

HB 1460-FN - AS INTRODUCED

2022 SESSION

22-2395

11/05

HOUSE BILL            ***1460-FN***

AN ACT                relative to minimum age requirements for certain occupational licenses.

SPONSORS:           Rep. Yokela, Rock. 33

COMMITTEE:        Executive Departments and Administration

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ANALYSIS

This bill repeals minimum age requirements for certain occupational licenses.

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Explanation:        Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

## STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT                    relative to minimum age requirements for certain occupational licenses.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            1 Architects; Minimum Age for Licensure. Amend RSA 310-A:38, I(a) to read as follows:

2                    (a) Applicant ~~[shall be at least 21 years of age and]~~ shall have graduated from an  
3 approved high school or its equivalent; and

4            2 Attorneys and Counselors; Minimum Age. Amend RSA 311:2 to read as follows:

5            311:2 Admission to Practice. Any citizen ~~[of the age of 18 years,]~~ of good moral character and  
6 suitable qualifications, on application to the supreme court shall be admitted to practice as an  
7 attorney.

8            3 Barbering, Cosmetology, and Esthetics; Minimum Age Requirements for Operators. Amend  
9 RSA 313-A:1, XI-a to read as follows:

10                    XI-a. "Operator" means a person ~~[age 18 or older]~~ who has received training through a  
11 program approved by the board in the safe operation of tanning devices, operates the tanning device,  
12 controls the length of the exposure to UV light, and instructs the consumer in the proper use of the  
13 device. A person ~~[age 16 or older]~~ who, prior to January 1, 2005, has been certified by a program  
14 that was subsequently approved by the board shall be an operator under this paragraph.

15            4 Dentists and Dentistry; Minimum Age Requirements for Licensure. Amend RSA 317-A:8, I to  
16 read as follows:

17                    I. Applications for licensure shall be made to the board in writing or online and shall be  
18 accompanied by a fee established in rules adopted under RSA 541-A by the board and by satisfactory  
19 proof that the applicant is a graduate of a school that is recognized by the Commission on Dental  
20 Accreditation (CODA). The applicant shall be of good professional character ~~[and 18 years of age or  
21 older]~~.

22            5 Interpreters for the Deaf and Hard of Hearing; Qualifications. Amend RSA 326-I:9, I(a) to  
23 read as follows:

24                    (a) ~~[Be at least 18 years of age and]~~ Make application to the board, upon a form  
25 prescribed by the board.

26            6 Optometry; Qualifications. Amend RSA 327:6 to read as follows:

27            327:6 Licenses; Qualifications. No person, except as otherwise provided in this chapter, shall  
28 practice optometry without a license. The board shall not issue a license to any applicant until the  
29 person has passed an examination approved by the board, and has presented satisfactory evidence in  
30 the form of affidavits properly sworn to, that the person is ~~[over 18 years of age and]~~ of good moral  
31 character, has completed a minimum of 2 years at a college of arts and sciences and has graduated

1 from a school or college of optometry approved by the board, maintaining a minimum of 4 years in  
2 optometric training. Persons who submit an application which demonstrates that they meet the  
3 eligibility requirements of this chapter and any rules adopted by the board pursuant to RSA 541-A,  
4 and pay the \$300 licensing fee, shall be licensed by the board.

5 7 Reflexologists; Structural Integrators; and Asian Bodywork Therapists; Reference Deleted.  
6 Amend RSA 328-H:17 to read as follows:

7 328-H:17 Temporary Authority to Practice. Any person who meets the requirements of RSA  
8 328-H:8, ~~I(a), (d),~~ **I(d)** and (e) may practice his or her respective profession immediately upon  
9 passage of this chapter. Such authority to practice shall be valid for no more than one year from the  
10 effective date of this chapter, or no more than 60 days of adoption of the administrative rules,  
11 whichever occurs first, by which time the person shall apply for and receive a license issued by the  
12 executive director in accordance with RSA 328-H:8 in order to continue legally practicing.

