

**Department of Legislative Services**  
Maryland General Assembly  
2012 Session

**FISCAL AND POLICY NOTE**

Senate Bill 144

(Chair, Education, Health, and Environmental Affairs  
Committee)(By Request - Departmental - Labor,  
Licensing and Regulation)

Education, Health, and Environmental Affairs

Economic Matters

**Department of Labor, Licensing, and Regulation - Occupational and Professional  
Licensing - Licensees on Military Deployment**

This departmental bill authorizes licensing units within the Department of Labor, Licensing, and Regulation (DLLR) to allow a member of the Armed Forces to renew a professional license late, without payment of a penalty or reinstatement fee, provided that the late renewal is a direct result of an out-of-state deployment. Additionally, the licensing unit may allow a licensee to complete any continuing education or competency requirements for renewal, within a reasonable time, after the license has been renewed.

The bill does not apply to professional licenses for mortgage lenders and mortgage loan originators.

The bill takes effect July 1, 2012.

**Fiscal Summary**

**State Effect:** Minimal reduction in general and special fund revenues, depending on the fund status of the licensing unit. DLLR is unable to predict how many license reinstatement fees would be waived and in what occupation or profession, but DLLR advises that typical reinstatement fees range between \$25 and \$100, depending on the individual licensing statute or regulation.

**Local Effect:** None.

**Small Business Effect:** DLLR has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

## Analysis

**Current Law/Background:** DLLR licenses, regulates, and monitors various professions and trades in the State through regulatory boards and commissions and other programs. Almost every license issued by DLLR is renewed on a biennial basis. Of the 20 boards and commissions housed within DLLR's Division of Occupational and Professional Licensing, 9 require their licensees to fulfill a continuing education or continuing professional competency requirement.

Mortgage lenders and mortgage loan originators are governed by the over-arching federal licensing requirements of the federal Secure and Fair Enforcement Mortgage Licensing Act of 2008. Chapter 4 of 2009 overhauled the State's mortgage lender and mortgage originator laws to conform to the federal law by altering the licensing requirements, initial license terms, and renewal terms for mortgage lenders and loan originators. The new requirements preclude mortgage lenders and mortgage loan originators from being eligible for the licensing renewal and continuing education accommodations provided in this bill.

DLLR advises that military deployment overseas makes it difficult to renew a license in a timely fashion or meet any applicable continuing education or continuing professional competency requirements. This bill allows for the reasonable accommodation of these deployment-related difficulties.

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## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Labor, Licensing, and Regulation; Department of Legislative Services

**Fiscal Note History:** First Reader - January 25, 2012  
ncs/mcr

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Department of Labor, Licensing, and Regulation – Occupational and Professional Licensing – Licensees on Military Deployment

BILL NUMBER: SB 144

PREPARED BY: Department of Labor, Licensing, and Regulation

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.