

**SB160 ENROLLED**



1 SB160

2 ARZEB7S-2

3 By Senators Woods, Orr, Barfoot, Albritton, Bell

4 RFD: Fiscal Responsibility and Economic Development

5 First Read: 14-Jan-26



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1 Enrolled, An Act,

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4 Relating to athletic trainers; to adopt the Athletic  
5 Trainer Compact as Article 3 of Chapter 40 of Title 34, Code  
6 of Alabama 1975; to allow licensed athletic trainers to  
7 practice among compact states; to establish requirements and  
8 obligations for participation in the compact; to provide for  
9 disciplinary actions and joint investigation procedures; and  
10 to establish and provide for the operation of the Athletic  
11 Trainer Compact Commission and enforcement of the compact  
12 among member states.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. Article 3, commencing with Section 34-40-60,  
15 is added to Chapter 40 of Title 34, Code of Alabama 1975, to  
16 read as follows:

17 Article 3 ATHLETIC TRAINER COMPACT

18 §34-40-60 Title and purpose.

19 (a) This article shall be known and cited as the  
20 Athletic Trainer Compact. The purposes of this compact are to  
21 expand mobility of athletic training practice and improve  
22 public access to services by providing qualified licensed  
23 athletic trainers the ability to practice in other member  
24 states. This compact preserves the regulatory authority of  
25 states to protect public health and safety through the current  
26 system of state licensure.

27 (b) This compact is designed to achieve the following  
28 objectives:



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29           (1) Increase public access to athletic training and  
30 enhance continuity of care by providing for the mutual  
31 recognition of other licenses issued by member states.

32           (2) Provide an additional streamlined opportunity for  
33 interstate practice by licensed athletic trainers who meet  
34 compact uniform requirements.

35           (3) Promote mobility and workforce development by  
36 eliminating the necessity for licenses in multiple states by  
37 providing for the mutual recognition of other licenses issued  
38 by member states.

39           (4) Reduce administrative burdens on licensed athletic  
40 trainers and member states.

41           (5) Enhance the states' ability to protect the public's  
42 health and safety.

43           (6) Encourage the cooperation of member states in  
44 regulating interstate practice of licensed athletic trainers.

45           (7) Support relocating active military members and  
46 their spouses.

47           (8) Enhance the exchange of licensure, investigative,  
48 and disciplinary information among member states.

49           (9) Allow for the use of telehealth to facilitate  
50 increased access to athletic training services.

51           (10) Support the uniformity of licensed athletic  
52 trainer licensure requirements throughout the states.

53           (11) Affirm the authority of all member states to hold  
54 a licensed athletic trainer accountable for abiding by the  
55 scope of practice in the state in which the patient is located  
56 at the time of care.



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57 (12) Require adherence to the model compact language in  
58 order to promote uniformity and ensure that all member states  
59 have accepted and are mutually obligated to the same terms.

60 §34-40-61 Definitions.

61 As used in this compact, unless the context requires  
62 otherwise, the following terms have the following meanings:

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

66 (2) ADVERSE ACTION. Any administrative, civil,  
67 equitable, or criminal action permitted by a state's laws  
68 which is imposed by a licensing authority or other authority  
69 against a licensee, including actions against an individual's  
70 license or compact privilege such as revocation, suspension,  
71 probation, monitoring of the licensee, limitation on the  
72 licensee's practice, or any other encumbrance on licensure  
73 affecting a licensee's authorization to practice.

74 (3) ALTERNATIVE PROGRAM. A nondisciplinary monitoring  
75 or practice remediation process applicable to an athletic  
76 trainer approved by a state licensing authority of a member  
77 state in which the athletic trainer is licensed. This  
78 includes, but is not limited to, programs to which licensees  
79 with substance use, addiction, or mental health conditions are  
80 referred in lieu of adverse action.

81 (4) ATHLETIC TRAINER COMPACT COMMISSION or COMPACT  
82 COMMISSION. The government agency whose membership consists of  
83 all states that have enacted this compact, as described in  
84 this compact and which shall operate as an instrumentality of



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85 the member states to administer and implement the compact  
86 according to its terms.

87 (5) ATHLETIC TRAINING. The prevention, examination,  
88 assessment, treatment, and rehabilitation of emergent, acute,  
89 or chronic injuries and medical conditions as defined by  
90 applicable member state laws and rules.

91 (6) BOC. The Board of Certification, Inc., or any  
92 successor organization thereto.

93 (7) CAATE. The Commission on Accreditation of Athletic  
94 Training Education or any successor organization thereto.

95 (8) CHARTER MEMBER STATE. Any member state which  
96 enacted and made effective this compact by law before the  
97 compact effective date specified in this compact.

98 (9) COMMISSIONER. The individual appointed by a member  
99 state to serve as the member of the commission for that member  
100 state.

101 (10) COMPACT PRIVILEGE. The legal authorization granted  
102 by a remote state, equivalent to a license, allowing a  
103 licensee from another member state to provide athletic  
104 training services in a remote state.

105 (11) COMPACT QUALIFYING LICENSE. A license that is not  
106 an encumbered license issued by a member state to practice  
107 athletic training which qualifies the licensee to exercise a  
108 compact privilege pursuant to Section 34-40-63.

109 (12) CONTINUING COMPETENCE. A requirement, as a  
110 condition of license renewal, to provide evidence of  
111 successful participation and completion of educational and  
112 professional activities relevant to practice or area of work.



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113 For purposes of this compact, evidence of active BOC  
114 certification may satisfy the meaning of continuing competence  
115 as set forth in this compact.

116 (13) CRIMINAL BACKGROUND CHECK. The submission of  
117 fingerprints or other biometric-based information for a  
118 license applicant for the purpose of obtaining that  
119 applicant's criminal history record information, as defined in  
120 28 C.F.R. § 20.3(d) from the Federal Bureau of Investigation  
121 and the state's criminal history record repository as defined  
122 in 28 C.F.R. § 20.3(f).

123 (14) CURRENT SIGNIFICANT INVESTIGATIVE INFORMATION. The  
124 existence of:

125 a. Investigative information that a licensing  
126 authority, after a preliminary inquiry that includes  
127 notification and an opportunity for the subject licensee to  
128 respond, if required by state law, has reason to believe is  
129 not groundless and, if proven true, would indicate more than a  
130 minor infraction; or

131 b. Investigative information that indicates that the  
132 subject licensee represents an immediate threat to public  
133 health and safety regardless of whether the subject licensee  
134 has been notified and had an opportunity to respond.

