



House Professional Licensure Committee

Meeting Agenda

June 24, 2026
10:00 a.m.
B-31 Main Capitol

Call to Order

Roll call

HOUSE BILL 2645 (Davis) – Establishes licensure for home inspectors under the Real Estate Commission.

- **A03916 (Burns)** – Removes licensure for campground membership salespeople, timeshare salespeople and rental listing referral agents.

SENATE BILL 604 (Boscola) – Authorizes Pennsylvania to join the National Counseling Compact.

SENATE BILL 1240 (Hutchinson) – Amends the CPA Law to provide for additional education requirements for certified public accountants.

Any other business

Adjournment

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2645 Session of 2026

INTRODUCED BY T. DAVIS, BRENNAN, GUENST, McNEILL, PROBST, SANCHEZ, RIVERA, NEILSON, MERSKI, McANDREW, M. MACKENZIE, SHUSTERMAN, D. WILLIAMS, STEELE, DEASY, CIRESI AND WARREN, JUNE 17, 2026

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JUNE 17, 2026

AN ACT

1 Amending the act of February 19, 1980 (P.L.15, No.9), entitled
 2 "An act establishing the State Real Estate Commission and
 3 providing for the licensing of real estate brokers and
 4 salesmen," in definitions, further providing for definitions
 5 and for State Real Estate Commission; in application of the
 6 act and penalties, further providing for unlawful to conduct
 7 business without license or registration certificate, for
 8 civil suits, for criminal penalties and for civil penalty; in
 9 powers and duties of the State Real Estate Commission -
 10 general, further providing for duty to issue licenses and
 11 registration certificates and for approval of schools,
 12 providing for continuing education for licensed home
 13 inspectors and further providing for administration and
 14 enforcement; in qualifications and applications for licenses
 15 and registration certificates, further providing for
 16 reputation and inactive licensee and revoked license and
 17 providing for home inspector license and home inspector-in-
 18 training registration; in duties of licensees, further
 19 providing for reciprocal licenses and for broker price
 20 opinion; making a repeal; and making an editorial change.

21 The General Assembly of the Commonwealth of Pennsylvania
 22 hereby enacts as follows:

23 Section 1. The definitions of "license" and "school" in
 24 section 201 of the act of February 19, 1980 (P.L.15, No.9),
 25 known as the Real Estate Licensing and Registration Act, are
 26 amended and the section is amended by adding definitions to

1 read:

2 Section 201. Definitions.

3 The following words and phrases when used in this act shall
4 have, unless the context clearly indicates otherwise, the
5 meanings given to them in this section:

6 * * *

7 "Client." When the term is applied to a home inspector, a
8 person or person acting through a legal representative who
9 contracts with a licensed home inspector to obtain a home
10 inspection and subsequent written home inspection report.

11 * * *

12 "Home inspection." A noninvasive visual examination of the
13 systems and essential components of a residential dwelling
14 designed to identify material defects in those systems and
15 components and performed for a fee in connection with or
16 preparation for a proposed or possible residential real estate
17 transfer. The term:

18 (1) Includes a consultation regarding the property that
19 is represented to be a home inspection or that is described
20 by a confusingly similar term such as a home survey, home
21 assessment, building survey, home walk-through or dwelling
22 examination.

23 (2) Does not include:

24 (i) An examination of a single system or component
25 of a residential dwelling, such as an electrical or
26 plumbing system or roof.

27 (ii) An examination that is limited to inspection
28 for or of one or more of the following:

29 (A) Wood destroying insects.

30 (B) Underground tanks and wells.

- 1 (C) Septic systems.
- 2 (D) Swimming pools and spas.
- 3 (E) Alarm and smart home systems.
- 4 (F) Air and water quality.
- 5 (G) Tennis courts and playground equipment.
- 6 (H) Pollutants, toxic chemicals and
- 7 environmental hazards.

8 (iii) An examination associated with moving into or
9 out of a leased home.

10 "Home inspection report." A typewritten report on the
11 results of a home inspection.

12 "Home inspector-in-training." A candidate for licensure as a
13 licensed home inspector who has been granted a registration as a
14 home inspector-in-training.

15 "License." The term includes both a standard license and a
16 reciprocal license, or in the context of home inspection, a home
17 inspector license.