13 8 New Hampshire Veterinary Practice Act; Qualifications. Amend RSA 332-B:9 to read as  
14 follows:

15 332-B:9 Application for License; Qualifications. Any person desiring a license to practice  
16 veterinary medicine in this state shall make written application to the board. The application shall  
17 show that the applicant is ~~[18 years of age or more,]~~ a graduate of an AVMA accredited school of  
18 veterinary medicine or other veterinary school acceptable to the board, or the holder of an ECFVG  
19 certificate or a PAVE certificate, a person of good professional character, and such other information  
20 and proof as the board may require by rule. The application shall be accompanied by a fee in the  
21 amount established and published by the board.

22 9 New Section; General Administration of Regulatory Boards and Commissions; Qualifications;  
23 Rulemaking. Amend RSA 332-G by inserting after section 14 the following new section:

24 332-G:15 Qualifications for Licensure, Registration, or Certification; Rulemaking. No board,  
25 commission, or council shall establish by administrative rule any minimum age requirements for  
26 licensure.

27 10 Repeal. The following are repealed:

- 28 I. RSA 310-A:170, III(a), relative to minimum age requirements for court reporters.
- 29 II. RSA 310-A:190, I(d), relative to minimum age requirements for home inspectors.
- 30 III. RSA 310-A:210, I(c), relative to minimum age requirements for septic system evaluators.
- 31 IV. RSA 311-B:5, I, relative to minimum age requirements of auctioneers.
- 32 V. RSA 313-A:24, II(a), relative to minimum age requirements for barbering and  
33 cosmetology apprenticeships.
- 34 VI. RSA 318:18, I(b)(1), relative to minimum age requirements for pharmacists.
- 35 VII. RSA 325:13, I, relative to minimum age requirements for embalmers.
- 36 VIII. RSA 326-C:5, I(a), relative to minimum age requirements for occupational therapists.
- 37 IX. RSA 326-J:5, I(a), relative to minimum age requirements for recreational therapists.

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- 1           X. RSA 326-K:3, III, relative to minimum age requirements for genetic counselors.
- 2           XI. RSA 328-B:5-a, I(a), relative to minimum age requirements for temporary massage
- 3 therapists licenses.
- 4           XII. RSA 328-B:6, I(b), relative to minimum age requirements for massage therapists.
- 5           XIII. RSA 328-G:9, II(a), relative to minimum age requirements for acupuncturists.
- 6           XIV. RSA 328-H:8, I(a), relative to minimum age requirements for reflexologists, structural
- 7 integrators, and Asian bodywork therapists.
- 8           XV. RSA 328-J:11, I(a), II(a), III(a), IV(a), V(a), VII(a), VIII(a), IX(a), and X(a), relative to
- 9 minimum age requirements for certain medical imaging and radiation therapists.
- 10          XVI. RSA 329:12, I(d)(1), relative to minimum age requirements for physicians and
- 11 surgeons.
- 12          XVII RSA 331-A:10, I(a) and II(a), relative to minimum age requirements for real estate
- 13 salespersons and brokers, respectively.
- 14          11 Effective Date. This act shall take effect 60 days after its passage.

**HB 1460-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to minimum age requirements for certain occupational licenses.

**FISCAL IMPACT:**    ☒ State                    ☐ County                    ☐ Local                    ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	\$0	Indeterminable	Indeterminable	Indeterminable
<b>Expenditures</b>	\$0	Indeterminable	Indeterminable	Indeterminable
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Office of Professional Licensure and Certification Agency Fund			

**METHODOLOGY:**

This bill repeals minimum age requirements for occupational licenses for architects, attorneys, barbers/cosmetologists/estheticians, dentists, optometrists, deaf interpreters, reflexologists, and veterinarians, among others. The Office of Professional Licensure and Certification (OPLC) assumes there is an insignificant number of applicants for licensure that are under the age of eighteen. Eliminating a requirement to be eighteen to obtain a license would not result in a significant increase in qualified applicants seeking licensure. OPLC states the fiscal impact would be indeterminable as they are unable to quantify or estimates the amount of individual who would seek licensure under the proposed.

It is assumed the fiscal impact would not occur until FY 2023.

**AGENCIES CONTACTED:**

Office of Professional Licensure and Certification