135 (15) DATA SYSTEM. The commission's repository of  
136 information about licensees, including, but not limited to,  
137 examination, licensure, investigative, compact privilege,  
138 adverse action, and alternative program.

139 (16) ENCUMBRANCE or ENCUMBERED. A revocation or  
140 suspension of, or any limitation or condition on, the full and



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141 unrestricted practice of athletic training.

142 (17) EXECUTIVE COMMITTEE. A group of commissioners  
143 elected or appointed to act on behalf of, and within the  
144 powers granted to them by, the compact and commission.

145 (18) INVESTIGATIVE INFORMATION. Information, records,  
146 and documents received or generated by a licensing authority  
147 pursuant to an investigation.

148 (19) JURISPRUDENCE REQUIREMENT. The assessment of an  
149 individual's knowledge of the laws and rules governing the  
150 practice of athletic training, as applicable, in a state.

151 (20) LICENSE. The current authorization by a member  
152 state to engage in the practice of athletic training.

153 (21) LICENSEE or LICENSED ATHLETIC TRAINER. An  
154 individual who currently holds an active, unrestricted license  
155 and who meets all of the requirements outlined in Section  
156 34-40-63.

157 (22) LICENSING AUTHORITY. The board or agency of a  
158 state, or equivalent, that is responsible for the licensing  
159 and regulation of athletic trainers.

160 (23) MEMBER STATE. A state that has enacted this  
161 compact.

162 (24) MODEL COMPACT LANGUAGE. The model language for the  
163 athletic trainer compact on file with the council of state  
164 governments or other entity as designated by the commission to  
165 which all member states must substantively adhere and adopt.

166 (25) REMOTE STATE. A member state other than the state  
167 of qualifying licensure.

168 (26) RULE. A regulation adopted by an authorized entity



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169 that has the force of law.

170 (27) SCOPE OF PRACTICE. The procedures, actions, and  
171 processes an athletic trainer licensed in a state is permitted  
172 to undertake in that state and the circumstances under which  
173 the licensee is permitted to undertake those procedures,  
174 actions, and processes. The procedures, actions, and  
175 processes, and the circumstances under which they may be  
176 undertaken may be established through means, including, but  
177 not limited to, statute, rules, case law, and other processes  
178 available to the state licensing authority or other government  
179 agency. Scope of practice shall include any state requirements  
180 regarding supervision or direction, if required by the state  
181 and as further defined by the state's statutes and rules.

182 (28) SINGLE STATE LICENSE. A license issued by any  
183 state that authorizes practice only within the issuing state.

184 (29) STATE. Any state, commonwealth, district, or  
185 territory of the United States of America.

186 (30) STATE OF QUALIFYING LICENSURE. The member state  
187 which has issued a compact qualifying license to a licensee  
188 pursuant to this compact.

189 (31) UNENCUMBERED LICENSE. A license that authorizes a  
190 licensee to engage in the full and unrestricted practice of  
191 athletic training.

192 §34-40-62 State participation in the compact.

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

195 (1) Enact and maintain a statute that is not materially  
196 different from the model compact language;



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197           (2) License and regulate the practice of athletic  
198 training;

199           (3) Require that licensees in that state maintain  
200 continuing competence standards as part of their state  
201 practice act or rules;

202           (4) Have a mechanism in place for receiving and  
203 investigating complaints about licensees;

204           (5) Grant the compact privilege to a licensee who meets  
205 all the requirements outlined in Section 34-40-63 in  
206 accordance with the terms of the compact and any rules adopted  
207 thereunder;

208           (6) Participate fully in the compact commission's data  
209 system, including using the unique identifier as defined in  
210 rules;

211           (7) Notify the compact commission, in compliance with  
212 the terms of the compact and rules, of any adverse action or  
213 the availability of current significant investigative  
214 information regarding a licensee;

215           (8) Within a time frame established by rule, implement  
216 or utilize procedures for considering the criminal history  
217 records of applicants for a compact qualifying license which  
218 includes receiving the results of the Federal Bureau of  
219 Investigation record search and use those results in making  
220 licensure decisions. These procedures shall include the  
221 submission of fingerprints or other biometric-based  
222 information by applicants for the purpose of obtaining an  
223 applicant's criminal history record information from the  
224 Federal Bureau of Investigation and the agency responsible for



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225 retaining that state's criminal records;

226 a. A member state must fully implement a criminal  
227 background check requirement in order to participate in the  
228 issuance and acceptance of compact privileges.

229 b. Communication between a member state and the compact  
230 commission or among member states regarding the verification  
231 of eligibility for licensure through the compact shall not  
232 include any information received from the Federal Bureau of  
233 Investigation relating to a federal criminal records check  
234 performed by a member state; and

235 (9) Comply with and enforce the rules of the compact  
236 commission.

237 (b) Member states may set and collect a fee for  
238 issuance and renewal of a compact privilege to applicants.

239 (c) Individuals without a compact qualifying license  
240 shall continue to be able to apply for a member state's single  
241 state license as provided under the laws of each member state.

242 (d) Nothing in this compact shall affect the  
243 requirements established by a member state for the issuance of  
244 a single state license.

245 (e) A compact qualifying license shall be recognized by  
246 each remote state as authorizing that licensee to engage in  
247 the practice of athletic training, under a compact privilege,  
248 in another member state in accordance with the requirements in  
249 Section 34-40-63.

250 §34-40-63 Compact privilege.

251 (a) To be eligible for a compact privilege under the  
252 terms and provisions of this compact, the licensee shall



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253 complete a criminal background check performed by the  
254 licensing authority in the state of qualifying licensure  
255 before entry in the compact and shall:

256 (1) Satisfy one of the following two pathways:

257 a. Hold a valid current active certification through  
258 BOC.

259 b. If a licensee does not meet the requirements of  
260 paragraph a., the following must be completed:

261 1. An education program which is either:

262 (i) At least a bachelor's degree with a major course of  
263 study in athletic training, an equivalent course of study from  
264 a college or university accredited at the time of graduation  
265 by CAATE;

266 (ii) An academic degree from a college or university in  
267 a foreign country equivalent to the degree described in item  
268 (i) with a major course of study as described in item (i) that  
269 is accredited by CAATE; or

270 (iii) The substantial equivalent of the foregoing which  
271 the commission may determine by rule.

