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HOUSE BILL 544

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

Rod Montoya and Jenifer Jones

AN ACT

RELATING TO LICENSURE; PROVIDING FOR EXPEDITED LICENSURE FOR PROFESSIONAL AND OCCUPATIONAL BOARDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 61-6A-8 NMSA 1978 (being Laws 2008, Chapter 53, Section 8) is amended to read:

"61-6A-8. TEMPORARY LICENSE--EXPEDITED LICENSE.--

A. The board may issue a temporary license to an applicant who has met all licensure requirements except the examination requirement. The temporary license is valid until the results of the next scheduled examination are available and a license is issued or denied. The temporary license automatically expires if the applicant fails to take the next scheduled examination, or upon release of official examination results if the applicant fails the examination.

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1 B. The board may issue a temporary license to a
2 person licensed in another state or country who:

3 (1) is in New Mexico temporarily to teach or
4 assist a New Mexico resident licensed to practice genetic
5 counseling; or

6 (2) met the requirements for licensure in that
7 state, which were equal to or greater than the requirements for
8 licensure in New Mexico at the time the license was obtained in
9 the other state.

10 C. The board shall not issue a temporary license to
11 a person who qualifies for the temporary license under
12 Subsection A of this section more than two consecutive times
13 within the five-year period immediately following the issuance
14 of the first temporary license.

15 D. A person practicing genetic counseling under a
16 temporary license shall be supervised by a licensed genetic
17 counselor or physician.

18 E. The board shall grant an expedited license to a
19 qualified applicant who:

20 (1) is currently licensed in good standing in
21 another state or territory of the United States, the District
22 of Columbia or a foreign country as provided in Section
23 61-1-31.1 NMSA 1978; and

24 (2) pays the required fees."

25 SECTION 2. Section 61-6B-3 NMSA 1978 (being Laws 2008,
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1 Chapter 54, Section 3) is amended to read:

2 "61-6B-3. LICENSE REQUIRED--EXCEPTIONS--PRACTICE
3 LIMITATIONS--APPLICABILITY.--

4 A. On and after July 1, 2010, a person who is
5 engaged in the practice of polysomnography must have a valid
6 polysomnographic technologist license issued by the board. It
7 shall be unlawful for a person to engage in the practice of
8 polysomnography after that date unless the person has a valid
9 polysomnographic technologist license issued by the board.

10 ~~[B. Prior to July 1, 2010, any person who is~~
11 ~~engaged in the practice of polysomnography without being~~
12 ~~licensed under the Polysomnography Practice Act shall not be~~
13 ~~deemed to be in violation of that act.]~~

14 B. The board shall grant an expedited license to a
15 qualified applicant who:

16 (1) is currently licensed in good standing in
17 another state or territory of the United States, the District
18 of Columbia or a foreign country as provided in Section
19 61-1-31.1 NMSA 1978; and

20 (2) pays the required fees."

21 SECTION 3. A new section of the Physician Assistant Act
22 is enacted to read:

23 "[NEW MATERIAL] EXPEDITED LICENSE.--The board shall grant
24 an expedited license to a qualified applicant who:

25 A. is currently licensed in good standing in

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1 another state or territory of the United States, the District
2 of Columbia or a foreign country as provided in Section
3 61-1-31.1 NMSA 1978; and

4 B. pays the required fees."

5 SECTION 4. A new section of the Anesthesiologist
6 Assistants Act is enacted to read:

7 "[NEW MATERIAL] EXPEDITED LICENSE.--The board shall grant
8 an expedited license to a qualified applicant who:

9 A. is currently licensed in good standing in
10 another state or territory of the United States, the District
11 of Columbia or a foreign country as provided in Section
12 61-1-31.1 NMSA 1978; and

13 B. pays the required fees."

14 SECTION 5. Section 61-7A-8 NMSA 1978 (being Laws 1989,
15 Chapter 387, Section 8) is repealed and a new Section 61-7A-8
16 NMSA 1978 is enacted to read:

17 "61-7A-8. [NEW MATERIAL] EXPEDITED LICENSE.--The board
18 shall grant an expedited license to a qualified applicant who:

19 A. is currently licensed in good standing in
20 another state or territory of the United States, the District
21 of Columbia or a foreign country as provided in Section
22 61-1-31.1 NMSA 1978; and

23 B. pays the required fees."

24 SECTION 6. Section 61-11-10 NMSA 1978 (being Laws 1969,
25 Chapter 29, Section 9, as amended) is amended to read:

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1 "61-11-10. [~~RECIPROCAL~~] EXPEDITED LICENSURE.--The board
2 [~~may~~] shall issue [~~a~~] an expedited license [~~with or without~~
3 ~~examination~~] to a person who:

4 [~~A. is licensed as a pharmacist by examination in~~
5 ~~another state that under equivalent conditions will grant~~
6 ~~reciprocal licensure to persons licensed as pharmacists by~~
7 ~~examination in this state; and~~

8 [~~B. produces evidence satisfactory to the board that~~
9 ~~he has the age, education, experience and qualifications~~
10 ~~required of applicants for licensure by examination under the~~
11 ~~provisions of the Pharmacy Act. Any person who was registered~~
12 ~~by examination in another state prior to May 20, 1940 is~~
13 ~~required to satisfy only those requirements in existence in~~
14 ~~this state at the time he was registered in the other state.]~~

15 A. is currently licensed in good standing in
16 another state or territory of the United States, the District
17 of Columbia or a foreign country as provided in Section
18 61-1-31.1 NMSA 1978; and

19 B. pays the required fees."

20 SECTION 7. Section 61-12F-1 NMSA 1978 (being Laws 2011,
21 Chapter 31, Section 4) is amended to read:

22 "61-12F-1. SHORT TITLE.--[~~Sections 4 through 14 of this~~
23 ~~act~~] Chapter 61, Article 12F NMSA 1978 may be cited as the
24 "Naprathic Practice Act"."

25 SECTION 8. A new section of the Naprathic Practice Act
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1 is enacted to read:

2 "[NEW MATERIAL] EXPEDITED LICENSE.--The board shall grant
3 an expedited license to a qualified applicant who:

4 A. is currently licensed in good standing in
5 another state or territory of the United States, the District
6 of Columbia or a foreign country as provided in Section
7 61-1-31.1 NMSA 1978; and

8 B. pays the required fees."

9 SECTION 9. Section 61-12G-1 NMSA 1978 (being Laws 2019,
10 Chapter 244, Section 1) is amended to read:

11 "61-12G-1. SHORT TITLE.--~~[Sections 1 through 13 of this~~
12 ~~act]~~ Chapter 61, Article 12G NMSA 1978 may be cited as the
13 "Naturopathic Doctors' Practice Act"."

14 SECTION 10. A new section of the Naturopathic Doctors'
15 Practice Act is enacted to read:

16 "[NEW MATERIAL] EXPEDITED LICENSE.--The board shall grant
17 an expedited license to a qualified applicant who:

18 A. is currently licensed in good standing in
19 another state or territory of the United States, the District
20 of Columbia or a foreign country as provided in Section
21 61-1-31.1 NMSA 1978; and

22 B. pays the required fees."

23 SECTION 11. A new section of the Medical Imaging and
24 Radiation Therapy Health and Safety Act is enacted to read:

25 "[NEW MATERIAL] EXPEDITED LICENSE.--The department shall
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1 grant an expedited license to a qualified applicant who:

2 A. is currently licensed in good standing in
3 another state or territory of the United States, the District
4 of Columbia or a foreign country as provided in Section
5 61-1-31.1 NMSA 1978; and

6 B. pays the required fees."

7 SECTION 12. A new section of the Architectural Act is
8 enacted to read:

9 "[NEW MATERIAL] EXPEDITED REGISTRATION.--The board shall
10 grant expedited registration to a qualified applicant who:

11 A. is currently registered or licensed in good
12 standing in another state or territory of the United States,
13 the District of Columbia or a foreign country as provided in
14 Section 61-1-31.1 NMSA 1978; and

15 B. pays the required fees."

16 SECTION 13. Section 61-17A-5 NMSA 1978 (being Laws 1993,
17 Chapter 171, Section 5, as amended) is amended to read:

18 "61-17A-5. LICENSE REQUIRED--EXPEDITED LICENSURE.--

19 A. Unless licensed pursuant to the Barbers and
20 Cosmetologists Act or exempted from the provisions of that act,
21 no person shall practice barbering, hairstyling or cosmetology
22 for compensation either directly or indirectly.

23 B. Unless licensed pursuant to the Barbers and
24 Cosmetologists Act, no person shall operate a school or
25 establishment for compensation.

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1 C. Unless licensed pursuant to the Barbers and
2 Cosmetologists Act or exempted from the provisions of that act,
3 no person shall teach barbering, hairstyling, cosmetology or
4 electrology for compensation.

5 D. Unless licensed by the board pursuant to the
6 Barbers and Cosmetologists Act, no person shall practice as a
7 manicurist-pedicurist, esthetician or electrologist for
8 compensation.

9 E. The board shall grant an expedited license to a
10 qualified applicant who:

11 (1) is currently licensed in good standing in
12 another state or territory of the United States, the District
13 of Columbia or a foreign country as provided in Section
14 61-1-31.1 NMSA 1978; and

15 (2) pays the required fees."

