

**SB227 ENGROSSED**



1 SB227  
2 BYR3S44-2  
3 By Senator Elliott  
4 RFD: County and Municipal Government  
5 First Read: 29-Jan-26



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A BILL  
TO BE ENTITLED  
AN ACT

To establish the Office of Occupational and Professional Licensing within the Alabama Department of Workforce; to add Chapter 2A to Title 25, Code of Alabama 1975; to provide for the leadership, support, and oversight of certain occupational and professional licensing boards; to provide for an executive director, deputy directors, and the employment of staff for the boards; to provide uniform standards for fees; to continue existing licenses and rules until amended or repealed by the office; and to amend Section 41-20-5, Code of Alabama 1975, to provide for the transfer of an agency to the office by the Sunset Committee pursuant to a recommendation for modification.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Chapter 2A is added to Title 25 of the Code of Alabama 1975, to read as follows:

CHAPTER 2A. OFFICE OF OCCUPATIONAL AND PROFESSIONAL LICENSING.

§25-2A-1

For the purposes of this chapter, the following terms have the following meanings:



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29 (1) BOARD. A board, commission, or other entity  
30 established for the primary purpose of licensing and  
31 regulating a specific occupation or profession that is subject  
32 to oversight and administration by the Office of Occupational  
33 and Professional Licensing of the Alabama Department of  
34 Workforce.

35 (2) EXECUTIVE DIRECTOR. The individual appointed by the  
36 Secretary of Workforce to serve as the executive director of  
37 the office.

38 (3) FUND. The Occupational and Professional Licensing  
39 Fund created by this chapter.

40 (4) LICENSE. The certificate or license issued to an  
41 individual that certifies he or she is qualified to perform a  
42 particular occupation or profession. The term includes a  
43 certificate of registration, temporary license, or similar  
44 formal grant of permission.

45 (5) OFFICE. The Office of Occupational and Professional  
46 Licensing within the Alabama Department of Workforce,  
47 responsible for the oversight and administration of certain  
48 occupational and professional licensing boards.

49 §25-2A-2

50 (a) There is created within the Alabama Department of  
51 Workforce the Office of Occupational and Professional  
52 Licensing. The mission of the office is to protect the health,  
53 safety, and welfare of the public by licensing qualified  
54 individuals and entities and enforcing standards of  
55 professional conduct for professions and occupations.

56 (b) (1) The Secretary of Workforce shall appoint and



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57 shall set the qualifications for an executive director and  
58 shall appoint deputy directors, as needed, who shall act in  
59 the absence of the executive director and who shall perform  
60 other functions of the executive director as the executive  
61 director may direct. The executive director and deputy  
62 directors shall serve in the exempt service. The compensation  
63 of the executive director and deputy directors shall be fixed  
64 by the Secretary of Workforce, and they shall hold office at  
65 the pleasure of the Secretary of Workforce.

66 (2) The executive director may employ additional  
67 personnel, including administrative law judges, attorneys, and  
68 investigators, as necessary to carry out this chapter and to  
69 provide leadership, support, and oversight required for each  
70 board to exercise its powers and fulfill its duties. Except as  
71 otherwise provided in this chapter, all personnel shall be  
72 subject to the state Merit System Act.

73 (c) An individual hired to conduct investigations for  
74 the boards shall meet standards established by the executive  
75 director.

76 §25-2A-3

77 (a) The executive director, with the approval of the  
78 Secretary of Workforce, may enter into and terminate contracts  
79 on behalf of the office or any board, subject to the State  
80 Procurement Law, Article 5 of Chapter 4 of Title 41, as  
81 necessary to implement this chapter.

82 (b) The rights, privileges, entitlements, or duties of  
83 parties to contracts, leases, agreements, or other  
84 transactions entered into by a board on or before the date a



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85 board becomes subject to this chapter, shall continue to exist  
86 and shall not be impaired or diminished by reason of the board  
87 being subject to this chapter. After the date a board becomes  
88 subject to this chapter, no existing agreement or contract  
89 between a board and a third party may be renewed or otherwise  
90 amended unless the agreement or contract complies with this  
91 chapter.

92 §25-2A-4

93 On the date a board becomes subject to this chapter,  
94 all the rights, duties, assets, employees, records,  
95 liabilities, property, real or personal, and all other effects  
96 existing in the name of each board shall be transferred to,  
97 and under the jurisdiction of, the office. By resolution, a  
98 board may transfer its rights, duties, assets, employees,  
99 records, liabilities, property, or other effects to the office  
100 before the date specified by this chapter if approved by the  
101 Secretary of Workforce or the executive director.