272 2. Successful completion of the exam administered by  
273 BOC, preceding the date of the licensee's application for  
274 licensure in his or her state of qualifying licensure or the  
275 substantial equivalent of the foregoing requirement which the  
276 commission may determine by rule;

277 (2) Hold a compact qualifying license;

278 (3) Have not had any encumbrance against any license or  
279 compact privilege to practice athletic training within the  
280 previous two years;



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281 (4) Be eligible for a compact privilege in any member  
282 state in accordance with this section;

283 (5) Notify the compact commission that the licensee is  
284 seeking the compact privilege within a remote state or remote  
285 states;

286 (6) Pay any applicable fees, including any state fee,  
287 for the compact privilege;

288 (7) Meet only the continuing competence requirements  
289 established by the state of qualifying licensure;

290 (8) Comply with any requirements of the state of  
291 qualifying licensure as set forth in Section 34-40-62;

292 (9) Meet any jurisprudence requirements established by  
293 the remote state or remote states in which the licensee is  
294 seeking a compact privilege; and

295 (10) Report to the compact commission any adverse  
296 action, encumbrance, or restriction on a license taken by any  
297 non-member state within 30 days from the date the action is  
298 taken.

299 (b) The compact privilege is valid until the expiration  
300 date of the compact qualifying license. To maintain a compact  
301 privilege, renewal of the compact privilege shall be congruent  
302 with the renewal of the compact qualifying license as the  
303 compact commission may define by rule. The licensee must  
304 comply with the requirements of this section to maintain the  
305 compact privilege in the remote state. A licensee may apply  
306 for and hold compact privileges in multiple member states.

307 (c) A licensed athletic trainer must follow the scope  
308 of practice of the member state where the patient is located.



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309 A licensee engaging in the practice of athletic training in a  
310 remote state under the compact privilege shall adhere to the  
311 scope of practice laws and rules of the remote state.

312 Licensees shall be responsible for educating themselves on,  
313 and complying with, any and all scope of practice laws and  
314 rules and state laws relating to the remote practice of  
315 athletic training, as applicable.

316 (d) A licensee engaging in the practice of athletic  
317 training in a remote state is subject to that state's  
318 regulatory authority. A remote state, in accordance with due  
319 process and that state's laws, may remove a licensee's compact  
320 privilege in the remote state for a specific period of time,  
321 impose fines, or take any other necessary actions to protect  
322 the health and safety of its residents. Any member state which  
323 undertakes such an action shall promptly notify the member  
324 state and the commission as specified in the rules. The  
325 licensee may be deemed to be ineligible to exercise the  
326 compact privilege by any member state until the specific time  
327 for removal has passed and all fines are paid.

328 (e) All member state disciplinary orders that impose  
329 adverse action against a compact qualifying license shall  
330 result in deactivation of the licensee's compact privilege in  
331 all member states during the pendency of the order. If a  
332 compact qualifying license is encumbered, the licensee shall  
333 lose the compact privilege in any remote state until the  
334 following occur:

335 (1) The compact qualifying license is no longer  
336 encumbered.



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337 (2) The licensee has not had any encumbrance or  
338 restriction against any license, compact qualifying license,  
339 or compact privilege within the previous two years.

340 (f) Once an encumbered license is restored to good  
341 standing as a compact qualifying license, as certified by the  
342 licensing authority, the licensee must meet the requirements  
343 of this section to obtain a compact privilege in any remote  
344 state.

345 (g) If a licensee's compact privilege in any remote  
346 state is removed, that licensee may also lose the compact  
347 privilege in other remote states, as each member state shall  
348 determine in its sole authority, until the following occur:

349 (1) The specific period of time for which the compact  
350 privilege was removed has ended.

351 (2) All fines have been paid.

352 (3) The licensee has not had any encumbrance or  
353 restriction against any license or compact privilege within  
354 the previous two years.

355 (h) Once the requirements of subsection (g) have been  
356 met, the licensee must meet the requirements in subsection (a)  
357 to obtain a compact privilege in a remote state.

358 §34-40-64 Compact qualification.

359 (a) A licensee may only designate one license as his or  
360 her compact qualifying license at a time. The procedures for  
361 the designation may be further defined by compact commission  
362 rule.

363 (b) Nothing in this section shall require that the  
364 state of qualifying licensure be the state of primary



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365 residence or state of primary practice for the licensee.

366 (c) Nothing in this compact shall interfere with a  
367 licensee's ability to hold a single state license in multiple  
368 states.

369 (d) Nothing in this compact shall affect the  
370 requirements established by a member state for the issuance of  
371 a single state license.

372 §34-40-65 Active military member or his or her spouse.

373 An active military member or his or her spouse shall  
374 not be required to pay a fee to the commission for a compact  
375 privilege. If a member state chooses to charge a member state  
376 fee, the member state may choose to charge a reduced fee or no  
377 fee to an active military member or his or her spouse for a  
378 compact privilege.

379 §34-40-66 Adverse actions.

380 (a) A member state in which a licensee is issued a  
381 compact qualifying license shall have the exclusive authority  
382 to impose adverse action against the compact qualifying  
383 license issued by that member state.

384 (b) A member state may take adverse action based on  
385 current significant investigative information of a remote  
386 state, so long as the member state follows its own procedures  
387 for imposing adverse action.

388 (c) Nothing in this compact shall override a member  
389 state's decision that participation in an alternative program  
390 may be used in lieu of adverse action and that such  
391 participation shall remain nonpublic if required by the member  
392 state's laws or rules.



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393 (d) A remote state shall have the authority to:

394 (1) Take adverse actions as set forth in this compact  
395 against a licensee's compact privilege in that state; and

396 (2) Issue subpoenas for both hearings and  
397 investigations that require the attendance and testimony of  
398 witnesses as well as the production of evidence.

399 a. Subpoenas may be issued by a member state athletic  
400 training licensing authority for the attendance and testimony  
401 of witnesses and the production of evidence.

402 b. A member state which issues a subpoena may request  
403 service of that subpoena by another member state. The member  
404 state receiving the request to serve a subpoena shall serve  
405 the subpoena if the subpoena is deemed enforceable by a court  
406 of competent jurisdiction according to the practice and  
407 procedure in the receiving member state.

408 c. The issuing authority shall pay any witness fees,  
409 travel expenses, mileage, and other fees required by the  
410 service statutes of the state where the witnesses or evidence  
411 are located.

412 (e) For purposes of taking adverse action, a member  
413 state shall give the same priority and effect to reported  
414 conduct received from another member state as it would if the  
415 conduct had occurred within that state. In so doing, the  
416 investigating member state shall apply its own state laws to  
417 determine appropriate action.

