

**SB61 ENGROSSED**



1 SB61  
2 J5VDYNY-2  
3 By Senators Hatcher, Jones, Stewart  
4 RFD: Veterans and Military Affairs  
5 First Read: 04-Feb-25



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A BILL  
TO BE ENTITLED  
AN ACT

Relating to the Alabama Board of Examiners in Psychology; to enter into the School Psychologist Interstate Licensure Compact by adopting Article 6 of Chapter 26 of Title 34, Code of Alabama 1975.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Article 6, commencing with Section 34-26-100, is added to Chapter 26 of Title 34, Code of Alabama, to read as follows:

Article 6. SCHOOL PSYCHOLOGIST INTERSTATE LICENSURE COMPACT.

§34-26-100. Purpose.

The purpose of this compact is to facilitate the interstate practice of school psychology in educational or school settings, and, in doing so, to improve the availability of school psychological services to the public. This compact is intended to establish a pathway to allow school psychologists to obtain equivalent licenses to provide school psychological services in any member state. In this way, this compact shall enable the member states to ensure that safe and effective school psychological services are available and



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29 delivered by appropriately qualified professionals in their  
30 educational settings.

31 To facilitate the objectives described above, this  
32 compact shall do the following:

33 (1) Enable school psychologists who qualify for receipt  
34 of an equivalent license to practice in other member states  
35 without first satisfying burdensome and duplicative  
36 requirements.

37 (2) Promote the mobility of school psychologists  
38 between and among the member states in order to address  
39 workforce shortages and to ensure that safe and reliable  
40 school psychological services are available in each member  
41 state.

42 (3) Enhance the public accessibility of school  
43 psychological services by increasing the availability of  
44 qualified, licensed school psychologists through the  
45 establishment of an efficient and streamlined pathway for  
46 licensees to practice in other member states.

47 (4) Preserve and respect the authority of each member  
48 state to protect the health and safety of its residents by  
49 ensuring that only qualified, licensed professionals are  
50 authorized to provide school psychological services within  
51 that state.

52 (5) Require school psychologists practicing within a  
53 member state to comply with the scope of practice laws of the  
54 state where the school psychological services are being  
55 provided.

56 (6) Promote cooperation between the member states in



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57 regulating the practice of school psychology within those  
58 states.

59 (7) Facilitate the relocation of military members and  
60 their spouses who are licensed to provide school psychological  
61 services.

62 §34-26-101. Definitions.

63 As used in this compact, the following terms have the  
64 following meanings:

65 (1) ACTIVE MILITARY MEMBER. Any person with full-time  
66 duty status in the Armed Forces of the United States,  
67 including members of the National Guard and Reserve.

68 (2) ADVERSE ACTION. Disciplinary action or encumbrance  
69 imposed on a license by a state licensing authority.

70 (3) ALTERNATIVE PROGRAM. A nondisciplinary,  
71 prosecutorial diversion, monitoring, or practice remediation  
72 process entered into in lieu of an adverse action which is  
73 applicable to a school psychologist and approved by the state  
74 licensing authority of a member state where the participating  
75 school psychologist is licensed. The term includes, but is not  
76 limited to, programs to which licensees with substance abuse  
77 or addiction issues may be referred in lieu of an adverse  
78 action.

79 (4) COMMISSIONER. The individual appointed by a member  
80 state to serve as the representative to the commission for  
81 that member state.

82 (5) COMPACT. This School Psychologist Interstate  
83 Licensure Compact.

84 (6) CONTINUING PROFESSIONAL EDUCATION. A requirement,



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85 imposed by a member state as a condition of license renewal,  
86 to provide evidence of successful participation in  
87 professional educational activities relevant to the provision  
88 of school psychological services.

89 (7) CRIMINAL BACKGROUND CHECK. The submission of  
90 fingerprints or other biometric information for a license  
91 applicant for the purpose of obtaining that applicant's  
92 criminal history record information, as defined in 28 C.F.R. §  
93 20.3(d), and the state's criminal history record repository as  
94 defined in 28 C.F.R. § 20.3(f).

95 (8) DOCTORAL LEVEL DEGREE. A graduate degree program  
96 that consists of at least 90 graduate semester hours in the  
97 field of school psychology, including a supervised internship.

98 (9) ENCUMBERED LICENSE. A license that a state  
99 licensing authority has limited in any way other than through  
100 an alternative program, including temporary or provisional  
101 licenses.

102 (10) EXECUTIVE COMMITTEE. The commission's chair, vice  
103 chair, secretary, and treasurer and any other commissioners as  
104 may be determined by commission rule or bylaw.

105 (11) EQUIVALENT LICENSE. A license to practice school  
106 psychology which a member state has identified as a license  
107 that may be provided to school psychologists from other member  
108 states pursuant to this compact.

109 (12) HOME STATE. The member state that issued the home  
110 state license to the licensee and is the licensee's primary  
111 state of practice.

112 (13) HOME STATE LICENSE. The license that is not an



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113 encumbered license issued by the home state to provide school  
114 psychological services.

