

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 634, Page 1, Section 324.001, Line 6 by
2 deleting the word "a compelling" and inserting in lieu thereof the words "an important
3 governmental"; and

4
5 Further amend said bill, Page 1, Section 324.001, Line 8 by deleting the words "the least restrictive
6 type of regulation consistent with"; and inserting in lieu thereof the words "substantially related to";
7 and

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9 Further amend said section, Page 2, Line 21 by deleting the words "a compelling" and inserting in
10 lieu thereof the words "an important"; and

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12 Further amend said bill, Page 11, Section 324.001, Line 375, by inserting after said line the
13 following:

14 "621.280 1. For any new board or commission created after July 1, 2015, and charged with
15 regulating or licensing an occupation or profession, those practitioners actively engaged in the newly
16 regulated occupation or profession for at least one year prior to the effective date of the regulatory
17 statute shall have a property right in their continued legal ability to engage in their occupation or
18 profession.

19 2. Any decision of a newly-created board or commission to refuse licensure to a pre-existing
20 practitioner shall be in writing, shall inform the pre-existing practitioner of the specific reasons for
21 the denial ,and shall inform the pre-existing practitioner of their right to appeal before a neutral
22 decision-maker at the administrative hearing commission. Any pre-existing practitioner denied
23 licensure shall have the right to file an appeal to the administrative hearing commission on their
24 license denial within thirty days after the decision of the newly-created board or commission. If the
25 pre-existing practitioner does not timely appeal, their right to continue practicing the occupation or
26 profession shall extinguish immediately. In the event of a timely appeal, the pre-existing
27 practitioner's right to practice their occupation or profession shall continue until a final decision of
28 the administrative hearing commission. The burden of proof in any hearing under this section shall
29 be on the new board or commission to show that the pre-existing practitioner does not meet the
30 requirements of the new regulatory regime."; and

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Action Taken _____ Date _____

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- 2 Further amend said bill by amending the title, enacting clause, and intersectional references
- 3 accordingly.