418 (f) A member state, if otherwise permitted by state  
419 law, may recover from the affected licensee the costs of  
420 investigations and dispositions of cases resulting from any



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421 adverse action taken against that licensee.

422 (g) Joint investigations.

423 (1) In addition to the authority granted to a member  
424 state by its respective state law, any member state may  
425 participate with other member states in joint investigations  
426 of licensees.

427 (2) Member states shall share any current significant  
428 investigative information, litigation, or compliance materials  
429 in furtherance of any joint or individual investigation  
430 initiated under this compact. In sharing this information  
431 between member state athletic trainer licensing authorities,  
432 all information obtained shall be kept confidential, except as  
433 otherwise mutually agreed upon by the sharing and receiving  
434 member state or member states.

435 (3) A remote state may issue subpoenas on behalf of a  
436 member state for both hearings and investigations that require  
437 the attendance and testimony of witnesses as well as the  
438 production of evidence.

439 (h) If a member state takes adverse action, the member  
440 state shall promptly notify the administrator of the data  
441 system. The administrator of the data system shall promptly  
442 notify all member states of any adverse actions by remote  
443 states.

444 (i) Nothing in this compact may permit a member state  
445 to take any adverse action against a licensee or holder of a  
446 compact privilege for conduct or practice occurring in another  
447 member state that was legal in the member state at the time it  
448 was undertaken.



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449 §34-40-67 Establishment and operation of the  
450 commission.

451 (a) The compact member states hereby create and  
452 establish a joint government agency whose membership consists  
453 of all member states that have enacted this compact known as  
454 the Athletic Trainer Licensure Compact Commission. The compact  
455 commission is an instrumentality of the member states acting  
456 jointly and not an instrumentality of any one state. The  
457 compact commission shall come into existence on or after the  
458 effective date of the compact as set forth in Section  
459 34-40-71.

460 (b) Membership, voting, and meetings.

461 (1) Each member state shall have and be limited to one  
462 commissioner selected by that member state's licensing  
463 authority within 60 days of the member state's effective date.

464 (2) The commissioner shall be an administrator or his  
465 or her designated staff or current board member of the  
466 licensing authority.

467 (3) The compact commission may recommend removal or  
468 suspension of any commissioner from office.

469 (4) A member state's licensing authority shall fill any  
470 vacancy of its commissioner occurring on the compact  
471 commission within 60 days of the vacancy.

472 (5) Each commissioner shall be entitled to one vote on  
473 all matters before the compact commission requiring a vote by  
474 the commissioners.

475 (6) The compact commission shall meet at least once  
476 during each calendar year. Additional meetings may be held as



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477 set forth in the commission bylaws. A commissioner shall vote  
478 in person or by other means as provided in the bylaws. The  
479 bylaws may provide for commissioners to meet by  
480 telecommunication, videoconference, or other means of  
481 communication.

482 (c) The compact commission shall have the following  
483 powers:

484 (1) Adopt and amend rules and bylaws.

485 (2) Establish code of conduct, confidentiality, and  
486 conflict of interest policies for commissioners.

487 (3) Establish the fiscal year of the compact  
488 commission.

489 (4) Maintain commission financial records in accordance  
490 with the bylaws.

491 (5) Purchase and maintain insurance and insurance  
492 bonds.

493 (6) Accept or contract for services of personnel,  
494 including, but not limited to, employees of a member state.

495 (7) Conduct a financial review or audit.

496 (8) Hire employees, elect or appoint officers, fix  
497 compensation, define duties, grant such individuals  
498 appropriate authority to carry out the purposes of the  
499 compact, and establish the compact commission's personnel  
500 policies and programs relating to conflicts of interest,  
501 qualifications of personnel, and other related personnel  
502 matters.

503 (9) Enter into contracts or arrangements for the  
504 management of the affairs of the commission.



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505 (10) Assess and collect fees.

506 (11) Accept any and all appropriate gifts, donations,  
507 grants of money, other sources of revenue, equipment,  
508 supplies, materials, and services, and receive, utilize, and  
509 dispose of the same, provided that at all times the compact  
510 commission shall avoid any appearance of impropriety or  
511 conflict of interest.

512 (12) Lease, purchase, retain, own, hold, improve,  
513 invest, or use any property, real, personal, or mixed, or any  
514 undivided interest therein.

515 (13) Sell, convey, mortgage, pledge, lease, exchange,  
516 abandon, or otherwise dispose of any property real, personal,  
517 or mixed.

518 (14) Establish a budget and make expenditures.

519 (15) Borrow and invest money.

520 (16) Meet and take actions that are consistent with  
521 this compact, the compact commission's rules, and the bylaws.

522 (17) Initiate and conclude legal proceedings or actions  
523 in the name of the compact commission, provided that the  
524 standing of any licensing authority to sue or be sued under  
525 applicable law shall not be affected.

526 (18) Maintain and certify records and information  
527 provided to a member state as the authenticated business  
528 records of the compact commission, and designate an agent to  
529 do so on the compact commission's behalf.

530 (19) Provide and receive information from, and  
531 cooperate with, law enforcement agencies.

532 (20) Determine whether a state's adopted language is



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533 materially different from the model compact language such that  
534 the state would not qualify for participation in the compact.

535 (21) Establish and elect an executive committee,  
536 including a chair and a vice chair, secretary, treasurer, and  
537 other offices that the commission shall establish by rule or  
538 bylaw.

539 (22) Appoint committees, including standing committees,  
540 composed of member state commissioners, state regulators,  
541 state legislators or their representatives, and consumer  
542 representatives, and other interested persons that may be  
543 designated in this compact and the bylaws.

544 (23) Perform other functions that may be necessary or  
545 appropriate to achieve the purposes of this compact.

546 (d) The executive committee.

547 (1) The executive committee shall have the power to act  
548 on behalf of the compact commission according to the terms of  
549 this compact. The powers, duties, and responsibilities of the  
550 executive committee shall include:

551 a. Exercise the powers and duties of the compact  
552 commission during the interim between compact commission  
553 meetings, except for adopting or amending rules, adopting or  
554 amending bylaws, and exercising any other powers and duties  
555 expressly reserved to the compact commission by rule or bylaw;

556 b. Oversee the day-to-day activities of the  
557 administration of this compact including enforcement and  
558 compliance with this compact, its rules and bylaws, and other  
559 duties as deemed necessary;

560 c. Recommend to the compact commission changes to the



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561 rules or bylaws, changes to this compact legislation, fees  
562 charged to compact member states, fees charged to licensees,  
563 and other fees;

564 d. Ensure compact administration services are  
565 appropriately provided, including by contract;

566 e. Prepare and recommend the budget;

567 f. Maintain financial records on behalf of the compact  
568 commission;

569 g. Monitor compact compliance of member states and  
570 provide compliance reports to the compact commission;

571 h. Establish additional committees as necessary; and

572 i. Other duties as provided in the rules or bylaws of  
573 the compact commission.