18 "Licensed home inspector." An individual licensed by the
19 commission to perform home inspections. The term does not
20 include an individual licensed under any of the following laws
21 when acting under the individual's registration or license:

22 (1) The act of May 23, 1945 (P.L.913, No.367), known as
23 the Engineer, Land Surveyor and Geologist Registration Law,
24 as a professional engineer, professional land surveyor and
25 professional geologist.

26 (2) The act of January 24, 1966 (1965 P.L.1535, No.537),
27 known as the Pennsylvania Sewage Facilities Act.

28 (3) The act of March 1, 1974 (P.L.90, No.24), known as
29 the Pennsylvania Pesticide Control Act of 1973.

30 (4) The act of December 14, 1982 (P.L.1227, No.281),

1 known as the Architects Licensure Law.

2 (5) The act of July 9, 1987 (P.L.238, No.43), known as
3 the Radon Certification Act.

4 * * *

5 "Material defect." A problem with a residential property or
6 any portion of it that would have a significant adverse impact
7 on the value of the property or that involves an unreasonable
8 risk to people on the property. The fact that an essential
9 component, system or subsystem is near, at or beyond the end of
10 its normal useful life is not by itself a material defect.

11 * * *

12 "School." Any person who conducts classes in real estate
13 subjects, including home inspection, but is not a college,
14 university or institute of higher learning duly accredited by
15 the Middle States Association of Colleges and Secondary Schools
16 or equivalent accreditation.

17 * * *

18 Section 2. Section 202(a), (b) and (c) of the act are
19 amended and the section is amended by adding a subsection to
20 read:

21 Section 202. State Real Estate Commission.

22 (a) The State Real Estate Commission is hereby created and
23 shall consist of the Commissioner of Professional and
24 Occupational Affairs; the Director of the Bureau of Consumer
25 Protection, or [his] the director's designee; three members who
26 shall be persons representing the public at large; [five] six
27 other persons, each of whom shall at the time of [his]
28 appointment be a licensed and qualified real estate broker under
29 the existing law of this Commonwealth, and shall have been
30 engaged in the real estate business in this Commonwealth for a

1 period of not less than ten years immediately prior to [his] the
2 appointment; two shall be qualified home inspectors; and one
3 other person who shall have been licensed as a real estate
4 broker, or cemetery broker, for a period of at least five years
5 and shall have been engaged in selling cemetery lots for at
6 least ten years immediately prior to [his] appointment. Each of
7 said members of the commission shall be appointed by the
8 Governor. For a member to qualify as a home inspector, the
9 member must meet the requirements of a licensed home inspector
10 even if the license has not been granted, but must obtain a
11 license within one month of the license being available to
12 remain on the commission.

13 (a.1) Within 90 days of the effective date of this
14 subsection, the Governor shall nominate two qualified home
15 inspectors to serve.

16 (b) The term of office of each of said members shall be five
17 years from [his] the appointment, or until [his] a successor has
18 been appointed and qualified but not longer than six months
19 beyond the five-year period. In the event that any of said
20 members shall die or resign during [his] the term of office,
21 [his] a successor shall be appointed in the same way and with
22 the same qualifications as above set forth and shall hold office
23 for the unexpired term. No member shall be eligible to serve
24 more than two consecutive terms.

25 (c) A majority of the members currently serving on the
26 commission shall constitute a quorum. The commission shall elect
27 a chairman, vice-chairman and secretary from among its members.
28 A commission member who fails to attend three consecutive
29 meetings shall forfeit [his] the member's seat unless the
30 Commissioner of Professional and Occupational Affairs, upon

1 written request from the member, finds that the member should be
2 excused from a meeting because of illness or the death of a
3 family member.

4 * * *

5 Section 3. Sections 301, 302, 303, 305, 401, 402 and 404.1
6 heading of the act are amended to read:

7 Section 301. Unlawful to conduct business without license or
8 registration certificate.

9 It shall be unlawful for any person, directly or indirectly,
10 to engage in or conduct, or to advertise or hold [himself]
11 oneself out as engaging in or conducting the business, or acting
12 in the capacity of a broker or salesperson, cemetery broker,
13 cemetery salesperson, campground membership salesperson, time-
14 share salesperson, builder-owner salesperson, rental listing
15 referral agent, licensed home inspector, home inspector-in-
16 training or cemetery company within this Commonwealth without
17 first being licensed or registered as provided in this act,
18 unless [he] the person is exempted from obtaining a license or
19 registration certificate under the provisions of section 304 or
20 599.1(c).

