RESOLUTION IN SUPPORT OF STATE CONTROL OF OCCUPATIONAL LICENSING

WHEREAS, over the last 60 years, the number of jobs requiring an occupational license has grown from about one in 20 to nearly one in four; and

WHEREAS, when implemented properly, occupational licensing can help protect the health and safety of consumers by requiring practitioners to undergo a designated amount of training and education in their field; and

WHEREAS, differences and disparities in occupational licensing laws across states can create barriers for those looking to enter the labor market and make it harder for workers to relocate across state lines; and

WHEREAS, states currently have a mechanism in place to address portability and reciprocity for occupations while maintaining state autonomy and promoting state driven solutions, including interstate compacts, e.g. physical therapist, nursing, physicians, and emergency management technicians; and

WHEREAS, certain populations—including military spouses and families, immigrants with work authorization, people with criminal records, and unemployed and dislocated workers—are affected especially hard by the requirements and variances of occupational licensing; and

WHEREAS, licensing of occupations falls entirely within the authority of the state government statutory and regulatory framework.

NOW, THEREFORE BE IT RESOLVED, that The Council of State Governments urges the federal government not to preempt states’ authority to regulate and control occupational licensing; and

BE IT FURTHER RESOLVED, that The Council of State Governments urges the federal government to consult with states before undertaking any federal action that would affect a state’s authority to regulate and control occupational licensing.

Adopted by The Council of State Governments’ Executive Committee this 16th Day of December, 2017 in Las Vegas, Nevada.