102 §25-2A-5

103 (a) The Occupational and Professional Licensing Fund is  
104 created within the State Treasury. The office shall collect,  
105 on behalf of each board, all funds the board is entitled to  
106 receive. Collected funds shall be deposited into the fund and  
107 shall be used to implement this chapter and perform required  
108 board functions. The executive director shall allocate and  
109 disburse funds budgeted and allotted pursuant to the Budget  
110 Management Act and Article 4 of Chapter 4 of Title 41.

111 (b) For purposes of this section, required board  
112 functions include the maintenance of existing board programs



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113 that benefit an occupation or profession including, but not  
114 limited to, grant, wellness, and training programs, if the  
115 executive director determines that maintenance of the program  
116 will not require a material increase in any fee collected by  
117 the office.

118 §25-2A-6

119 (a) The executive director shall possess all powers  
120 necessary and proper to provide administrative support and  
121 oversight to each board, including all of the following:

122 (1) To serve as the custodian of all board records.

123 (2) To receive and process all license applications.

124 (3) By rule, to set all administrative fees including,  
125 but not limited to application, license, renewal, examination,  
126 and wellness program fees and set the dates, times, and  
127 locations of license examinations.

128 (4) To schedule the time and place for all hearings.

129 (5) To issue all licenses.

130 (6) To conduct investigations on behalf of each board  
131 and issue subpoenas when authorized.

132 (7) To collect all fees, fines, and other monies due  
133 each board and deposit all monies collected into the fund.

134 (8) To implement and enforce the rules and  
135 administrative decisions of each board.

136 (b) All board orders shall be signed and attested to by  
137 the executive director, or his or her designee, in the name of  
138 the applicable board, with the seal of that board attached.  
139 Any notice or legal process necessary to be served upon a  
140 board may be served upon the executive director.



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141 (c) Any document, material, or other information in the  
142 possession or control of the office that is obtained by or  
143 disclosed in the course of an application, examination, or  
144 investigation is confidential, privileged, and not subject to  
145 subpoena or discovery.

146 §25-2A-7

147 (a) Each board member shall be paid a per diem amount  
148 of one hundred dollars (\$100) for each day spent attending a  
149 board meeting or other official function of the board and  
150 shall be reimbursed for travel expenses at the same rate and  
151 under the same circumstances as a state employee is paid for  
152 each day he or she attends to business of the board. A board  
153 member's request for per diem or reimbursement of travel  
154 expenses is subject to approval by the executive director.

155 (b) Board meetings and hearings shall be held in the  
156 City of Montgomery, at a site determined by the executive  
157 director, or at a different site upon request of the chair and  
158 approval by the executive director.

159 (c) Nothing in this chapter shall be construed to alter  
160 the requirements of the Open Meetings Act, Chapter 25A, Title  
161 36.

162 §25-2A-8

163 (a) The executive director shall adopt rules pursuant  
164 to the Alabama Administrative Procedure Act, as necessary,  
165 relating to administrative fees and to the administration of  
166 examinations of applicants for licensing by each board  
167 pursuant to Section 25-2A-6. The rules may provide for the  
168 setting of fees, dates, times, and locations of examinations,



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169 and other similar matters related to the administration of an  
170 examination.

171 (b) Nothing in this chapter shall preclude a board from  
172 adopting rules to establish examination standards including,  
173 but not limited to, criteria, grading procedures, passing  
174 score requirements, and other matters pertaining to  
175 substantive material included on an examination.

176 (c) A board, by rule, may establish examination  
177 standards developed in agreement or in conjunction with a  
178 national association of state boards, or other related  
179 national association, for the administration of a nationally  
180 recognized uniform examination.

181 (d) Rules adopted by a board before the date of  
182 transfer to the office, that are under the jurisdiction of the  
183 executive director, shall continue in effect until the  
184 executive director expressly amends, repeals, or adopts new  
185 rules pursuant to the Alabama Administrative Procedure Act.

186 §25-2A-9

187 (a) The executive director, by rule, may establish  
188 administrative fees necessary for the operation of a board  
189 including, but not limited to, an application fee, original  
190 license fee, license renewal fee, inspection fee, permit fee,  
191 wellness program fee, and late penalty fee. Each fee shall be  
192 reasonable and shall be determined in a manner that the total  
193 amount of fees charged by the board shall approximate the  
194 total of the direct and indirect costs to the state of the  
195 operations of the board. Fees may be refunded as determined by  
196 the executive director.



