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H.B. 181
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Powell

Paul Luzzi, Attorney

SUMMARY

- Requires, unless exempt under the bill, a licensing authority to grant an initial occupational license to an applicant who (1) completes successfully a registered apprenticeship program that is related to the occupation or profession for which the licensing authority issues a license, (2) satisfies requirements unrelated to education or experience, and (3) passes an examination.
- Prohibits a licensing authority from requiring an applicant who applies for a license under the bill to pass an examination if the licensing authority does not require all applicants to pass an examination for an initial license.
- Prohibits a licensing authority from establishing a passing score for an applicant who applies for a license under the bill that is higher than the passing score required for all other applicants who are required to take the examination for initial licensure.

DETAILED ANALYSIS

Overview

The bill requires a licensing authority to grant an initial occupational license to an applicant who completes successfully a registered apprenticeship program that is related to the occupation or profession for which the licensing authority issues a license to practice under Ohio law and satisfies other requirements.

A “licensing authority” under the bill is a state agency that issues a license to practice an occupation or profession under Ohio law. A “license” is an authorization evidenced by a license, certificate, registration, permit, card, or other authority that is issued or conferred by a licensing authority to an individual by which the individual has or claims the privilege to engage

in a profession, occupation, or occupational activity over which the licensing authority has jurisdiction.¹

Registered apprenticeships and occupational licensing

Registered apprenticeship programs

A “registered apprenticeship program” under the bill means any of the following programs:

- A program that trains an individual for one or more occupations through paid on-the-job training and related instruction that has been registered by the U.S. Department of Labor’s Office of Apprenticeship as meeting certain minimum standards under federal law;
- An apprenticeship program registered by the Ohio Department of Job and Family Services (JFS);
- An apprenticeship program registered by a state apprenticeship agency of another state that has been authorized to register apprenticeship programs for federal purposes under the laws of that state.²

A “state apprenticeship agency” is a state government agency that is authorized by the U.S. Department of Labor’s Office of Apprenticeship to register and oversee apprenticeship programs in that state. A “registration entity” means the U.S. Department of Labor’s Office of Apprenticeship, JFS, or a state apprenticeship agency of another state.³

Requirements

Except with respect to licenses excluded under the bill (see “**Exclusions**,” below), the bill requires a licensing authority to grant an initial occupational license to an applicant who has done all of the following:

- Received a certificate from a registration entity showing that the applicant has successfully completed a registered apprenticeship program that is related to the occupation or profession for which the applicant seeks a license;
- Except as discussed below, passed an examination for an initial license;
- Satisfied any other requirements unrelated to education or experience that the licensing authority requires an applicant to satisfy to obtain an initial license.⁴

¹ R.C. 4743.09(A), by reference to R.C. 1.60, not in the bill.

² R.C. 4743.09(A), by reference to R.C. Chapter 4139 and the “National Apprenticeship Act of 1937,” 29 United States Code 50, and 29 Code of Federal Regulations (C.F.R.) Parts 29 and 30.

³ R.C. 4743.09(A).

⁴ R.C. 4743.09(B).

A licensing authority must adopt any administrative rules in accordance with the Administrative Procedure Act that it determines are necessary to implement the bill.⁵

Prohibitions

The bill prohibits a licensing authority from doing both of the following regarding an examination for initial licensure:

- Requiring an applicant who applies for a license under the bill to pass an examination if the licensing authority does not require all applicants to pass an examination for an initial license;
- Establishing a passing score for an applicant who applies for a license under the bill that is higher than the passing score required for all other applicants required to take the examination for an initial license.⁶

Covered occupations

Based on the current list of registered apprenticeship programs that exist in Ohio,⁷ the following occupations appear to be covered by the bill to the extent that they are not excluded and, to obtain an initial license to practice any of those occupations, an applicant may satisfy the requirements listed under “**Requirements**,” above:

- Nonresidential specialty contractors including heating, ventilating, and air conditioning (HVAC), refrigeration, electrical, plumbing, and hydronics contractors (a license is required only for the individual who is responsible for the means, method, and manner of trade work being performed on a construction project; a tradesperson is not required to be licensed);⁸
- First responder, emergency medical technician, and paramedic;⁹
- Automotive body and related repairer (only the operator of a motor vehicle collision repair business needs to be licensed; individual employees do not need to be licensed to engage in that work);¹⁰
- Heavy and tractor-trailer truck drivers;¹¹

⁵ R.C. 4743.09(C), by reference to R.C. Chapter 119.

⁶ R.C. 4743.09(B).

⁷ A list of registered apprenticeship occupations in Ohio is available [here](#).

⁸ R.C. 4740.06, and R.C. 4740.01 and 4740.13, not in the bill.

⁹ R.C. 4765.30.

¹⁰ R.C. Chapter 4775.

¹¹ R.C. Chapter 4506.

- Police patrol officer;¹²
- Municipal firefighter;¹³
- Veterinary assistant and laboratory animal caretaker.¹⁴

Exclusions

The bill does not apply to any of the following licenses required to practice occupations for which related registered apprenticeship programs exist in Ohio:

- A license to operate as a steam engineer, high pressure boiler operator, or low pressure boiler operator;
- A certificate of registration authorizing the practice of professional engineering.¹⁵

Background – apprenticeships

An apprenticeship is paid on-the-job training designed to prepare a participant for an occupation. A participant who completes a registered apprenticeship program is awarded a portable, nationally recognized credential from the U.S. Department of Labor that signifies the individual’s occupational proficiency.¹⁶ In Ohio, JFS oversees the apprenticeship system in conformance with federal law and is responsible for registering apprenticeship programs and apprentices.¹⁷ To voluntarily register an apprenticeship program, the sponsoring organization must show that the program meets certain requirements with respect to an apprenticeable occupation. An apprenticeable occupation involves progressive skills attainment that is applicable to similar occupations in an industry.¹⁸

HISTORY

Action	Date
Introduced	03-04-21

H0181-I-134/ks

¹² R.C. 109.71 to 109.804, not in the bill.

¹³ R.C. Chapter 4765.

¹⁴ R.C. Chapter 4741.

¹⁵ R.C. 4104.19 and 4733.14.

¹⁶ U.S. Department of Labor, *What is Apprenticeship?*, available [here](#).

¹⁷ 29 C.F.R. 29.2 and 29.13(j) and Ohio Administrative Code (O.A.C.) 5101:11-1-01(OO).

¹⁸ R.C. 4139.06, not in the bill, and O.A.C. 5101:11-1-01(D), (Y), and (NN) and 5101:11-3-01.