115 (14) LICENSE. A current license, certification, or  
116 other authorization granted by a member state's licensing  
117 authority that permits an individual to provide school  
118 psychological services.

119 (15) LICENSEE. An individual who holds a license from a  
120 member state to provide school psychological services.

121 (16) MEMBER STATE. A state that has enacted this  
122 compact and has been admitted to the commission in accordance  
123 with the provisions herein and commission rules.

124 (17) MODEL COMPACT. The model language for the School  
125 Psychologist Interstate Licensure Compact on file with the  
126 Council of State Governments or other entity as designated by  
127 the commission.

128 (18) PRACTICE OF SCHOOL PSYCHOLOGY. The delivery of  
129 school psychological services.

130 (19) QUALIFYING NATIONAL EXAM. A national licensing  
131 examination endorsed by the National Association of School  
132 Psychologists and any other exam as approved by the rules of  
133 the commission.

134 (20) QUALIFYING SCHOOL PSYCHOLOGIST EDUCATION PROGRAM.  
135 An education program that awards a specialist-level or  
136 doctoral-level degree or equivalent upon completion and is  
137 approved by the rules of the commission as meeting the  
138 necessary minimum educational standards to ensure that the  
139 program's graduates are ready, qualified, and able to engage  
140 in the practice of school psychology.



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141 (21) REMOTE STATE. A member state other than the home  
142 state where a licensee holds a license through this compact.

143 (22) RULE. A regulation adopted by an entity,  
144 including, but not limited to, the commission and the state  
145 licensing authority of each member state, which has the force  
146 of law.

147 (23) SCHOOL PSYCHOLOGICAL SERVICES. Academic, mental,  
148 and behavioral health services, including assessment,  
149 prevention, consultation and collaboration, intervention, and  
150 evaluation, provided by a school psychologist in a school, as  
151 outlined in applicable professional standards as determined by  
152 commission rule.

153 (24) SCHOOL PSYCHOLOGIST. An individual who has met the  
154 requirements to obtain a home state license that legally  
155 conveys the professional title of school psychologist, or its  
156 equivalent as determined by the rules of the commission.

157 (25) SCHOOL PSYCHOLOGIST INTERSTATE LICENSURE COMPACT  
158 COMMISSION or COMMISSION. The joint government agency  
159 established by this compact whose membership consists of  
160 representatives from each member state that has enacted this  
161 compact, and as further described in Section 34-26-106.

162 (26) SCOPE OF PRACTICE. The procedures, actions, and  
163 processes a school psychologist licensed in a state is  
164 permitted to undertake in that state and the circumstances  
165 under which that licensee is permitted to undertake those  
166 procedures, actions, and processes. Such procedures, actions,  
167 and processes, and the circumstances under which they may be  
168 undertaken, may be established through means, including, but



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169 not limited to, statute, rule, case law, and other processes  
170 available to the state licensing authority or other government  
171 agency.

172 (27) SPECIALIST-LEVEL DEGREE. A degree program that  
173 requires at least 60 graduate semester hours or equivalent in  
174 the field of school psychology, including a supervised  
175 internship.

176 (28) STATE. Any state, commonwealth, district, or  
177 territory of the United States of America.

178 (29) STATE LICENSING AUTHORITY. A member state's  
179 regulatory body responsible for issuing licenses or otherwise  
180 overseeing the practice of school psychology.

181 (30) STATE SPECIFIC REQUIREMENT. A requirement for  
182 licensure covered in coursework or examination that includes  
183 content of unique interest to the state.

184 (31) UNENCUMBERED LICENSE. A license that authorizes a  
185 licensee to engage in the full and unrestricted practice of  
186 school psychology.

187 §34-26-102. State participation in this compact.

188 (a) To be eligible to join this compact, and to  
189 maintain eligibility as a member state, a state must:

190 (1) Enact a compact statute that is not materially  
191 different from the model compact as defined in the  
192 commission's rules.

193 (2) Participate in the sharing of information with  
194 other member states as reasonably necessary to accomplish the  
195 objectives of this compact, and as further defined in Section  
196 34-26-100.





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197 (3) Identify and maintain with the commission a list of  
198 equivalent licenses available to licensees who hold a home  
199 state license under this compact.

200 (4) Have a mechanism in place for receiving and  
201 investigating complaints about licensees.

202 (5) Notify the commission, in compliance with the terms  
203 of this compact and the commission's rules, of any adverse  
204 action taken against a licensee, or of the availability of  
205 investigative information which relates to a licensee or  
206 applicant for licensure.

207 (6) Require that applicants for a home state license  
208 have:

209 a. Taken and passed a qualifying national exam as  
210 defined by the rules of the commission.

211 b. Completed a minimum of 1200 hours of supervised  
212 internship, of which at least 600 must have been completed in  
213 a school, prior to being approved for licensure.

214 c. Graduated from a qualifying school psychologist  
215 education program.

216  
217 (7) Comply with the terms of this compact and the rules  
218 of the commission.