574 (2) The executive committee shall be composed of five  
575 voting members, elected by the compact commission:

576 a. The chair and vice chair of the compact commission  
577 shall be voting members of the executive committee;

578 b. The compact commission shall elect up to three  
579 additional voting members from the current membership of the  
580 compact commission to include the offices of treasurer,  
581 secretary, and one member-at-large; and

582 c. Up to four ex officio, nonvoting members from  
583 recognized national athletic trainer organizations.

584 (3) The compact commission may remove any member of the  
585 executive committee as provided in the compact commission's  
586 bylaws.

587 (4) The executive committee shall meet at least  
588 annually:



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589           a. Executive committee meetings shall be open to the  
590 public, except that the executive committee may meet in a  
591 closed, nonpublic meeting as provided in this section;

592           b. The executive committee shall give advance notice of  
593 its meetings, posted on its website and as determined, by rule  
594 or bylaw, to provide notice to persons with an interest in the  
595 business of the compact commission; and

596           c. The executive committee may hold a special meeting  
597 in accordance with this section.

598           (e) The compact commission shall adopt and provide to  
599 the member states an annual report.

600           (f) Meetings of the compact commission.

601           (1) All meetings shall be open to the public, except  
602 that the compact commission may meet in a closed, nonpublic  
603 meeting as provided in this section.

604           (2) Public notice for all meetings of the full compact  
605 commission shall be given in the same manner as required under  
606 the rulemaking provisions in this compact, except that the  
607 compact commission may hold a special meeting as provided in  
608 this section.

609           (3) The compact commission may hold a special meeting  
610 when it must meet to conduct emergency business by giving  
611 24-hours' notice to all commissioners, on the compact  
612 commission's website, and other means as provided in the  
613 compact commission's rules. The compact commission's legal  
614 counsel shall certify that the compact commission's need to  
615 meet qualifies as an emergency.

616           (4) The compact commission or the executive committee



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617 or other committees of the compact commission may convene in a  
618 closed, nonpublic meeting for the compact commission or  
619 executive committee or other committees of the compact  
620 commission to receive legal advice or to discuss:

621 a. Noncompliance of a member state with its obligations  
622 under this compact;

623 b. The employment, compensation, discipline or other  
624 matters, practices, or procedures related to specific  
625 employees;

626 c. Current or threatened discipline of a licensee by a  
627 member state's licensing authority;

628 d. Current, threatened, or reasonably anticipated  
629 litigation;

630 e. Negotiation of contracts for the purchase, lease, or  
631 sale of goods, services, or real estate;

632 f. Accusing any person of a crime or formally censuring  
633 any person;

634 g. Trade secrets or commercial or financial information  
635 that is privileged or confidential;

636 h. Information of a personal nature where disclosure  
637 would constitute a clearly unwarranted invasion of personal  
638 privacy;

639 i. Investigative records compiled for law enforcement  
640 purposes;

641 j. Information related to any investigative reports  
642 prepared by or on behalf of or for the use of the compact  
643 commission or other committee charged with the responsibility  
644 of investigation or determination of compliance issues



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645 pursuant to this compact;

646 k. Matters specifically exempted from disclosure by  
647 federal or member state law; or

648 l. Other matters as specified in rules of the compact  
649 commission.

650 (5) If a meeting, or portion of a meeting, is closed,  
651 the compact commission's legal counsel or designee shall  
652 certify that the meeting will be closed and reference each  
653 relevant exempting provision, and the reference shall be  
654 recorded in the minutes. All minutes and documents of a closed  
655 meeting shall remain under seal, subject to release only by a  
656 majority vote of the compact commission or order of a court of  
657 competent jurisdiction.

658 (g) Financing of the compact commission.

659 (1) The compact commission shall pay, or provide for  
660 the payment of, the reasonable expenses of its establishment,  
661 organization, and ongoing activities.

662 (2) The compact commission may accept any and all  
663 appropriate revenue sources as provided in this section.

664 (3) The compact commission may levy on and collect an  
665 annual assessment from each member state and impose fees on  
666 licensees of member states to whom it grants a compact  
667 privilege to cover the cost of the operations and activities  
668 of the compact commission and its staff, which must be in a  
669 total amount sufficient to cover its annual budget as approved  
670 each year for which revenue is not provided by other sources.  
671 The aggregate annual assessment amount for member states shall  
672 be allocated based upon a formula that the compact commission



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673 shall adopt by rule.

674 (4) The compact commission shall not incur obligations  
675 of any kind prior to securing the funds or a loan adequate to  
676 meet the same; nor shall the compact commission pledge the  
677 credit of any of the member states, except by and with the  
678 authority of the member state.

679 (5) The compact commission shall keep accurate accounts  
680 of all receipts and disbursements. The receipts and  
681 disbursements of the compact commission shall be subject to  
682 the financial review or audit and accounting procedures  
683 established under its bylaws. However, all receipts and  
684 disbursements of funds handled by the compact commission shall  
685 be subject to an annual financial review or audit by a  
686 certified or licensed public accountant, and the report of the  
687 financial review or audit shall be included in and become part  
688 of the annual report of the compact commission.

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

690 (1) The members, officers, executive director,  
691 employees, and representatives of the compact commission shall  
692 be immune from suit and liability, both personally and in  
693 their official capacity, for any claim for damage to or loss  
694 of property or personal injury or other civil liability caused  
695 by or arising out of any actual or alleged act, error, or  
696 omission that occurred, or that the person against whom the  
697 claim is made had a reasonable basis for believing occurred  
698 within the scope of compact commission employment, duties, or  
699 responsibilities, provided that nothing in this subdivision  
700 shall be construed to protect any person from suit or



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701 liability for any damage, loss, injury, or liability caused by  
702 the intentional or willful or wanton misconduct of that  
703 person. The procurement of insurance of any type by the  
704 compact commission shall not in any way compromise or limit  
705 the immunity granted under this subdivision.

