a new ap-
39 plicant for an outfitter's license.

40 5. A two-hundred-dollar (\$200) fee shall be charged for every amend-
41 ment to an outfitter's license other than a minor amendment, a
42 thirty-five-dollar (\$35.00) fee shall be charged for every minor amend-
43 ment to an outfitter's license, and a twenty-dollar (\$20.00) fee shall
44 be charged for every amendment to the license of a designated agent ~~or~~
45 guide.

46 6. The following fees shall be established annually by the board and
47 shall be used for application related expenses: a one-time applica-
48 tion fee for outfitters not to exceed four hundred dollars (\$400); a
49 one-time application fee for designated agents not to exceed fifty dol-
50 lars (\$50.00); and a one-time application fee for guides not to exceed

1 twenty dollars (\$20.00). The board shall establish by rule a policy
2 to refund unused application fees and shall establish by rule fees for
3 expedited, exceptional, resubmittal or emergency processing of license
4 applications, a fee credit for electronic filing of applications and a
5 fee for the use of credit cards corresponding to the cost to the agency
6 of processing the card use.

7 SECTION 57. An emergency existing therefor, which emergency is hereby
8 declared to exist, Sections 1 through 54 of this act shall be in full force
9 and effect on and after July 1, 2024. Sections 55 and 56 of this act shall be
10 in full force and effect on and after July 1, 2028.