219 (b) Each member state shall grant an equivalent license  
220 to practice school psychology in that state upon application  
221 by a licensee who satisfies the criteria of Section  
222 34-26-103(a). Each member state shall grant renewal of the  
223 equivalent license to a licensee who satisfies the criteria of  
224 Section 34-26-103(b).



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225 (c) Member states may set and collect a fee for  
226 granting an equivalent license.

227 §34-26-103. School psychologist participation in this  
228 compact.

229 (a) To obtain and maintain an equivalent license from a  
230 remote state under this compact, a licensee must:

231 (1) Hold and maintain an active home state license.

232 (2) Satisfy any applicable state specific requirements  
233 established by the member state after an equivalent license is  
234 granted.

235 (3) Complete any administrative or application  
236 requirements which the commission may establish by rule, and  
237 pay any associated fees.

238 (4) Complete any requirements for renewal in the home  
239 state, including applicable continuing professional education  
240 requirements.

241 (5) Upon his or her application to receive a license  
242 under this compact, undergo a criminal background check in the  
243 member state in which the equivalent license is sought in  
244 accordance with the laws and rules of the member state.

245 (b) To renew an equivalent license in a member state  
246 other than the home state, a licensee must only apply for  
247 renewal, complete a background check, and pay renewal fees as  
248 determined by the licensing authority.

249 §34-26-104. Active duty military members or their  
250 spouses.

251 A licensee who is an active military member or is the  
252 spouse of an active military member shall be deemed to hold a



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253 home state license in any of the following locations:

254 (1) The licensee's permanent residence.

255 (2) A member state that is the licensee's primary state  
256 of practice.

257 (3) A member state where the licensee has relocated  
258 pursuant to a permanent change of station (PCS).

259 §34-26-105. Discipline/Adverse actions.

260 (a) Nothing in this compact shall be deemed or  
261 construed to limit the authority of a member state to  
262 investigate or impose disciplinary measures on licensees  
263 according to its scope of practice laws.

264 (b) Member states shall be authorized to receive, and  
265 shall provide, files and information regarding the  
266 investigation and discipline, if any, of licensees in other  
267 member states upon request. Any member state receiving such  
268 information or files shall protect and maintain their security  
269 and confidentiality, in at least the same manner that it  
270 maintains its own investigatory or disciplinary files and  
271 information. Prior to disclosing any disciplinary or  
272 investigatory information received from another member state,  
273 the disclosing state shall communicate its intention and  
274 purpose for such disclosure to the member state which  
275 originally provided that information.

276 §34-26-106. Establishment of the School Psychologist  
277 Interstate Licensure Compact Commission.

278 (a) The member states hereby create and establish a  
279 joint government agency whose membership consists of all  
280 member states that have enacted this compact, and this agency



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281 shall be known as the School Psychologist Interstate Licensure  
282 Compact Commission. The commission is an instrumentality of  
283 the member states acting jointly and not an instrumentality of  
284 any one state. The commission shall come into existence on or  
285 after the effective date of this compact as set forth in  
286 Section 34-26-110.

287 (b) Membership, Voting, and Meetings.

288 (1) Each member state shall have and be limited to one  
289 delegate selected by the state licensing authority of that  
290 member state.

291 (2) The delegate shall be the primary administrative  
292 officer of the member state licensing authority or their  
293 designee who is an employee of the member state licensing  
294 authority.

295 (3) The commission shall by rule or bylaw establish a  
296 term of office for delegates and may by rule or bylaw  
297 establish term limits.

298 (4) The commission may recommend removal or suspension  
299 of any delegate from office.

300 (5) A member state's licensing authority shall fill any  
301 vacancy of its delegate occurring on the commission within 60  
302 days of the vacancy.

303 (6) Each delegate shall be entitled to one vote on all  
304 matters before the commission requiring a vote by commission  
305 delegates.

306 (7) A delegate shall vote in person or by such other  
307 means as provided in the bylaws. The bylaws may provide for  
308 delegates to meet via telecommunication, videoconference, or



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309 other means of communication.

310 (8) The commission shall meet at least once during each  
311 calendar year. Additional meetings may be held as set forth in  
312 the bylaws. The commission may meet via telecommunication,  
313 video conference, or other similar electronic means.

314 (c) The commission shall have the following powers:

315 (1) To establish the fiscal year of the commission.

316 (2) To establish code of conduct and conflict of  
317 interest policies.

318 (3) To establish and amend rules and bylaws.

319 (4) To establish the procedure through which a licensee  
320 may change his or her home state.

321 (5) To maintain its financial records in accordance  
322 with the bylaws.

323 (6) To meet and take such actions as are consistent  
324 with the provisions of this compact, the commission's rules,  
325 and the bylaws.

326 (7) To initiate and conclude legal proceedings or  
327 actions in the name of the commission, provided that the  
328 standing of any member state licensing authority to sue or be  
329 sued under applicable law shall not be affected.

330 (8) To maintain and certify records and information  
331 provided to a member state as the authenticated business  
332 records of the commission, and designate an agent to do so on  
333 the commission's behalf.