21 Section 302. Civil suits.

22 No action or suit shall be instituted, nor recovery be had,
23 in any court of this Commonwealth by any person for compensation
24 for any act done or service rendered, the doing or rendering of
25 which is prohibited under the provisions of this act by a person
26 other than a licensed broker, salesperson, cemetery broker,
27 cemetery salesperson, campground membership salesperson, time-
28 share salesperson, builder-owner salesperson or rental listing
29 referral agent, unless such person was duly licensed and
30 registered hereunder as broker or salesperson at the time of

1 offering to perform any such act or service or procuring any
2 promise or contract for the payment of compensation for any such
3 contemplated act or service or the person is a licensed home
4 inspector providing home inspection services.

5 Section 303. Criminal penalties.

6 Any person who shall engage in or carry on the business, or
7 act in the capacity of a broker, salesperson, cemetery broker,
8 cemetery salesperson, campground membership salesperson, time-
9 share salesperson, builder-owner salesperson, rental listing
10 referral agent, licensed home inspector, home inspector-in-
11 training or cemetery company, within this Commonwealth, without
12 a license or registration certificate, or shall carry on or
13 continue business after the suspension or revocation of any such
14 license or registration certificate issued to [him] the person,
15 or shall employ any person as a salesperson or cemetery
16 salesperson to whom a license has not been issued, or whose
17 license or registration certificate as such shall have been
18 revoked or suspended, shall be guilty of a summary offense and
19 upon conviction thereof for a first offense shall be sentenced
20 to pay a fine not exceeding \$500 or suffer imprisonment, not
21 exceeding three months, or both and for a second or subsequent
22 offense shall be guilty of a felony of the third degree and upon
23 conviction thereof, shall be sentenced to pay a fine of not less
24 than \$2,000 but not more than \$5,000 or to imprisonment for not
25 less than one year but not more than two years, or both.

26 Section 305. Civil penalty.

27 In addition to any other civil remedy or criminal penalty
28 provided for in this act, the commission, by a vote of the
29 majority of the maximum number of the authorized membership of
30 the commission as provided by law, or by a vote of the majority

1 of the duly qualified and confirmed membership or a minimum of
2 five members, whichever is greater, may levy a civil penalty of
3 up to \$1,000 on any current licensee who violates any provision
4 of this act or on any person who practices real estate or as a
5 licensed home inspector or home inspector-in-training without
6 being properly licensed or registered to do so under this act.
7 The commission shall levy this penalty only after affording the
8 accused party the opportunity for a hearing, as provided in
9 Title 2 of the Pennsylvania Consolidated Statutes (relating to
10 administrative law and procedure).

11 Section 401. Duty to issue licenses and registration
12 certificates.

13 It shall be the duty of the department to issue licenses and
14 registration certificates to any person who shall comply with
15 the provisions of this act. The commission may establish limits
16 on the number of times a home inspector-in-training may renew a
17 registration.

18 Section 402. Approval of schools.

19 Any school which shall offer or conduct any course or courses
20 of study in real estate or home inspection shall first obtain
21 approval from, and thereafter abide by the rules and regulations
22 of the commission covering such schools.

23 Section 404.1. Continuing education for real estate brokers and
24 real estate salespersons.

25 * * *

26 Section 4. The act is amended by adding a section to read:
27 Section 404.2. Continuing education for licensed home
28 inspectors.

29 A licensed home inspector shall be required to obtain 32
30 hours of continuing education during the biennial renewal

1 period. Continuing education hours may be earned by completion
2 of continuing education courses in the field of home inspection
3 during the immediately preceding two years as approved by the
4 commission. Three of the total required hours of continuing
5 education must focus on the difference between 42 U.S.C. Ch. 70
6 (relating to manufactured home construction and safety
7 standards) and the act of May 11, 1972 (P.L.286, No.70), known
8 as the Industrialized Housing Act, and the installation of
9 manufactured and modular homes.