16 SECTION 14. Section 61-27B-33 NMSA 1978 (being Laws 2007,
17 Chapter 115, Section 33) is repealed and a new Section
18 61-27B-33 NMSA 1978 is enacted to read:

19 "61-27B-33. [NEW MATERIAL] EXPEDITED LICENSURE.--The
20 department shall grant an expedited license to a qualified
21 applicant who:

22 A. is currently licensed in good standing in
23 another state or territory of the United States, the District
24 of Columbia or a foreign country as provided in Section
25 61-1-31.1 NMSA 1978; and

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1 B. pays the required fees."

2 SECTION 15. Section 61-29-9 NMSA 1978 (being Laws 1959,
3 Chapter 226, Section 8, as amended) is amended to read:

4 "61-29-9. QUALIFICATIONS FOR LICENSE--EXPEDITED
5 LICENSE.--

6 A. Licenses shall be granted only to persons who
7 meet the requirements for licensure prescribed by law and are
8 deemed by the commission to be of good repute and competent to
9 transact the business of a qualifying broker or an associate
10 broker in a manner that safeguards the interests of the public.

11 B. Except as otherwise provided in this section, an
12 applicant for a qualifying broker's license or an associate
13 broker's license shall have reached the age of majority. Each
14 applicant for a qualifying broker's license or an associate
15 broker's license shall have passed the real estate broker's
16 examination approved by the commission and shall [~~+~~] furnish
17 the commission with certificates of completion of ninety hours
18 of classroom instruction consisting of commission-approved
19 thirty-hour courses in real estate principles and practice,
20 real estate law and broker basics. [~~or~~

21 ~~(2) in the case of an out-of-state applicant,~~
22 ~~furnish the commission with a certified license history from~~
23 ~~the real estate licensing jurisdiction in the state or states~~
24 ~~in which the applicant is currently or has been previously~~
25 ~~licensed as a real estate broker, or certificates of completion~~

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1 ~~of those courses issued by the course sponsor or provider,~~
2 ~~certifying that the applicant has or had a license in that~~
3 ~~state and has completed the equivalent of sixty classroom hours~~
4 ~~of prelicensing education approved by that licensing~~
5 ~~jurisdiction in real estate principles and practice and real~~
6 ~~estate law. Upon receipt of such documentation, the commission~~
7 ~~may waive sixty hours of the ninety hours of prelicensing~~
8 ~~education required to take the New Mexico real estate broker's~~
9 ~~examination and may waive the national portion of the~~
10 ~~examination. The applicant shall complete the commission-~~
11 ~~approved thirty-hour broker basics class to be eligible to take~~
12 ~~the state portion of the New Mexico real estate broker's~~
13 ~~examination.]~~

14 C. An applicant for a qualifying broker's license
15 shall have passed the New Mexico real estate broker's
16 examination and had an active associate broker's license or
17 equivalent real estate license for at least two of the last
18 five years immediately preceding application for a qualifying
19 broker's license and shall furnish the commission with a
20 certificate of completion of the commission-approved thirty-
21 hour brokerage office administration course and any additional
22 educational courses required by the commission by rule.

23 D. Notwithstanding Subsection C of this section, a
24 qualifying broker shall not supervise associate brokers until
25 the qualifying broker has had an active associate broker's or

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1 qualifying broker's license or equivalent real estate license
2 for at least four years. Licensees who hold an active or
3 inactive qualifying broker's license on January 1, 2018 are
4 exempt from this subsection.

5 E. The commission shall grant an expedited license
6 to a qualified applicant who:

7 (1) is currently licensed in good standing in
8 another state or territory of the United States, the District
9 of Columbia or a foreign country as provided in Section
10 61-1-31.1 NMSA 1978; and

11 (2) pays the required fees.

12 [~~E.~~] F. The commission shall require the
13 information it deems necessary from every applicant to
14 determine that applicant's honesty, trustworthiness and
15 competency."

16 SECTION 16. Section 61-30-20 NMSA 1978 (being Laws 1990,
17 Chapter 75, Section 20, as amended) is amended to read:

18 "61-30-20. NONRESIDENT APPLICANTS--~~[RECIPROGITY]~~
19 EXPEDITED LICENSURE.--

20 A. Pursuant to Title 11 of the Financial
21 Institutions Reform, Recovery, and Enforcement Act of 1989 as
22 amended by the Dodd-Frank Wall Street Reform and Consumer
23 Protection Act, the board shall issue [~~a~~] an expedited
24 registration, license or certificate to a nonresident if the
25 applicant's home state complies with Title 11 as determined by

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1 the appraisal subcommittee and as provided in Section 61-1-31.1
2 NMSA 1978.

