

§18442. Effective date; withdrawal; amendment

1. Effective date. The compact takes effect on the date the compact statute is enacted into law in the 7th participating state.

A. On or after the effective date of the compact, the commission shall convene and review the enactment of each of the states that enacted the compact prior to the commission convening, referred to in this section as "the charter participating states," to determine if the statute enacted by each charter participating state is materially different than the model compact.

(1) A charter participating state whose enactment is found to be materially different from the model compact is entitled to the default process set forth in section 18441, subsection 2.

(2) If any participating state is later found to be in default, or is terminated or withdraws from the compact, the commission shall remain in existence and the compact must remain in effect even if the number of participating states is less than 7. [PL 2023, c. 664, §1 (NEW).]

B. Participating states enacting the compact subsequent to the charter participating states are subject to the process set forth in section 18438, subsection 3, paragraph V to determine if their enactments are materially different from the model compact and whether they qualify for participation in the compact. [PL 2023, c. 664, §1 (NEW).]

C. All actions taken for the benefit of the commission or in furtherance of the purposes of the administration of the compact prior to the effective date of the compact or the commission coming into existence must be considered to be actions of the commission unless specifically repudiated by the commission. [PL 2023, c. 664, §1 (NEW).]

[PL 2023, c. 664, §1 (NEW).]

2. Subsequent member states. Any state that joins the compact subsequent to the commission's initial adoption of the rules and bylaws is subject to the rules and bylaws as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission has the full force and effect of law on the day the compact becomes law in that state.

[PL 2023, c. 664, §1 (NEW).]

3. Withdrawal. Any participating state may withdraw from this compact by enacting a statute repealing that state's enactment of the compact.

A. A participating state's withdrawal does not take effect until 180 days after enactment of the repealing statute. [PL 2023, c. 664, §1 (NEW).]

B. Withdrawal does not affect the continuing requirement of the state licensing board or boards of the withdrawing state to comply with the investigative and adverse action reporting requirements of this compact prior to the effective date of withdrawal. [PL 2023, c. 664, §1 (NEW).]

C. Upon the enactment of a statute withdrawing a state from this compact, the state shall immediately provide notice of such withdrawal to all licensees within that state. Notwithstanding any subsequent statutory enactment to the contrary, such withdrawing state shall continue to recognize all compact privileges to practice within that state granted pursuant to this compact for a minimum of 180 days after the date of such notice of withdrawal. [PL 2023, c. 664, §1 (NEW).]

[PL 2023, c. 664, §1 (NEW).]

4. Other agreements or arrangements. Nothing contained in this compact may be construed to invalidate or prevent any licensure agreement or other cooperative arrangement between a participating state and a nonparticipating state that does not conflict with the provisions of this compact.

[PL 2023, c. 664, §1 (NEW).]

5. Amendment. This compact may be amended by the participating states. An amendment to this compact does not become effective and binding upon any participating state until it is enacted into the laws of all participating states.

[PL 2023, c. 664, §1 (NEW).]

SECTION HISTORY

PL 2023, c. 664, §1 (NEW).

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