10 Section 5. Section 406 of the act is amended by adding a
11 paragraph to read:

12 Section 406. Administration and enforcement.

13 The commission shall have the power and its duty shall be to
14 administer and enforce the laws of the Commonwealth relating to:

15 * * *

16 (4) Those activities involving home inspection for which
17 licensing or registration is required under this act and to
18 instruct and require its agents to bring prosecutions for
19 unauthorized or unlawful activities.

20 Section 6. Section 501(a) and (c) of the act are amended to
21 read:

22 Section 501. Reputation; inactive licensee; revoked license.

23 (a) Licenses shall be granted only to and renewed only for
24 persons who bear a good reputation for honesty, trustworthiness,
25 integrity and competence to transact the business of broker,
26 salesperson, cemetery broker, cemetery salesperson, campground
27 membership salesperson, time-share salesperson, builder-owner
28 salesperson, licensed home inspector, home inspector-in-training
29 or rental listing referral agent, in such manner as to safeguard
30 the interest of the public, and only after satisfactory proof of

1 such qualifications has been presented to the commission as it
2 shall by regulation require. An applicant for renewal of a
3 reciprocal license shall provide evidence that the applicant
4 continues to hold a current license in the state where the
5 applicant's principal place of business is located.

6 * * *

7 (c) Unless ordered to do so by Commonwealth Court, the
8 commission shall not reinstate the license or registration,
9 within five years of the date of revocation, of any person whose
10 license or registration has been revoked under this act. Any
11 person whose license or registration has been revoked may
12 reapply for a license or registration at the end of the five-
13 year period but must meet all of the licensing or registration
14 qualifications of this act for the license or registration
15 applied for, to include the examination requirement.

16 Section 7. Chapter 5 of the act is amended by adding a
17 subchapter to read:

18 SUBCHAPTER K

19 HOME INSPECTOR LICENSE AND

20 HOME INSPECTOR-IN-TRAINING REGISTRATION

21 Section 599.1. Qualifications for licensure.

22 (a) Qualifications.--An applicant shall be considered to be
23 qualified for a license as a home inspector if the applicant
24 submits proof satisfactory to the commission of all of the
25 following:

26 (1) The applicant is of a good moral character. In
27 assessing the moral character of an applicant with a criminal
28 conviction, the commission shall conduct an individualized
29 assessment in accordance with 63 Pa.C.S. § 3113 (relating to
30 consideration of criminal convictions).

1 (2) The applicant is at least 18 years of age.

2 (3) The applicant has a high school diploma or its
3 equivalent or equivalent life or occupational experience.

4 (4) The applicant:

5 (i) has completed no less than 80 hours of
6 commission-approved instruction;

7 (ii) is registered as a home inspector-in-training;
8 and

9 (iii) has completed no less than 50 mentored home
10 inspections completed in the presence and under the
11 direct supervision of a licensed home inspector in this
12 Commonwealth. A home inspection report prepared by a home
13 inspector-in-training shall be used for training purposes
14 only and may not be provided to a client.

15 (5) The applicant has passed a psychometrically sound
16 licensing examination, which has been commission-approved and
17 documented as psychometrically sound, administered pursuant
18 to section 812.1 of the act of April 9, 1929 (P.L.177,
19 No.175), known as The Administrative Code of 1929.

20 (6) The application is accompanied by the application
21 fee as established by the commission by regulation.

22 (7) The applicant is not addicted to the habitual use of
23 alcohol, narcotics or other habit-forming drugs.

24 (8) There is no criminal history which would impede the
25 applicant's eligibility, determined by the commission based
26 on the applicant's submission of the following:

27 (i) A report of the applicant's criminal history
28 record information under 18 Pa.C.S. § 9121(b) (relating
29 to general regulations).

30 (ii) If the applicant has resided outside this

1 Commonwealth for any time in the five years immediately
2 preceding the date of application, a report to the
3 commission of Federal criminal identification and crime
4 records under 28 U.S.C. § 534(a)(4) (relating to
5 acquisition, preservation, and exchange of identification
6 records and information; appointment of officials).

