

By: Representative Boyd (19th)

To: Accountability,
Efficiency, Transparency

HOUSE BILL NO. 1152

1 AN ACT TO AMEND SECTION 73-47-9, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE MEMBERSHIP OF THE OCCUPATIONAL LICENSING REVIEW
3 COMMISSION TO INCLUDE THE LIEUTENANT GOVERNOR, THE COMMISSIONER OF
4 INSURANCE AND THE STATE TREASURER AND TO REMOVE THE ATTORNEY
5 GENERAL; TO REVISE WHO MAY CALL A MEETING OF THE COMMISSION AND
6 WHO MAY REQUEST ASSISTANCE AND DATA; TO REQUIRE OCCUPATIONAL
7 LICENSING BOARDS TO SUBMIT REGULATORY IMPACT ASSESSMENTS TO THE
8 COMMISSION; TO PROVIDE THAT THE COMMISSION SHALL ACT ON ALL
9 SUBMISSIONS OF PROPOSED OCCUPATIONAL REGULATIONS WITHIN 120 DAYS
10 OF RECEIPT; AND FOR RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** Section 73-47-9, Mississippi Code of 1972, is
13 amended as follows:

14 73-47-9. (1) There is hereby created the Occupational
15 Licensing Review Commission which shall be composed of the
16 Governor, the Lieutenant Governor, the Secretary of State, the
17 Commissioner of Insurance and the * * * State Treasurer, or his or
18 her respective designee. The Governor shall be the Chairman of
19 the commission and the Secretary of State shall be the Secretary.
20 The commission shall meet quarterly and at such other times as
21 meetings may be called by * * * a majority vote of the commission.

22 A majority of the members shall constitute a quorum at any



23 meeting. Any final action taken by the commission shall require
24 the affirmative vote of a majority of the members. The Office of
25 the Governor shall provide such support of the commission
26 necessary to accomplish the purposes of this chapter, including,
27 but not limited to, research and clerical assistance. Any
28 department, division, board, bureau, commission or agency of the
29 state shall provide, at the request of * * * a member of the
30 commission, such assistance and data as will enable the commission
31 to carry out its duties.

32 (2) The commission shall be responsible for the active
33 supervision of state executive branch occupational licensing
34 boards controlled by active market participants to ensure
35 compliance with state policy in the adoption of an occupational
36 regulation promulgated by an occupational licensing board, to
37 include existing occupational regulations promulgated by an
38 occupational licensing board. The active supervision required
39 under this chapter shall not extend to individual disciplinary
40 actions taken or imposed by an occupational licensing board as to
41 any active market participant subject to the jurisdiction of the
42 occupational licensing board.

43 (3) An occupational licensing board must submit any proposed
44 occupational regulation to the commission before the occupational
45 licensing board may file the occupational regulation in the Office
46 of the Secretary of State if the occupational regulation is
47 required to be filed in the Office of the Secretary of State by



48 Chapter 43, Title 25, Mississippi Code of 1972, (Mississippi
49 Administrative Procedures Law), or before the occupational
50 regulation becomes effective if filing is not required. An
51 occupational licensing board shall submit a regulatory impact
52 assessment to the commission in a manner prescribed by the
53 commission.

54 (4) The commission shall take action as provided in this
55 chapter on all submissions of proposed occupational regulations
56 within one-hundred-twenty (120) days of receipt of the submission.

57 (* * *5) The commission shall issue resolutions necessary
58 to effectuate the provisions of this chapter, including the
59 process, procedures and timelines that will govern any submission
60 filed in accordance with the chapter. Nothing in this chapter
61 shall be interpreted to subject the commission to any of the
62 administrative procedures of Chapter 43, Title 25, Mississippi
63 Code of 1972, (Mississippi Administrative Procedures Law).

64 **SECTION 2.** This act shall take effect and be in force from
65 and after July 1, 2023.

