



SPONSOR: Rep. Seigfried & Rep. Longhurst & Sen. Lockman
Reps. Bennett, Bentz, Dorsey Walker, Spiegelman,
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HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 43

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 16, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1613 Adult entertainment establishment or adult-oriented retail establishment license application.

(c) Where the applicant is a corporation, no license shall be issued unless there first be filed with the Commission, as part of the application of license: (1) A copy of the certificate of incorporation certified by the Secretary of State of the state of incorporation; (2) Where the applicant is a foreign corporation within the meaning of § 371 of Title 8, a copy of the certificate of the Secretary of State prescribed by subsection (c) of that section; (3) A certificate which shall bear the full name(s), including nicknames or aliases, place(s) of employment, including address(es) and phone number(s), social security number, date of birth, driver's license number and a photograph taken within 30 days of application of every director, officer and principal stockholder of the applicant, ~~and each such signature shall be separately witnessed and acknowledged by a notary public of the district of execution; and~~

(d) Where the applicant is a partnership or other unincorporated association, no license shall be issued unless there is first filed with the Commission, as part of the application for license, a certificate which shall bear the full name(s), including nicknames or aliases, signature(s), place(s) of employment, including address(es) and phone number(s), social security number, date of birth, driver's license number and a photograph taken within 30 days of application of every partner or member, ~~and each such signature shall be separately witnessed and acknowledged by a notary public of the district of execution.~~ (e) An application for license for the operation of an adult entertainment establishment.

(e) An application for license for the operation of an adult entertainment establishment shall include a certificate stating the full name(s), including nicknames or aliases, signature(s), residential address(es), place(s) of employment, including address(es) and phone number(s), date of birth, social security number, driver's license number and a photograph taken within 30 days of application of the person or persons who shall be responsible for the selection or procurement of all sexually-oriented material for each such establishment ~~and each such signature shall be separately witnessed and~~

acknowledged by a notary public of the district of execution. This subsection shall not be construed to preclude the responsibility of any other person or persons for the procurement of sexually-oriented materials.

Section 2. Amend Chapter 37, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3708 Qualifications of applicant; report to Attorney General; judicial review.

(a) An applicant who is applying for licensure under this chapter shall submit evidence, verified by oath and satisfactory to the Board, that such person:

(3) For licensure as a hearing aid dispenser, shall submit evidence, verified by oath and satisfactory to the Board, that such person has met the current standards promulgated by the National Institute for Hearing Instrument Studies or its successor; in addition, the applicant shall: a. Provide verification of a high school diploma or its equivalent. b. Provide proof of successful completion of a national examination prepared by a national testing service and approved by the Division. c. An applicant shall complete 6 months of training prior to taking the examination. The Board in its rules and regulations shall establish the frequency of direct supervision during the training period. ~~d. Provide notarized signature of Delaware licensed hearing aid dispenser sponsor providing direct supervision and training of applicant.~~

§ 3713 Temporary License.

(a) The Board may issue a temporary license to practice speech/language pathology or audiology in this State to an applicant who completes the application and pays the temporary license fee; and who, in addition, has completed all academic and clinical practicum requirements in that applicant's specialty but who has not completed a clinical fellowship year (CFY). The ~~notarized~~ application shall be accompanied by a copy of the CFY plan signed by a sponsor holding a valid state license as a speech/language pathologist and/or audiologist. However, an audiology applicant who has obtained a doctoral degree is not required to satisfy the clinical practicum and CFY requirements and may be issued a temporary license to practice audiology in this State upon completion of the application and payment of the temporary license fee.

(b) The Board may issue a temporary license to dispense hearing aids to an applicant waiting to take the examination for licensure who completes the application and pays the application fee. The ~~notarized~~ application shall be accompanied by a statement from a Delaware licensed audiologist or hearing aid dispenser who affirms that the licensed audiologist or hearing aid dispenser shall provide direct supervision and training of the applicant during the period of temporary licensure.

Section 3. Amend Chapter 40, Title 24 of the Delaware Code by making deletions as shown by strike through and additions as shown by underline as follows:

§ 4009 Appraiser trainee; requirements of supervision.

(a) Persons, who are presented to the Council by a supervising appraiser for registration as an appraiser trainee, shall provide a ~~notarized~~ statement to the Council that the trainee:

§ 4010 Temporary license.

(a) A real estate appraiser from another state, who is licensed or certified by the appraiser licensing or certifying agency in such state, may apply for registration to receive temporary licensing or certification privileges in this State by paying all required fees and filing with the Council a ~~notarized~~ an application, on a form prescribed by the Council for such purpose, which shall set forth and include: (1) The applicant's name, address, social security number, and such other information as may be necessary to identify the

Section 4. Amend Chapter 41, Title 24 of the Delaware Code by making deletions as shown by strike through and additions as shown by underline as follows:

§ 4109 Home inspector trainee; requirements of supervision. Home Inspectors, 4109(a)

(a) Persons, who are presented to the Board by a supervising home inspector for registration as a home inspector trainee, shall provide a ~~notarized~~ statement to the Board that the trainee:

§ 4110 Temporary license.

(a) A home inspector from another state, who is licensed or certified by the home inspector licensing or certifying agency in such state, may apply for registration to receive temporary licensing privileges in this State for the purpose of completing specific home inspection services by paying all required fees and filing with the Board a ~~notarized~~ an application, on a form prescribed by the Board for such purpose, which shall set forth and include:

SYNOPSIS

This bill eliminates the requirement under several provisions of Title 24 that applicants for professional licenses as well as adult entertainment establishments submit notarized applications. This bill would allow for a policy change at the Division of Professional Regulation to remove the notarization requirement for all licensing applications, which will make the application process more economically and logistically available.