706 (2) The compact commission shall defend any member,  
707 officer, executive director, employee, and representative of  
708 the compact commission in any civil action seeking to impose  
709 liability arising out of any actual or alleged act, error, or  
710 omission that occurred within the scope of compact commission  
711 employment, duties, or responsibilities, or as determined by  
712 the compact commission that the person against whom the claim  
713 is made had a reasonable basis for believing occurred within  
714 the scope of compact commission employment, duties, or  
715 responsibilities, provided that nothing in this subdivision  
716 shall be construed to prohibit that person from retaining his  
717 or her own counsel at his or her own expense, and provided  
718 further that the actual or alleged act, error, or omission did  
719 not result from that person's intentional or willful or wanton  
720 misconduct.

721 (3) The compact commission shall indemnify and hold  
722 harmless any member, officer, executive director, employee,  
723 and representative of the compact commission for the amount of  
724 any settlement or judgment obtained against that person  
725 arising out of any actual or alleged act, error, or omission  
726 that occurred within the scope of compact commission  
727 employment, duties, or responsibilities, or that such person  
728 had a reasonable basis for believing occurred within the scope



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729 of compact commission employment, duties, or responsibilities,  
730 provided that the actual or alleged act, error, or omission  
731 did not result from the intentional or willful or wanton  
732 misconduct of that person.

733 (4) Nothing in this subsection shall be construed as a  
734 limitation on the liability of any licensee for professional  
735 malpractice or misconduct, which shall be governed solely by  
736 any other applicable state laws.

737 (5) Nothing in this compact shall be interpreted to  
738 waive or otherwise abrogate a member state's state action  
739 immunity or state action affirmative defense with respect to  
740 antitrust claims under the Sherman Act, Clayton Act, or any  
741 other state or federal antitrust or anticompetitive law, rule,  
742 or regulation.

743 (6) Nothing in this compact shall be construed to be a  
744 waiver of sovereign immunity by the member states or by the  
745 compact commission.

746 §34-40-68 Data system.

747 (a) The commission shall provide for the development,  
748 maintenance, operation, and utilization of a coordinated data  
749 system and reporting system containing licensure, compact  
750 privileges, adverse action, and the presence of current  
751 significant investigative information on all licensees and  
752 applicants for a license in member states.

753 (b) Notwithstanding any other provision of state law to  
754 the contrary, a member state shall submit a uniform data set  
755 to the data system on all licensees, applicants, and others to  
756 whom this compact is applicable as required by the rules of



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757 the compact commission, including:

758 (1) Personally identifying information;

759 (2) Licensure data;

760 (3) Adverse actions against a licensee, license  
761 applicant, or compact privilege and information related  
762 thereto;

763 (4) Nonconfidential information related to alternative  
764 program participation, the beginning and ending dates of the  
765 participation, and other information related to the  
766 participation;

767 (5) Any denial of an application for licensure, and the  
768 reasons for the denial, excluding the reporting of any  
769 criminal history record information where prohibited by law;

770 (6) A binary determination regarding the presence of  
771 current significant investigative information; and

772 (7) Other information that may facilitate the  
773 administration of this compact or the protection of the  
774 public, as determined by the rules of the commission.

775 (c) The records and information provided to a member  
776 state pursuant to this compact or through the data system,  
777 when certified by the commission or an agent thereof, shall  
778 constitute the authenticated business records of the  
779 commission, and shall be entitled to any associated hearsay  
780 exception in any relevant judicial, quasi-judicial, or  
781 administrative proceedings in a member state.

782 (d) Current significant investigative information  
783 pertaining to a licensee in any member state will only be  
784 available to other member states.



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785           (e) It is the responsibility of the member states to  
786 monitor the data system to determine whether adverse action  
787 has been taken against a licensee or license applicant.  
788 Adverse action information pertaining to a licensee or license  
789 applicant in any member state will be available to any other  
790 member state.

791           (f) Member states contributing information to the data  
792 system may designate information that may not be shared with  
793 the public without the express permission of the contributing  
794 state.

795           (g) Any information submitted to the data system that  
796 is subsequently expunged pursuant to federal law or the laws  
797 of the member state contributing the information shall be  
798 removed from the data system.

799           §34-40-69 Rulemaking.

800           (a) The compact commission shall adopt reasonable rules  
801 in order to effectively and efficiently implement and  
802 administer the purposes and provisions of this compact. A rule  
803 shall be invalid and have no force or effect only if a court  
804 of competent jurisdiction holds that the rule is invalid  
805 because the compact commission exercised its rulemaking  
806 authority in a manner that is beyond the scope and purposes of  
807 the compact, or the powers granted hereunder, or based upon  
808 another applicable standard of review.

809           (b) The rules of the compact commission shall have the  
810 force of law in each member state, provided that where the  
811 rules conflict with the laws or rules of a member state that  
812 relate to the scope of practice a licensed athletic trainer is



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813 permitted to undertake in that state and the circumstances  
814 under which they may do so, as held by a court of competent  
815 jurisdiction, the rules of the compact commission shall be  
816 ineffective in that state to the extent of the conflict.

817 (c) The compact commission shall exercise its  
818 rulemaking powers pursuant to the criteria set forth in this  
819 section and the rules adopted thereunder. Rules of this  
820 compact shall become binding on the day following adoption or  
821 as of the date specified in the rule or amendment, whichever  
822 is later.

823 (d) If a majority of the legislatures of the member  
824 states rejects a rule, or portion of a rule, by enactment of a  
825 statute or resolution in the same manner used to adopt the  
826 compact within four years of the date of adoption of the rule,  
827 then the rule shall have no further force and effect in any  
828 member state.

829 (e) Rules shall be adopted at a regular or special  
830 meeting of the compact commission.

831 (f) Prior to adoption of a proposed rule, the compact  
832 commission shall hold a public hearing and allow persons to  
833 provide oral and written comments, data, facts, opinions, and  
834 arguments. At least 30 days in advance of the public hearing  
835 on the proposed rule, the compact commission shall provide a  
836 notice of proposed rulemaking:

837 (1) On the website of the compact commission or other  
838 publicly accessible platform;

839 (2) To persons who have requested notice of the compact  
840 commission's notices of proposed rulemaking; and



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841 (3) In other ways that the compact commission, by rule,  
842 may specify.

843 (g) The notice of proposed rulemaking shall include:

844 (1) The time, date, and location of the public hearing  
845 at which the compact commission will hear public comments on  
846 the proposed rule and, if different, the time, date, and  
847 location of the meeting where the compact commission will  
848 consider and vote on the proposed rule;

849 (2) If the hearing is held via telecommunication, video  
850 conference, or other electronic means, the compact commission  
851 shall include the mechanism for access to the hearing in the  
852 notice of proposed rulemaking;

853 (3) The text of the proposed rule and the reason  
854 therefor;

855 (4) A request for comments on the proposed rule from  
856 any interested person; and

857 (5) The manner in which interested persons may submit  
858 written comments.