3 B. The registration, license or certificate shall
4 be issued upon payment of the application fee, verification
5 that the applicant has complied with the applicant's [~~resident~~]
6 home state's current education requirements and the filing with
7 the board of a license history and verification of good
8 standing issued by the licensing board of the [~~other~~] home
9 state.

10 C. The applicant shall file an irrevocable consent
11 that suits and actions may be commenced against the applicant
12 in the proper court of any county of this state in which a
13 cause of action may arise from the applicant's actions as a
14 real estate appraiser trainee, state licensed residential real
15 estate appraiser or state certified real estate appraiser or in
16 which the plaintiff may reside, by the service of any processes
17 or pleadings authorized by the laws of this state on the board,
18 the consent stipulating and agreeing that such service of
19 processes or pleadings on the board shall be taken and held in
20 all courts to be as valid and binding as if personal service
21 has been made upon the applicant in New Mexico. In case any
22 process or pleading mentioned in the case is served upon the
23 board, it shall be by duplicate copies, one of which shall be
24 filed in the office of the board and the other immediately
25 forwarded by registered mail to the nonresident real estate

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1 appraiser trainee, state licensed residential real estate
2 appraiser or state certified real estate appraiser to whom the
3 processes or pleadings are directed."

4 SECTION 17. Section 61-32-10 NMSA 1978 (being Laws 1993,
5 Chapter 204, Section 10, as amended) is repealed and a new
6 Section 61-32-10 NMSA 1978 is enacted to read:

7 "61-32-10. [NEW MATERIAL] EXPEDITED LICENSURE.--The board
8 shall grant an expedited license to a qualified applicant who:

9 A. is currently licensed in good standing in
10 another state or territory of the United States, the District
11 of Columbia or a foreign country as provided in Section
12 61-1-31.1 NMSA 1978; and

13 B. pays the required fees."

14 SECTION 18. Section 61-33-5 NMSA 1978 (being Laws 1973,
15 Chapter 394, Section 5, as amended) is amended to read:

16 "61-33-5. APPLICATION REQUIREMENTS--FEES--FUND CREATED
17 [ENDORSEMENT].--

18 A. An applicant for certification as a certified
19 operator shall:

20 (1) make application on forms furnished by the
21 department;

22 (2) submit evidence satisfactory to the
23 department that the applicant has reached the age of majority;
24 and

25 (3) except as provided in Section 61-1-34 NMSA

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1 1978, pay in advance to the department fees set by rule not to
2 exceed:

3 (a) for examination for certification in
4 each classification \$100;

5 (b) for renewal of a certificate after a
6 period set by rule. \$40.00; and

7 (c) for issuance of a certificate by
8 endorsement \$100.

9 B. Fees collected pursuant to Subsection A of this
10 section shall be deposited with the state treasurer in the
11 "public water supply system operator and public wastewater
12 facility operator fund" [~~hereby created. The fund shall be~~
13 ~~used solely for the purpose of administering and enforcing~~] to
14 be used solely to administer and enforce the Utility Operators
15 Certification Act. The fund shall be administered by the
16 department. Money in the fund shall be retained by the
17 department for use, subject to appropriation by the
18 legislature. Balances in the fund at the end of any fiscal
19 year shall not revert to the general fund, but shall accrue to
20 the credit of the fund. Earnings on the fund shall be credited
21 to the fund.

22 [~~C. The department may, in its discretion, endorse~~
23 ~~for certification without examination an operator who submits~~
24 ~~evidence satisfactory to the department that the applicant has~~
25 ~~reached the age of majority and holds a valid license or~~

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1 ~~certification in any state, territory or foreign jurisdiction~~
2 ~~having standards equal to or exceeding those of New Mexico.]~~

3 C. The department may grant an expedited
4 certificate to a qualified applicant who:

5 (1) is currently licensed in good standing in
6 another state or territory of the United States, the District
7 of Columbia or a foreign country as provided in Section
8 61-1-31.1 NMSA 1978; and

9 (2) pays the required fees.

10 D. Fees shall not be increased more than once per
11 calendar year. The first increase of the fees shall not result
12 in any fee greater than thirty dollars (\$30.00). Any
13 subsequent increase of the fees shall not be more than five
14 percent of the existing fee."

15 SECTION 19. A new section of the Signed Language
16 Interpreting Practices Act is enacted to read:

17 "[NEW MATERIAL] EXPEDITED LICENSE.--The board shall grant
18 an expedited license to a qualified applicant who:

19 A. is currently licensed in good standing in
20 another state or territory of the United States, the District
21 of Columbia or a foreign country as provided in Section
22 61-1-31.1 NMSA 1978;

23 B. is certified by a nationally recognized signed
24 language interpreter organization or equivalent organization as
25 provided by rule; and

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C. pays the required fees."

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