334 (9) To purchase and maintain insurance and bonds.

335 (10) To borrow, accept, or contract for services of  
336 personnel, including, but not limited to, employees of a



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337 member state.

338 (11) To conduct an annual financial review.

339 (12) To hire employees, elect or appoint officers, fix  
340 compensation, define duties, grant such individuals  
341 appropriate authority to carry out the purposes of this  
342 compact, and establish the commission's personnel policies and  
343 programs relating to conflicts of interest, qualifications of  
344 personnel, and other related personnel matters.

345 (13) To assess and collect fees.

346 (14) To accept any and all appropriate gifts,  
347 donations, grants of money, other sources of revenue,  
348 equipment, supplies, materials, and services, and receive,  
349 utilize, and dispose of those items; provided, that at all  
350 times the commission shall avoid any appearance of impropriety  
351 or conflict of interest.

352 (15) To lease, purchase, retain, own, hold, improve, or  
353 use any property, real, personal, or mixed, or any undivided  
354 interest therein.

355 (16) To sell, convey, mortgage, pledge, lease,  
356 exchange, abandon, or otherwise dispose of any property real,  
357 personal, or mixed.

358 (17) To establish a budget and make expenditures.

359 (18) To borrow money.

360 (19) To appoint committees, including standing  
361 committees, composed of members, state regulators, state  
362 legislators or their representatives, consumer  
363 representatives, and other interested persons as may be  
364 designated in this compact and the bylaws.



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365 (20) To provide and receive information from, and  
366 cooperate with, law enforcement agencies.

367 (21) To establish and elect an executive committee,  
368 including a chair and a vice chair.

369 (22) To determine whether a state's adopted language is  
370 materially different from the model compact language such that  
371 the state would not qualify for participation in this compact.

372 (23) To perform other functions as may be necessary or  
373 appropriate to achieve the purposes of this compact.

374 (d) The Executive Committee.

375 (1) The executive committee shall have the power to act  
376 on behalf of the commission according to the terms of this  
377 compact and shall have the following powers, duties, and  
378 responsibilities:

379 a. To oversee the day-to-day activities of the  
380 administration of this compact, including enforcement and  
381 compliance with the provisions of this compact, its rules and  
382 bylaws, and other such duties as deemed necessary.

383 b. To recommend to the commission changes to the rules  
384 or bylaws, changes to this compact legislation, fees charged  
385 to member states, fees charged to licensees, and other fees.

386 c. To ensure compact administration services are  
387 appropriately provided, including by contract.

388 d. To prepare and recommend the budget.

389 e. To maintain financial records on behalf of the  
390 commission.

391 f. To monitor compact compliance of member states and  
392 provide compliance reports to the commission.



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393 g. To establish additional committees as necessary.

394 h. To exercise the powers and duties of the commission  
395 during interim periods between commission meetings, except for  
396 adopting or amending rules, adopting or amending bylaws, and  
397 exercising any other powers and duties expressly reserved to  
398 the commission by rule or bylaw.

399 i. To perform other duties as provided in the rules or  
400 bylaws of the commission.

401 (2) The executive committee shall be composed of up to  
402 seven members:

403 a. The chair and vice chair of the commission shall be  
404 voting members of the executive committee.

405 b. The commission shall elect five voting members from  
406 the current membership of the commission.

407 (3) The commission may remove any member of the  
408 executive committee as provided in the commission's bylaws.

409 (4) The executive committee shall meet at least  
410 annually.

411 a. Executive committee meetings shall be open to the  
412 public, except that the executive committee may meet in a  
413 closed, non-public meeting as provided in subdivision (f)(2).

414 b. The executive committee shall give 30 days' notice  
415 of its meetings, posted on its website and as determined to  
416 provide notice to persons with an interest in the business of  
417 the commission.

418 c. The executive committee may hold a special meeting  
419 in accordance with paragraph (f)(1)b.

420 (e) The commission shall adopt and provide to the





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421 member states an annual report.

422 (f) Meetings of the commission.

423 (1) All meetings shall be open to the public, except  
424 that the commission may meet in a closed, nonpublic meeting as  
425 provided in subdivision (2).

426 a. Public notice for all meetings of the full  
427 commission shall be given in the same manner as required under  
428 the rulemaking provisions in Section 34-26-108, except that  
429 the commission may hold a special meeting as provided in  
430 paragraph b.

431 b. The commission may hold a special meeting when it  
432 must meet to conduct emergency business by giving 48 hours'  
433 notice to all commissioners, on the commission's website, and  
434 other means as provided in the commission's rules. The  
435 commission's legal counsel shall certify that the commission's  
436 need to meet qualifies as an emergency.

437 (2) The commission, the executive committee, or other  
438 committees of the commission may convene in a closed,  
439 nonpublic meeting for the commission, executive committee, or  
440 other committees of the commission to receive legal advice or  
441 to discuss the following:

442 a. Noncompliance of a member state with its obligations  
443 under this compact.

444 b. The employment, compensation, discipline, or other  
445 matters, practices, or procedures related to specific  
446 employees.

