

Sen. Hennessey, Dist 5
Sen. Rosenwald, Dist 13
Sen. Bradley, Dist 3
June 29, 2020
2020-1603s
05/06

Floor Amendment to HB 1240

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the grounds for sexual assault and related offenses, establishing a special
4 marriage officiant license, modifying requirements for renewal of pharmacy licenses,
5 and relative to occupational licensure and the office of professional licensure and
6 certification.
7

8 Amend the bill by replacing all after section 5 with the following:

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10 6 New Section; Solemnization of Marriage; Special Marriage Officiant License. Amend RSA 457
11 by inserting after section 32-a the following new section:

12 457:32-b Special Marriage Officiant License.

13 I. The secretary of state may issue a special marriage officiant license, which shall
14 temporarily authorize an individual to solemnize a marriage in this state. Any individual who
15 applies for the special marriage officiant license shall register with the secretary of state, complete
16 the registration form prescribed by the secretary of state, and submit an \$85 fee to the department of
17 state. The secretary of state shall forward \$80 of the fee to the department of health and human
18 services for deposit in the fund for domestic violence programs, established in RSA 173-B:15, and
19 shall retain the remainder of the fee for administrative costs associated with issuance of the license.

20 II. Upon registration as a special marriage officiant, the individual shall be authorized to
21 solemnize only the civil marriage designated on the registration form and shall receive proof of such
22 authority from the secretary of state. The individual's authority to solemnize the marriage shall
23 expire at the same time as the corresponding license.

24 7 Pharmacy Board; Permit; Fees. Amend RSA 318:38, II to read as follows:

25 II. All pharmacy permits shall expire when there is a change of ownership of the pharmacy
26 or at midnight on December 31 biennially in each odd-numbered year ***for odd-numbered licenses***
27 ***or on December 31 of each even-numbered year for even-numbered licenses.*** Every pharmacy
28 that wishes to continue to operate as such shall renew its permit no later than December [15
29 ~~biennially in odd-numbered years~~] ***31 of the renewal year according to license number*** or
30 immediately when the permit expires for any other reason. It shall be deemed a violation of the
31 provisions of this chapter for any pharmacy to be open or operated beyond the expiration date of its
32 permit.

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1 8 New Section; Office of Professional Licensure and Certification. Temporary Licensing Process.
2 Amend RSA 310-A by inserting after section 1-e the following new section:

3 310-A:1-f Temporary Licensing Process; Rulemaking. Notwithstanding any other state law to
4 the contrary, the office of professional licensure and certification shall be authorized to issue
5 temporary licenses to out-of-state health care professionals who present evidence of an active license
6 in good standing from another jurisdiction, in accordance with rules adopted by executive director of
7 the office of professional licensure and certification under RSA 541-A. The rules shall contain the
8 following provisions:

9 I. Health care professionals shall be defined as those individuals licensed by the boards,
10 councils, and commissions within the division of health professions as set forth in RSA 310-A:1-a, II,
11 with the exception of those licensed pursuant to RSA 314, RSA 314-A, RSA 313, RSA 328-B, and
12 RSA 328-H.

13 II. The temporary licenses shall be valid for 120 days, or until the board, council, or
14 commission takes action on an application for full licensure, whichever happens first.

15 III. All individuals licensed under this section shall be subject to the jurisdiction of the state
16 licensing body for that profession.

17 9 Findings; Electronic Signatures. On May 19, 2020, in response to the COVID-19 State of
18 Emergency, Governor Sununu issued Exhibit H to Emergency Order #29. Exhibit H requires all
19 boards, councils, or commissions administered by the office of professional licensure and certification
20 to accept electronic signatures or scans of signed documents in addition to original signatures.

21 10 New Paragraph; Electronic Signatures. Amend RSA 310-A:1-d by inserting after paragraph
22 II the following new paragraph:

23 III. Notwithstanding any other provisions of law to the contrary, for the performance of the
24 administrative, clerical, and business processing responsibilities under paragraph II(b), all boards,
25 councils, or commissions shall accept electronic signatures and scans of signed documents in
26 addition to original signatures.

27 11 Allied Health Professionals; Temporary Licensure. Amend the introductory paragraph of
28 RSA 328-F:18, VI to read as follows:

29 VI. Occupational therapists, occupational therapist assistants, recreational therapists,
30 speech pathologists, respiratory care practitioners, **athletic trainers, genetic counselors**, physical
31 therapists, and physical therapist assistants from the states of Connecticut, Rhode Island,
32 Massachusetts, Maine, New York, and Vermont, who are currently licensed, shall be eligible for
33 temporary licensure for 120 days while the person makes application for licensure to the respective
34 governing board under this chapter. **Temporary licensure shall not apply to an allied health**
35 **governing board that is a member of an interstate licensure compact.** An applicant for
36 temporary licensure to practice, who is currently licensed or certified in Connecticut, Rhode Island,
37 Massachusetts, Maine, New York, or Vermont, shall:

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1 12 Effective Date.

2 I. Sections 1-5 of this act shall take effect January 1, 2021.

3 II. Sections 6 and 11 of this act shall take effect 60 days after its passage.

4 III. The remainder of this act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill:

I. Amends the definition of sexual contact in the criminal sexual assault statutes.

II. Expands the elements of the crime of felonious sexual assault and aggravated sexual assault to include sexual contact between school employees and students, and to include circumstances when the actor is in a position of authority over a victim who is between 13 and 18 years of age.

III. Establishes a special marriage officiant license to temporarily authorize an individual to solemnize a marriage. A portion of the license fee shall be deposited in the fund for domestic violence programs.

IV. Modifies requirements for renewal of pharmacy licenses.

V. Expands the professions in the allied health governing boards which grant temporary licensure to licensees from other states.