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197 (b) The executive director, by rule, shall determine  
198 the term, expiration, renewal period, and late penalty dates  
199 for each license issued by a board through the office.

200 §25-2A-10

201 (a) The executive director, on behalf of each board,  
202 may issue or deny a temporary license to an applicant who  
203 otherwise satisfies all of the qualifications and criteria  
204 required for the issuance of a license.

205 (1) If a temporary license is issued to an applicant by  
206 the executive director, that decision shall be reviewed by the  
207 applicable board at the next meeting of the board, during  
208 which time the board may decide to grant or deny a full  
209 license to the temporary licensee.

210 (2) If the executive director denies issuing a  
211 temporary license to an applicant, that decision shall be  
212 reviewed by the applicable board at the next meeting of the  
213 board, during which time the board may decide to grant or deny  
214 a full license to the applicant.

215 (b) The executive director, on behalf of each board,  
216 may temporarily renew a license pursuant to criteria  
217 established by the board for the renewal of a license. A  
218 temporary renewal issued by the executive director shall be  
219 reviewed by the applicable board at the next meeting of the  
220 board, during which time the board may decide to grant or deny  
221 the license renewal.

222 §25-2A-11

223 Each board remains subject to the Alabama  
224 Administrative Procedure Act. Any rule adopted, amended, or



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225 repealed by a board, as authorized by this chapter, shall be  
226 approved by the executive director before certification  
227 pursuant to Section 41-22-6. An emergency rule shall be  
228 approved before filing pursuant to Section 41-22-5.

229 §25-2A-12

230 (a) Nothing in this chapter shall be construed to  
231 invalidate, override, or amend the Military Family Jobs  
232 Opportunity Act, Section 31-1-6, or any licensing compact  
233 entered into by this state or any board.

234 (b) The provisions of this chapter are cumulative and  
235 supplemental and shall be construed in pari materia with other  
236 laws relating to the boards placed under the oversight of the  
237 office pursuant to this chapter. Those laws or parts of laws  
238 in direct conflict or inconsistent with this chapter are  
239 superseded to the extent of the conflict or inconsistency.

240 §25-2A-13

241 (a) Each board shall continue to be subject to the  
242 Alabama Sunset Law in the same manner and schedule as provided  
243 by law.

244 (b) Commencing with the 2030 Regular Session of the  
245 Alabama Legislature, and every fourth regular session  
246 thereafter, the Secretary of Workforce, through the executive  
247 director of the office, shall submit to the cochairs of the  
248 Alabama Sunset Committee, a report recommending the  
249 continuation, consolidation, or termination of those boards  
250 regulated by this chapter.

251 Section 2. Section 41-20-5 of the Code of Alabama 1975,  
252 is amended to read as follows:



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253 "§41-20-5

254 (a) Legislative committee review of the enumerated  
255 agencies shall begin in the year prior to the scheduled  
256 regular legislative session next preceding the date upon which  
257 the enumerated agencies are scheduled to terminate pursuant to  
258 Section 41-20-3, and shall conclude with a recommendation for  
259 continuation, modification, or termination on or before the  
260 first legislative day immediately following ~~said~~ the review.

261 (b) A recommendation for modification may include the  
262 transfer of oversight and administration of an enumerated or  
263 nonenumerated agency to the Office of Occupational and  
264 Professional Licensing of the Alabama Department of Workforce.  
265 Before a recommendation for transfer to the office is  
266 submitted to the Legislature, the Sunset Committee shall: (i)  
267 provide written notice of any issues to the enumerated or  
268 nonenumerated agency; and (ii) provide an additional 60  
269 calendar days for the agency to correct those issues after  
270 notice is received."

271 Section 3. This act shall become effective on October  
272 1, 2026.



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275 Senate

276 Read for the first time and referred .....29-Jan-26  
277 to the Senate committee on County  
278 and Municipal Government  
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280 Read for the second time and placed .....05-Feb-26  
281 on the calendar:  
282 0 amendments  
283  
284 Read for the third time and passed .....24-Feb-26  
285 as amended  
286 Yeas 28  
287 Nays 4  
288 Abstains 0  
289

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291 Patrick Harris,  
292 Secretary.  
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