447 c. Current or threatened discipline of a licensee by  
448 the commission or by a member state's licensing authority.



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449           d. Current, threatened, or reasonably anticipated  
450 litigation.

451           e. Negotiation of contracts for the purchase, lease, or  
452 sale of goods, services, or real estate.

453           f. Accusing any individual of a crime or formally  
454 censuring any individual.

455           g. Trade secrets or commercial or financial information  
456 that is privileged or confidential.

457           h. Information of a personal nature where disclosure  
458 would constitute a clearly unwarranted invasion of personal  
459 privacy.

460           i. Investigative records compiled for law enforcement  
461 purposes.

462           j. Information related to any investigative reports  
463 prepared by, on behalf of, or for use of the commission or  
464 other committee charged with responsibility of investigation  
465 or determination of compliance issues pursuant to this  
466 compact.

467           k. Matters specifically exempted from disclosure by  
468 federal or member state law.

469           l. Other matters as adopted by the commission by rule.

470           (3) If a meeting, or portion of a meeting, is closed,  
471 the presiding officer shall state that the meeting will be  
472 closed and reference each relevant exempting provision, and  
473 each reference shall be recorded in the minutes.

474           (4) The commission shall keep minutes that fully and  
475 clearly describe all matters discussed in a meeting and shall  
476 provide a full and accurate summary of actions taken, and the



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477 reasons therefore, including a description of the views  
478 expressed. All documents considered in connection with an  
479 action shall be identified in the minutes. All minutes and  
480 documents of a closed meeting shall remain under seal, subject  
481 to release only by a majority vote of the commission or order  
482 of a court of competent jurisdiction.

483 (g) Financing of the commission.

484 (1) The commission shall pay, or provide for the  
485 payment of, the reasonable expenses of its establishment,  
486 organization, and ongoing activities.

487 (2) The commission may accept any and all appropriate  
488 revenue sources as provided in subdivision (c)(14).

489 (3) The commission may levy on and collect an annual  
490 assessment from each member state and impose fees on licensees  
491 practicing in the member states under an equivalent license to  
492 cover the cost of the operations and activities of the  
493 commission and its staff, which must be in a total amount  
494 sufficient to cover its annual budget as approved each year  
495 for which revenue is not provided by other sources. The  
496 aggregate annual assessment amount for member states shall be  
497 allocated based upon a formula that the commission shall adopt  
498 by rule.

499 (4) The commission shall not incur obligations of any  
500 kind prior to securing the funds adequate to meet those  
501 obligations nor shall the commission pledge the credit of any  
502 of the member states, except by and with the authority of the  
503 member state.

504 (5) The commission shall keep accurate accounts of all



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505 receipts and disbursements. The receipts and disbursements of  
506 the commission shall be subject to the financial review and  
507 accounting procedures established under its bylaws. However,  
508 all receipts and disbursements of funds handled by the  
509 commission shall be subject to an annual financial review by a  
510 certified or licensed public accountant, and the report of the  
511 financial review shall be included in and become part of the  
512 annual report of the commission.

513 (h) Qualified immunity, defense, and indemnification.

514 (1) The members, officers, executive director,  
515 employees, and representatives of the commission shall be  
516 immune from suit and liability, both personally and in their  
517 official capacity, for any claim for damage to or loss of  
518 property or personal injury or other civil liability caused by  
519 or arising out of any actual or alleged act, error, or  
520 omission that occurred, or that the individual against whom  
521 the claim is made had a reasonable basis for believing  
522 occurred within the scope of commission employment, duties, or  
523 responsibilities; provided, that nothing in this subdivision  
524 shall be construed to protect any such individual from suit or  
525 liability for any damage, loss, injury, or liability caused by  
526 the intentional, willful, or wanton misconduct of that  
527 individual. The procurement of insurance of any type by the  
528 commission shall not in any way compromise or limit the  
529 immunity granted hereunder.

530 (2) The commission shall defend any member, officer,  
531 executive director, employee, and representative of the  
532 commission in any civil action seeking to impose liability



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533 arising out of any actual or alleged act, error, or omission  
534 that occurred within the scope of commission employment,  
535 duties, or responsibilities, or as determined by the  
536 commission that the individual against whom the claim is made  
537 had a reasonable basis for believing occurred within the scope  
538 of commission employment, duties, or responsibilities;  
539 provided, that nothing herein shall be construed to prohibit  
540 that individual from retaining their own counsel at their own  
541 expense; and provided further, that the actual or alleged act,  
542 error, or omission did not result from that individual's  
543 intentional, willful, or wanton misconduct.

544 (3) The commission shall indemnify and hold harmless  
545 any member, officer, executive director, employee, and  
546 representative of the commission for the amount of any  
547 settlement or judgment obtained against that individual  
548 arising out of any actual or alleged act, error, or omission  
549 that occurred within the scope of commission employment,  
550 duties, or responsibilities, or that such individual had a  
551 reasonable basis for believing occurred within the scope of  
552 commission employment, duties, or responsibilities; provided,  
553 that the actual or alleged act, error, or omission did not  
554 result from the intentional, willful, or wanton misconduct of  
555 that individual.