7 (b) Issuance of license.--The commission shall issue a
8 license as a home inspector to an applicant who applies within
9 two years of the effective date of this subsection and complies
10 with all of the following:

11 (1) Is an active home inspector.

12 (2) Meets the qualifications described in subsection (a)
13 (2), (3), (6), (7) and (8).

14 (3) Submits proof satisfactory to the commission that
15 the applicant has:

16 (i) been in active, continuous practice for at least
17 five years immediately preceding the effective date of
18 this section; or

19 (ii) performed or participated in 100 home
20 inspections and has passed a recognized or accredited
21 examination testing knowledge of the proper procedures
22 for conducting a home inspection.

23 (c) Practice of home inspection.--An individual may not
24 practice home inspection or hold oneself out as a home inspector
25 unless licensed by the commission except for the following:

26 (1) An individual licensed as a professional engineer
27 under the act of May 23, 1945 (P.L.913, No.367), known as the
28 Engineer, Land Surveyor and Geologist Registration Law.

29 (2) An individual licensed under the act of December 14,
30 1982 (P.L.1227, No.281), known as the Architects Licensure

1 Law.

2 (3) A home inspector-in-training practicing home
3 inspection in the presence and under the direct supervision
4 of a licensed home inspector in this Commonwealth, provided
5 the home inspector-in-training does not hold oneself out as a
6 home inspector.

7 (d) Compliance.--Notwithstanding subsection (c), a person
8 licensed or registered as a professional engineer under the
9 Engineer, Land Surveyor and Geologist Registration Law, or a
10 person licensed or registered under the Architects Licensure
11 Law, must comply with subsection (i) and sections 599.2, 599.3,
12 599.4 and 599.5 when performing a home inspection. A person
13 licensed or registered as a professional engineer, or licensed
14 or registered as an architect, who violates this subsection
15 shall be subject to disciplinary action, including license or
16 registration suspension and revocation, and penalties under the
17 Engineer, Land Surveyor and Geologist Registration Law and the
18 Architects Licensure Law, respectively.

19 (e) Use of title.--An individual who holds a license or is
20 maintained on inactive status may use the title "Licensed Home
21 Inspector" and the abbreviation "L.H.I." No other individual may
22 use the title "Licensed Home Inspector" or the title "Home
23 Inspector" or hold oneself out to others as a home inspector.
24 This subsection shall include advertising as a home inspector
25 and adopting or using a title or description, or a derivative of
26 "Licensed Home Inspector" or "Home Inspector" and their related
27 abbreviations, which implies directly or indirectly that home
28 inspection services are being provided.

29 (f) Nontransferability of license.--A license under this
30 section is not transferable.

1 (g) Examination not required.--The commission may issue a
2 home inspector license without examination to an applicant
3 holding a home inspector license in another state who submits
4 proof satisfactory to the commission of all of the following:

5 (1) The applicant is of a good moral character. In
6 assessing the moral character of an applicant with a criminal
7 conviction, the commission shall conduct an individualized
8 assessment in accordance with 63 Pa.C.S. § 3113.

9 (2) The applicant holds an unrestricted and active home
10 inspector license from another state whose licensure
11 requirements are substantially equivalent to the requirements
12 for licensure in this Commonwealth.

13 (3) The applicant has submitted an application
14 accompanied by the application fee.

15 (4) There is no criminal history which would impede the
16 applicant's eligibility, determined by the commission based
17 on the applicant's submission of the following:

18 (i) A report of the applicant's criminal history
19 record information under 18 Pa.C.S. § 9121(b).

20 (ii) If the applicant has resided outside this
21 Commonwealth for any time in the five years immediately
22 preceding the date of application, a report to the
23 commission of Federal criminal identification and crime
24 records under 28 U.S.C. § 534(a)(4).

25 (h) Prohibitions.--No agency or political subdivision of the
26 Commonwealth, other than the commission, shall impose the
27 following on individuals licensed under this section:

28 (1) A registration or licensing requirement for
29 conducting home inspections.

30 (2) A license fee to obtain a local license, except that

1 this prohibition shall not prevent a local government from
2 imposing an occupational license tax on a person operating as
3 a licensed home inspector within the jurisdiction of the
4 local government.