859 (h) All hearings will be recorded. A copy of the  
860 recording and all written comments and documents received by  
861 the compact commission in response to the proposed rule shall  
862 be available to the public.

863 (i) Nothing in this section shall be construed as  
864 requiring a separate hearing on each rule. Rules may be  
865 grouped for the convenience of the compact commission at  
866 hearings required by this section.

867 (j) The compact commission, by majority vote of all  
868 members, shall take final action on the proposed rule based on



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869 the rulemaking record and the full text of the rule.

870 (1) The compact commission may adopt changes to the  
871 proposed rule provided the changes do not enlarge the original  
872 purpose of the proposed rule.

873 (2) The compact commission shall provide an explanation  
874 of the reasons for substantive changes made to the proposed  
875 rule as well as reasons for substantive changes not made that  
876 were recommended by commenters.

877 (3) The compact commission shall determine a reasonable  
878 effective date for the rule. Except for an emergency as  
879 provided in this section, the effective date of the rule shall  
880 be no sooner than 30 days after issuing the notice that it  
881 adopted or amended the rule.

882 (k) Upon determination that an emergency exists, the  
883 compact commission may consider and adopt an emergency rule  
884 with 24-hours' notice, with opportunity to comment, provided  
885 that the usual rulemaking procedures provided in the compact  
886 and in this section shall be retroactively applied to the rule  
887 as soon as reasonably possible, in no event later than 90 days  
888 after the effective date of the rule. For the purposes of this  
889 subsection, an emergency rule is one that must be adopted  
890 immediately in order to:

891 (1) Meet an imminent threat to public health, safety,  
892 or welfare;

893 (2) Prevent a loss of compact commission or member  
894 state funds;

895 (3) Meet a deadline for the adoption of a rule that is  
896 established by federal law or rule; or



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897 (4) Protect public health and safety.

898 (1) The compact commission or an authorized committee  
899 of the compact commission may direct revisions to a previously  
900 adopted rule for purposes of correcting typographical errors,  
901 errors in format, errors in consistency, or grammatical  
902 errors. Public notice of any revision shall be posted on the  
903 website of the compact commission. The revision shall be  
904 subject to challenge by any person for a period of 30 days  
905 after posting. The revision may be challenged only on grounds  
906 that the revision results in a material change to a rule. A  
907 challenge shall be made in writing and delivered to the  
908 compact commission prior to the end of the notice period. If  
909 no challenge is made, the revision will take effect without  
910 further action. If the revision is challenged, the revision  
911 may not take effect without the approval of the compact  
912 commission.

913 (m) No member state's rulemaking requirements shall  
914 apply under this compact.

915 §34-40-70 Oversight, dispute resolution, and  
916 enforcement.

917 (a) Oversight.

918 (1) The executive and judicial branches of state  
919 government in each member state shall enforce this compact and  
920 take all actions necessary and appropriate to implement the  
921 compact.

922 (2) Except as otherwise provided in this compact, venue  
923 is proper and judicial proceedings by or against the compact  
924 commission shall be brought solely and exclusively in a court



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925 of competent jurisdiction where the principal office of the  
926 compact commission is located. The compact commission may  
927 waive venue and jurisdictional defenses to the extent the  
928 compact commission adopts or consents to participate in  
929 alternative dispute resolution proceedings. Nothing herein  
930 shall affect or limit the selection or propriety of venue in  
931 any action against a licensee for professional malpractice,  
932 misconduct, or any similar matter.

933 (3) The compact commission shall be entitled to receive  
934 service of process in any proceeding regarding the enforcement  
935 or interpretation of the compact and shall have standing to  
936 intervene in the proceeding for all purposes. Failure to  
937 provide the compact commission service of process shall render  
938 a judgment or order void as to the compact commission, this  
939 compact, or adopted rules.

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

941 (1) If the compact commission determines that a member  
942 state has defaulted in the performance of its obligations or  
943 responsibilities under this compact or the adopted rules, the  
944 commission shall provide written notice to the defaulting  
945 state. The notice of default shall describe the default, the  
946 proposed means of curing the default, and any other action  
947 that the compact commission may take, and shall offer training  
948 and specific technical assistance regarding the default.

949 (2) The compact commission shall provide a copy of the  
950 notice of default to the other member states.

951 (c) If a state in default fails to cure the default,  
952 the defaulting state may be terminated from the compact upon



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953 an affirmative vote of a majority of the commissioners of the  
954 member states, and all rights, privileges, and benefits  
955 conferred on that state by this compact may be terminated on  
956 the effective date of termination. A cure of the default does  
957 not relieve the offending state of obligations or liabilities  
958 incurred during the period of default.

959 (d) Termination of membership in the compact shall be  
960 imposed only after all other means of securing compliance have  
961 been exhausted. Notice of intent to suspend or terminate shall  
962 be given by the compact commission to the governor, the  
963 majority and minority leaders of the defaulting state's  
964 legislature, the defaulting state's licensing authority and  
965 each of the member states' licensing authorities.

966 (e) A state that has been terminated is responsible for  
967 all assessments, obligations, and liabilities incurred through  
968 the effective date of termination, including obligations that  
969 extend beyond the effective date of termination.

970 (f) Upon the termination of a state's membership from  
971 this compact, that state shall immediately provide notice to  
972 all licensees within that state of the termination. The  
973 terminated state shall continue to recognize all licenses and  
974 compact privileges granted pursuant to this compact for a  
975 minimum of 180 days after the date of the notice of  
976 termination.

977 (g) The compact commission shall not bear any costs  
978 related to a state that is found to be in default or that has  
979 been terminated from the compact, unless agreed upon in  
980 writing between the compact commission and the defaulting



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981 state.

982 (h) The defaulting state may appeal the action of the  
983 compact commission by petitioning the U.S. District Court for  
984 the District of Columbia or the federal district where the  
985 compact commission has its principal offices. The prevailing  
986 party shall be awarded all costs of the litigation, including  
987 reasonable attorney fees.

988 (i) Dispute resolution.

989 (1) Upon request by a member state, the compact  
990 commission shall attempt to resolve disputes related to the  
991 compact that arise among member states and between member and  
992 nonmember states.

993 (2) The compact commission shall adopt a rule providing  
994 for both mediation and binding alternate dispute resolution  
995 for disputes as appropriate.

996 (j) Enforcement.