556 (4) Nothing herein shall be construed as a limitation  
557 on the liability of any licensee for professional malpractice  
558 or misconduct, which shall be governed solely by any other  
559 applicable state laws.

560 (5) Nothing in this compact shall be interpreted to



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561 waive or otherwise abrogate a member state's state action  
562 immunity or state action affirmative defense with respect to  
563 antitrust claims under the Sherman Act, Clayton Act, or any  
564 other state or federal antitrust or anticompetitive law or  
565 regulation.

566 (6) Nothing in this compact shall be construed to be a  
567 waiver of sovereign immunity by the member states or by the  
568 commission.

569 §34-26-107. Facilitating information exchange.

570 (a) The commission shall provide for facilitating the  
571 exchange of information to administer and implement the  
572 provisions of this compact in accordance with the rules of the  
573 commission, consistent with generally accepted data protection  
574 principles.

575 (b) Notwithstanding any other provision of state law to  
576 the contrary, a member state shall agree to provide for the  
577 facilitation of the following licensee information as required  
578 by the rules of the commission, to include the following:

579 (1) Identifying information.

580 (2) Licensure data.

581 (3) Adverse actions against a license and related  
582 information.

583 (4) Nonconfidential information related to alternative  
584 program participation, the beginning and ending dates of such  
585 participation, and other information related to such  
586 participation not made confidential under member state law.

587 (5) Any denial of application for licensure, and the  
588 reason for the denial.



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589 (6) The presence of investigative information.

590 (7) Other information that may facilitate the  
591 administration of this compact or the protection of the  
592 public, as determined by the rules of the commission.

593 (c) Nothing in this compact shall be deemed or  
594 construed to alter, limit, or inhibit the power of a member  
595 state to control and maintain ownership of its licensee  
596 information or alter, limit, or inhibit the laws or rules  
597 governing licensee information in the member state.

598 §34-26-108. Rulemaking.

599 (a) The commission shall exercise its rulemaking powers  
600 pursuant to the criteria set forth in this compact and the  
601 rules adopted thereunder. Rules and amendments shall become  
602 binding as of the date specified in each rule or amendment.

603 (b) The commission shall adopt reasonable rules to  
604 achieve the intent and purpose of this compact. In the event  
605 the commission exercises its rulemaking authority in a manner  
606 that is beyond purpose and intent of this compact, or the  
607 powers granted hereunder, then such an action by the  
608 commission shall be invalid and have no force and effect of  
609 law in the member states.

610 (c) If a majority of the legislatures of the member  
611 states rejects a rule, by enactment of a statute or resolution  
612 in the same manner used to adopt this compact within four  
613 years of the date of adoption of the rule, then the rule shall  
614 have no further force and effect in any member state.

615 (d) Rules or amendments to the rules shall be adopted  
616 or ratified at a regular or special meeting of the commission



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617 in accordance with commission rules and bylaws.

618 (e) Prior to adoption of a final rule or rules by the  
619 commission, and at least 30 days in advance of the meeting at  
620 which the rule will be considered and voted upon, the  
621 commission shall file a notice of proposed rulemaking:

622 (1) On the website of the commission or other publicly  
623 accessible platform.

624 (2) On the website of each member state licensing  
625 authority or other publicly accessible platform or the  
626 publication in which each state would otherwise publish  
627 proposed rules.

628 (f) Upon determination that an emergency exists, the  
629 commission may consider and adopt an emergency rule with 48  
630 hours' notice, with opportunity to comment; provided, that the  
631 usual rulemaking procedures shall be retroactively applied to  
632 the rule as soon as reasonably possible, and in no event later  
633 than 90 days after the effective date of the rule. For the  
634 purposes of this subsection, an emergency rule is one that  
635 must be adopted immediately in order to:

636 (1) Meet an imminent threat to public health, safety,  
637 or welfare.

638 (2) Prevent a loss of commission or member state funds.

639 (3) Meet a deadline for the adoption of an  
640 administrative rule that is established by federal law or  
641 rule.

642 (4) Protect public health and safety.

643 §34-26-109. Oversight, dispute resolution, and  
644 enforcement.





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645 (a) Oversight.

646 (1) The executive and judicial branches of the state  
647 government in each member state shall enforce this compact and  
648 take all actions necessary and appropriate to implement this  
649 compact.

650 (2) Venue is proper and judicial proceedings by or  
651 against the commission shall be brought solely and exclusively  
652 in a court of competent jurisdiction, including, but not  
653 limited to, where the principal office of the commission is  
654 located. The commission may waive venue and jurisdictional  
655 defenses to the extent it adopts or consents to participate in  
656 alternative dispute resolution proceedings. Nothing herein  
657 shall affect or limit the selection or propriety of venue in  
658 any action against a licensee for professional malpractice,  
659 misconduct, or any similar matter.