5 (i) Insurance.--A licensed home inspector shall maintain
6 insurance against errors and omissions in the performance of a
7 home inspection and general liability, with coverages of not
8 less than \$250,000 per occurrence and \$500,000 in the aggregate
9 and with deductibles of not more than \$15,000. An applicant must
10 provide proof that the applicant has obtained professional
11 liability insurance. It is sufficient if the applicant files
12 with the application a copy of a letter from the applicant's
13 professional liability insurance carrier indicating that the
14 applicant will be covered against professional liability in the
15 required amounts effective upon the issuance of the applicant's
16 license to practice home inspection in this Commonwealth. Upon
17 issuance of the license, the licensee must, within 30 days,
18 submit to the commission the certificate of insurance or a copy
19 of the policy declaration page. A licensed home inspector shall
20 maintain professional liability insurance for at least one year
21 after the latest home inspection report the licensed home
22 inspector delivers, unless the home inspection report was
23 delivered prior to the effective date of this section.

24 (j) Construction.--Nothing in this act shall be construed to
25 allow a home inspector who is not licensed under any of the
26 following laws to perform any activity that would constitute the
27 practice of the profession regulated by that law:

28 (1) The Engineer, Land Surveyor and Geologist
29 Registration Law, as to the practice of engineering, land
30 surveying or geology.

1 (2) The act of January 24, 1966 (1965 P.L.1535, No.537),
2 known as the Pennsylvania Sewage Facilities Act.

3 (3) The act of March 1, 1974 (P.L.90, No.24), known as
4 the Pennsylvania Pesticide Control Act of 1973.

5 (4) The Architects Licensure Law.

6 (5) The act of July 9, 1987 (P.L.238, No.43), known as
7 the Radon Certification Act.

8 (k) Other licensees.--The requirements of this act relating
9 to the licensure of home inspectors shall not affect the
10 obligations or immunities of an individual licensed under
11 another provision of this act that are imposed or provided under
12 this act or 68 Pa.C.S. Ch. 73 (relating to seller disclosures)
13 when the individual is acting under the individual's license,
14 nor the obligations or immunities of an individual certified
15 under the Real Estate Appraisers Certification Act when the
16 individual is acting under that certification.

17 (l) Home inspector-in-training registration.--

18 (1) The commission shall, upon application and payment
19 of the application fee established by the commission, issue a
20 home inspector-in-training registration, without examination,
21 to any person who meets the home inspector-in-training
22 educational requirements set by the commission.

23 (2) A home inspector-in-training shall keep a record of
24 the mentored home inspections completed, which shall, at a
25 minimum, include the following information:

26 (i) Date and time of the inspection.

27 (ii) Address of the residence inspected.

28 (iii) Business name of the supervising inspector

29 (iv) Name of the supervising inspector.

30 (v) License number of the supervising inspector.

1 (vi) Signature of the supervising inspector.

2 (m) Reporting of multiple licensure.--A licensed home
3 inspector in this Commonwealth who is also certified or licensed
4 to perform home inspections in any other state, territory or
5 country shall report this information to the commission on the
6 biennial renewal application. Any disciplinary action taken in
7 any other state, territory or country shall be reported to the
8 commission on the biennial renewal application, or within 90
9 days of disposition, whichever is sooner. Multiple licensure
10 shall be noted by the commission on the licensed home
11 inspector's record, and the state, territory or country shall be
12 notified by the commission of any disciplinary action taken
13 against the licensed home inspector in this Commonwealth.

14 Section 599.2. Conduct of home inspection.

15 (a) Ethics.--A licensed home inspector shall conduct a home
16 inspection with the degree of care that a reasonably prudent
17 licensed home inspector would exercise. In ascertaining the
18 degree of care that would be exercised by a reasonably prudent
19 licensed home inspector, a court shall consider the standards of
20 practice and codes of ethics as established by the commission by
21 regulation.

22 (b) Immediate threat to health or safety.--If an immediate
23 threat to health or safety is observed during the course of a
24 home inspection and the home is occupied, the licensed home
25 inspector shall disclose the immediate threat to health or
26 safety to the property owner and occupants of the property at
27 the conclusion of the home inspection. Posting a notice on a
28 form prescribed by the commission by regulation on the front
29 door of the occupied home in a position that ensures the
30 occupants see the notice shall constitute proper disclosure.