997 (1) By two-thirds majority vote, the compact commission  
998 may initiate legal action against a member state in default in  
999 the U.S. District Court for the District of Columbia or the  
1000 federal district where the compact commission has its  
1001 principal offices to enforce compliance with this compact and  
1002 its adopted rules. The relief sought may include both  
1003 injunctive relief and damages. In the event judicial  
1004 enforcement is necessary, the prevailing party shall be  
1005 awarded all costs of the litigation, including reasonable  
1006 attorney fees. The remedies herein shall not be the exclusive  
1007 remedies of the compact commission. The compact commission may  
1008 pursue any other remedies available under federal or the



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1009 defaulting member state's law.

1010 (2) A member state may initiate legal action against  
1011 the compact commission in the U.S. District Court for the  
1012 District of Columbia or the federal district where the compact  
1013 commission has its principal offices to enforce compliance  
1014 with this compact and its adopted rules. The relief sought may  
1015 include both injunctive relief and damages. In the event  
1016 judicial enforcement is necessary, the prevailing party shall  
1017 be awarded all costs of the litigation, including reasonable  
1018 attorney fees.

1019 (3) No person other than a member state shall enforce  
1020 this compact against the compact commission.

1021 §34-40-71 Effective date, withdrawal, and amendment.

1022 (a) This compact shall come into effect on the date on  
1023 which the compact statute is enacted into law in the seventh  
1024 member state.

1025 (1) On or after the effective date of the compact, the  
1026 compact commission shall convene and review the enactment of  
1027 each of the first seven member states (charter member states)  
1028 to determine if the statute enacted and made effective by each  
1029 charter member state is materially different than the model  
1030 compact statute.

1031 a. A charter member state whose enactment is found to  
1032 be materially different from the model compact language shall  
1033 be entitled to the default process set forth in Section  
1034 34-40-70.

1035 b. If any member state is later found to be in default,  
1036 or is terminated or withdraws from the compact, the compact



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1037 commission shall remain in existence and the compact shall  
1038 remain in effect even if the number of member states should be  
1039 less than seven.

1040 (2) Member states enacting the compact subsequent to  
1041 the seven initial charter member states shall be subject to  
1042 the process set forth in this section to determine if their  
1043 enactments are materially different from the model compact  
1044 statute and whether they qualify for participation in the  
1045 compact.

1046 (3) All actions taken for the benefit of the compact  
1047 commission or in furtherance of the purposes of the  
1048 administration of the compact prior to the effective date of  
1049 the compact or the compact commission coming into existence  
1050 shall be considered to be actions of the compact commission  
1051 unless specifically repudiated by the compact commission.

1052 (4) Any state that joins this compact subsequent to the  
1053 compact commission's initial adoption of the rules and bylaws  
1054 shall be subject to the rules and bylaws as they exist on the  
1055 date on which this compact becomes law in that state. Any rule  
1056 that has been previously adopted by the compact commission  
1057 shall have the full force and effect of law on the day the  
1058 compact becomes law in that state.

1059 (b) Any member state may withdraw from this compact by  
1060 enacting a statute repealing the same.

1061 (1) A member state's withdrawal shall not take effect  
1062 until 180 days after enactment of the repealing statute.

1063 (2) Withdrawal shall not affect the continuing  
1064 requirement of the withdrawing state's licensing authority to



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1065 comply with the investigative and adverse action reporting  
1066 requirements of this compact prior to the effective date of  
1067 withdrawal.

1068 (3) Upon the enactment of a statute withdrawing from  
1069 this compact, a state shall immediately provide notice of the  
1070 withdrawal to all licensees and privilege holders within that  
1071 state. Notwithstanding any subsequent statutory enactment to  
1072 the contrary, the withdrawing state shall continue to  
1073 recognize all compact privileges granted pursuant to this  
1074 compact for a minimum of 180 days after the date of the notice  
1075 of withdrawal.

1076 (4) Nothing contained in this compact shall be  
1077 construed to invalidate or prevent any licensure agreement or  
1078 other cooperative arrangement between a member state and a  
1079 nonmember state that does not conflict with this compact.

1080 (5) This compact may be amended by the member states.  
1081 No amendment to this compact shall become effective and  
1082 binding upon any member state until the amendment is enacted  
1083 into the laws of all member states.

1084 §34-40-72 Construction and severability.

1085 (a) This compact and the compact commission's  
1086 rulemaking authority shall be liberally construed so as to  
1087 effectuate the purposes and the implementation and  
1088 administration of this compact. Provisions of the compact  
1089 expressly authorizing or requiring the adoption of rules shall  
1090 not be construed to limit the compact commission's rulemaking  
1091 authority solely for those purposes.

1092 (b) The provisions of this compact shall be severable



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1093 and if any phrase, clause, sentence, or provision of this  
1094 compact is held by a court of competent jurisdiction to be  
1095 contrary to the constitution of any member state, a state  
1096 seeking participation in the compact, or of the United States,  
1097 or the applicability thereof to any government, agency,  
1098 person, or circumstance is held to be unconstitutional by a  
1099 court of competent jurisdiction, the validity of the remainder  
1100 of this compact and the applicability thereof to any other  
1101 government, agency, person, or circumstance shall not be  
1102 affected thereby.

1103 (c) Notwithstanding the foregoing, the compact  
1104 commission may deny a state's participation in the compact or  
1105 terminate a member state's participation in the compact if the  
1106 compact commission determines that a constitutional  
1107 requirement of a member state is a material departure from  
1108 this compact. Otherwise, if this compact shall be held to be  
1109 contrary to the constitution of any member state, this compact  
1110 shall remain in full force and effect as to the remaining  
1111 member states and in full force and effect as to the member  
1112 state affected as to all severable matters.

1113 §34-40-73 Consistent effect and conflict with other  
1114 state laws.

1115 (a) Nothing herein shall prevent or inhibit the  
1116 enforcement of any other law of a member state that is not  
1117 inconsistent with this compact.

1118 (b) Any laws, statutes, rules, or other legal  
1119 requirements in a member state in conflict with this compact  
1120 are superseded to the extent of the conflict.



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1121           (c) All permissible agreements between the compact  
1122 commission and the member states are binding in accordance  
1123 with their terms.

1124           Section 2. This act shall become effective on October  
1125 1, 2026.



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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB160  
Senate 12-Feb-26  
I hereby certify that the within Act originated in and passed  
the Senate.

Patrick Harris,  
Secretary.

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House of Representatives  
Passed: 05-Mar-26

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By: Senator Woods