660 (3) The commission shall be entitled to receive service  
661 of process in any proceeding regarding the enforcement or  
662 interpretation of this compact and shall have standing to  
663 intervene in such a proceeding for all purposes. Failure to  
664 provide the commission service of process shall render a  
665 judgment or order void as to the commission, this compact, or  
666 adopted rules.

667 (b) Default, technical assistance, and termination.

668 (1) If the commission determines that a member state  
669 has defaulted in the performance of its obligations or  
670 responsibilities under this compact or the adopted rules, the  
671 commission shall provide written notice to the defaulting  
672 state. The notice of default shall describe the default, the



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673 proposed means of curing the default, and any other action  
674 that the commission may take, and shall offer training and  
675 specific technical assistance regarding the default.

676 (2) The commission shall provide a copy of the notice  
677 of default to the other member states.

678 (c) If a state in default fails to cure the default,  
679 the defaulting state may be terminated from this compact upon  
680 an affirmative vote of a supermajority of the delegates of the  
681 member states, and all rights, privileges, and benefits  
682 conferred on that state by this compact may be terminated on  
683 the effective date of termination. A cure of the default does  
684 not relieve the offending state of obligations or liabilities  
685 incurred during the period of default.

686 (d) Termination of membership in this compact shall be  
687 imposed only after all other means of securing compliance have  
688 been exhausted. Notice of intent to suspend or terminate shall  
689 be given by the commission to the governor, the majority and  
690 minority leaders of the defaulting state's legislature, the  
691 defaulting state's licensing authority, and each of the member  
692 states' licensing authorities.

693 (e) A state that has been terminated is responsible for  
694 all assessments, obligations, and liabilities incurred through  
695 the effective date of termination, including obligations that  
696 extend beyond the effective date of termination.

697 (f) Upon the termination of a state's membership from  
698 this compact, that state shall immediately provide notice to  
699 all licensees within that state of the termination. The  
700 terminated state shall continue to recognize all licenses



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701 granted pursuant to this compact for a minimum of six months  
702 after the date of the notice of termination.

703 (g) The commission shall not bear any costs related to  
704 a state that is found to be in default or that has been  
705 terminated from this compact, unless agreed upon in writing  
706 between the commission and the defaulting state.

707 (h) The defaulting state may appeal the action of the  
708 commission by petitioning the United States District Court for  
709 the District of Columbia or the federal district where the  
710 commission has its principal offices. The prevailing party  
711 shall be awarded all costs of the litigation, including  
712 reasonable attorney fees.

713 (i) Dispute Resolution.

714 (1) Upon request by a member state, the commission  
715 shall attempt to resolve disputes related to this compact that  
716 arise among member states and between member and non-member  
717 states.

718 (2) The commission shall adopt a rule providing for  
719 both mediation and binding dispute resolution for disputes as  
720 appropriate.

721 (j) Enforcement.

722 (1) By majority vote as provided by rule, the  
723 commission may initiate legal action against a member state in  
724 default in the United States District Court for the District  
725 of Columbia or the federal district where the commission has  
726 its principal offices to enforce compliance with the  
727 provisions of this compact and its adopted rules. The relief  
728 sought may include both injunctive relief and damages. In the



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729 event judicial enforcement is necessary, the prevailing party  
730 shall be awarded all costs of the litigation, including  
731 reasonable attorney fees. The remedies herein shall not be the  
732 exclusive remedies of the commission. The commission may  
733 pursue any other remedies available under federal or the  
734 defaulting member state's law.

735 (2) A member state may initiate legal action against  
736 the commission in the United States District Court for the  
737 District of Columbia or the federal district where the  
738 commission has its principal offices to enforce compliance  
739 with the provisions of this compact and its adopted rules. The  
740 relief sought may include both injunctive relief and damages.  
741 In the event judicial enforcement is necessary, the prevailing  
742 party shall be awarded all costs of the litigation, including  
743 reasonable attorney fees.

744 (3) No person other than a member state shall enforce  
745 this compact against the commission.

746 §34-26-110. Effective date, withdrawal, and amendment.

747 (a) This compact shall come into effect on the date on  
748 which the compact statute is enacted into law in the seventh  
749 member state.

750 (1) On or after the effective date of this compact  
751 indicated above, the commission shall convene and review the  
752 enactment of each of the charter member states to determine if  
753 the statute enacted by each such charter member state is  
754 materially different than the model compact statute.

755 a. A charter member state whose enactment is found to  
756 be materially different from the model compact statute shall



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757 be entitled to the default process set forth in Section  
758 34-26-109(b).

759           b. If any member state is later found to be in default,  
760 is terminated, or withdraws from this compact, the commission  
761 shall remain in existence and this compact shall remain in  
762 effect even if the number of member states should be less than  
763 seven.

764           (2) Member states enacting this compact subsequent to  
765 the charter member states shall be subject to the process set  
766 forth in subdivision (1) to determine if their enactments are  
767 materially different from the model compact statute and  
768 whether they qualify for participation in this compact.

