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HOUSE BILL NO. 1195

Offered January 10, 2018

Prefiled January 10, 2018

A *BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 60, consisting of sections numbered 30-376 through 30-380, relating to Joint Commission to Evaluate Professional and Occupational Licensing Requirements; report.*

Patrons—Cline, Helsel, McGuire and Thomas

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 30 a chapter numbered 60, consisting of sections numbered 30-376 through 30-380, as follows:

CHAPTER 60.**JOINT COMMISSION TO EVALUATE PROFESSIONAL AND OCCUPATIONAL LICENSING REQUIREMENTS.**

§ 30-376. Joint Commission to Evaluate Professional and Occupational Licensing Requirements; purpose.

The Joint Commission to Evaluate Professional and Occupational Licensing Requirements (the Joint Commission) is established in the legislative branch of state government. The purpose of the Joint Commission is to examine the statutory and regulatory professional and occupational licensing requirements of the regulatory boards within the Department of Professional and Occupational Regulation (the Department) to determine whether such requirements may be reduced or eliminated while still, in the least restrictive manner, protecting the public health and safety.

§ 30-377. Membership; terms; vacancies; chairman and vice-chairman; quorum; meetings; compensation.

The Joint Commission shall have a total membership of 14 legislative members that shall consist of eight members of the House of Delegates and six members of the Senate. Members shall be appointed as follows: eight members of the House of Delegates, of whom six shall be members of the House Committee on General Laws and two shall be members of the House Committee on Appropriations, to be appointed by the Speaker of the House of Delegates upon the recommendation of the Chairman of the House Committee on General Laws and the Chairman of the House Committee on Appropriations, respectively, and six members of the Senate, to be appointed by the Senate Committee on Rules upon the recommendation of the Chairman of the Senate Committee on General Laws and Technology.

Members shall serve terms coincident with their terms of office. Members may be reappointed. Vacancies shall be filled in the same manner as the original appointments.

The Joint Commission shall elect a chairman and vice-chairman from among its membership.

A majority of the members shall constitute a quorum. The meetings of the Joint Commission shall be held at the call of the chairman or whenever the majority of the members so request.

No recommendation of the Joint Commission shall be adopted if a majority of the House members or a majority of the Senate members appointed to the Joint Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Joint Commission.

Members of the Joint Commission shall receive such compensation as provided in § 30-19.12 and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Joint Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All compensation and expenses shall be paid from existing appropriations to the Joint Commission or, if unfunded, shall be approved by the Joint Rules Committee.

§ 30-378. Powers and duties of the Joint Commission; staffing; reports.

A. The Joint Commission shall have the power and duty to:

1. Undertake a systematic review of the statutory and regulatory licensing requirements of the regulatory boards within the Department;

2. Adopt a schedule for reviewing such statutory and regulatory licensing requirements;

3. Establish procedures and performance measures to evaluate the effectiveness of such licensing requirements;

4. Review other states' professional and occupational licensing laws and regulations;

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59 5. Request that the Governor direct the Department to conduct independent evaluations of such
60 licensing requirements in achieving their intended policy purpose and report the findings to the Joint
61 Commission;

62 6. Recommend a process and guidelines for reducing or eliminating regulatory programs at the
63 Department; and

64 7. Submit an annual report to the General Assembly and the Governor of its recommendations,
65 including which licensing requirements should be continued, expanded, modified, or eliminated.

66 B. Administrative staff support shall be provided by the Office of the Clerk of the House of
67 Delegates. Legal, research, policy analysis, and other services requested by the Joint Commission shall
68 be provided by the Division of Legislative Services. Technical assistance shall be provided by the
69 Department.

70 C. The chairman shall submit to the General Assembly and the Governor an annual executive
71 summary of the interim activity and work of the Joint Commission no later than the first day of each
72 regular session of the General Assembly. The executive summary shall be submitted as provided in the
73 procedures of the Division of Legislative Automated Systems for the processing of legislative documents
74 and reports and shall be posted on the General Assembly's website.

75 **§ 30-379. Review by General Assembly.**

76 To assist the Joint Commission in carrying out the powers and duties set forth in § 30-378, the
77 General Assembly shall adopt a schedule for its timely review of the statutory and regulatory
78 professional and occupational licensing requirements of the regulatory boards within the Department of
79 Professional and Occupational Regulation. The schedule adopted shall require that no less than 20
80 percent of such licensing requirements be reviewed annually. The General Assembly may delegate the
81 requirements imposed by this section to the Joint Commission on Administrative Rules established
82 pursuant to § 30-73.1.

83 **§ 30-380. Sunset.**

84 That the provisions of this act shall expire on July 1, 2023.