769           (3) All actions taken for the benefit of the commission  
770 or in furtherance of the purposes of the administration of  
771 this compact prior to the effective date of this compact or  
772 the commission coming into existence shall be considered to be  
773 actions of the commission unless specifically repudiated by  
774 the commission.

775           a. Any state that joins this compact subsequent to the  
776 commission's initial adoption of the rules and bylaws shall be  
777 subject to the rules and bylaws as they exist on the date on  
778 which this compact becomes law in that state. Any rule that  
779 has been previously adopted by the commission shall have the  
780 full force and effect of law on the day this compact becomes  
781 law in that state.

782           b. Any member state may withdraw from this compact by  
783 enacting a statute repealing the same.

784           (b) A member state's withdrawal shall not take effect



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785 until 180 days after enactment of the repealing statute.

786 (c) Withdrawal shall not affect the continuing  
787 requirement of the withdrawing state's licensing authority to  
788 comply with the investigative and adverse action reporting  
789 requirements of this compact prior to the effective date of  
790 withdrawal.

791 (d) Upon the enactment of a statute withdrawing from  
792 this compact, a state shall immediately provide notice of  
793 withdrawal to all licensees within that state. Notwithstanding  
794 any subsequent statutory enactment to the contrary, the  
795 withdrawing state shall continue to recognize all licenses  
796 granted pursuant to this compact for a minimum of six months  
797 after the date of the notice of withdrawal.

798 (1) Nothing contained in this compact shall be  
799 construed to invalidate or prevent any licensure agreement or  
800 other cooperative arrangement between a member state and a  
801 non-member state that does not conflict with the provisions of  
802 this compact.

803 (2) This compact may be amended by the member states.  
804 No amendment to this compact shall become effective and  
805 binding upon any member state until it is enacted into the  
806 laws of all member states.

807 §34-26-111. Construction and severability.

808 (a) This compact and the commission's rulemaking  
809 authority shall be liberally construed so as to effectuate the  
810 purposes, implementation, and administration of this compact.  
811 Provisions of this compact expressly authorizing or requiring  
812 the adoption of rules shall not be construed to limit the



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813 commission's rulemaking authority solely for those purposes.

814 (b) The provisions of this compact shall be severable  
815 and if any phrase, clause, sentence, or provision of this  
816 compact is held by a court of competent jurisdiction to be  
817 contrary to the constitution of any member state, a state  
818 seeking participation in this compact, or of the United  
819 States, or the applicability thereof to any government,  
820 agency, individual, or circumstance is held to be  
821 unconstitutional by a court of competent jurisdiction, the  
822 validity of the remainder of this compact and the  
823 applicability thereof to any other government, agency,  
824 individual, or circumstance shall not be affected thereby.

825 (c) Notwithstanding subsection (b), the commission may  
826 deny a state's participation in this compact or, in accordance  
827 with the requirements of Section 34-26-109(f), terminate a  
828 member state's participation in this compact, if it determines  
829 that a constitutional requirement of a member state is a  
830 material departure from this compact. Otherwise, if this  
831 compact shall be held to be contrary to the constitution of  
832 any member state, this compact shall remain in full force and  
833 effect as to the remaining member states and in full force and  
834 effect as to the member state affected as to all severable  
835 matters.

836 §34-26-112. Consistent effect and conflict with other  
837 states.

838 (a) Nothing herein shall prevent or inhibit the  
839 enforcement of any other law of a member state that is not  
840 inconsistent with this compact.



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841 (b) Any laws, statutes, rules, or other legal  
842 requirements in a member state in conflict with this compact  
843 are superseded to the extent of the conflict.

844 (c) All permissible agreements between the commission  
845 and the member states are binding in accordance with their  
846 terms.

847 (d) Nothing in this compact shall be interpreted to  
848 modify, amend, repeal, or supersede any state criminal or  
849 civil liability laws.

850 (e) In the event the commission adopts rules to  
851 coordinate the implementation or administration of this  
852 compact which conflict with Alabama law, Alabama law shall  
853 supersede those rules, and Alabama state courts shall retain  
854 sole jurisdiction to determine any conflicts.

855 (f) Alabama state courts shall retain sole jurisdiction  
856 to determine whether provisions of this compact are in  
857 conflict with state laws or the Constitution of Alabama of  
858 2022.

859 (g) Except as to judicial proceedings for the  
860 enforcement of this compact among member states, individuals  
861 may pursue judicial proceedings related to this compact in any  
862 Alabama state or federal court that would otherwise have  
863 competent jurisdiction.

864 Section 2. This act shall become effective on October  
865 1, 2025.





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866  
867  
868 Senate

869 Read for the first time and referred .....04-Feb-25  
870 to the Senate committee on Veterans  
871 and Military Affairs  
872  
873 Read for the second time and placed .....05-Feb-25  
874 on the calendar:  
875 0 amendments  
876  
877 Read for the third time and passed .....11-Feb-25  
878 as amended  
879 Yeas 31  
880 Nays 0  
881 Abstains 0  
882  
883

884 Patrick Harris,  
885 Secretary.  
886