1 Section 599.3. Remedies for home inspection services clients.

2 (a) Unfair Trade Practices and Consumer Protection Law.--The
3 performance of a home inspection is a service subject to the act
4 of December 17, 1968 (P.L.1224, No.387), known as the Unfair
5 Trade Practices and Consumer Protection Law.

6 (b) Wrongful acts.--The following acts engaged in by a
7 licensed home inspector, an employer of a licensed home
8 inspector or another business or person that controls or has a
9 financial interest in the employer of a licensed home inspector
10 shall be deemed to be an unfair or deceptive act or practice as
11 defined by section 2(4) of the Unfair Trade Practices and
12 Consumer Protection Law:

13 (1) Performing or offering to perform for an additional
14 fee any repairs to a structure with respect to which the
15 licensed home inspector, the employer of the licensed home
16 inspector or other business or person has prepared a home
17 inspection report within the preceding 12 months, except that
18 this paragraph shall not apply to remediation for radon or
19 wood-destroying insects.

20 (2) Inspecting for a fee any property in which the
21 licensed home inspector, the employer of the licensed home
22 inspector or other business or person has a financial
23 interest or an interest in the transfer of the property,
24 including receipt of a commission as an agent, unless the
25 financial interest or interest in the transfer of the
26 property is disclosed in writing to the buyer before the home
27 inspection is performed and the buyer signs an acknowledgment
28 of receipt of the disclosure.

29 (3) Offering or delivering a commission, referral fee or
30 kickback to the seller of the inspected property or to an

1 agent for the seller or buyer for the referral of business to
2 the licensed home inspector, the employer of the licensed
3 home inspector or other business or person.

4 (4) Accepting an engagement to perform a home inspection
5 or to prepare a home inspection report in which the
6 employment itself or the fee payable for the inspection is
7 contingent upon the conclusions in the report, preestablished
8 or prescribed findings or the closing of the transaction.

9 (c) Home warranty company.--A home warranty company that is
10 affiliated with or retains the licensed home inspector does not
11 violate subsection (b) if the home warranty company performs
12 repairs in accordance with claims made under a home warranty
13 contract.

14 (d) Other remedies.--In addition to other remedies available
15 under the Unfair Trade Practices and Consumer Protection Law or
16 other applicable provision of law, the owner of a property on
17 which repairs are performed in violation of subsection (b)(1)
18 shall be entitled to a full refund of money paid for those
19 repairs, and a promissory note or another obligation to pay
20 given to the person performing those repairs shall be void.

21 Section 599.4. Home inspection contracts.

22 (a) Required provisions.--A home inspection contract must be
23 typewritten and include all of the following:

24 (1) Signature of client.

25 (2) Scope of home inspection.

26 (3) Fee charged to client.

27 (4) Contact information of the licensed home inspector.

28 (5) Signature of the licensed home inspector.

29 (6) License number of the licensed home inspector.

30 (7) A statement explaining the confidentiality between

1 the licensed home inspector and the client.

2 (b) Prohibited provisions.--The following types of
3 provisions in a contract with a licensed home inspector for the
4 performance of a home inspection are contrary to public policy,
5 and the clause shall be unenforceable as it relates to:

6 (1) A limitation on the liability of the licensed home
7 inspector for gross negligence or willful misconduct.

8 (2) A waiver or modification of any provision of this
9 section or section 599.2, 599.3 or 599.5.

10 Section 599.5. Home inspection reports.

11 (a) Contents.--A home inspection report must be typewritten
12 and include all of the following:

13 (1) A description of the scope of the inspection,
14 including identification of the essential components and
15 systems and subsystems covered by the report.

16 (2) A description of material defects noted during the
17 inspection, along with a recommendation that certain experts
18 be retained to determine the extent of the defects and the
19 corrective action that should be taken.

20 (3) If, at the time of the inspection, there is visible
21 evidence of the presence of interior mold, the licensed home
22 inspector must disclose in the home inspection report the
23 visible evidence and the location and advise the client to
24 obtain a professional evaluation.

25 (4) The following statements, set forth conspicuously:

26 (i) A home inspection is intended to assist in
27 evaluation of the overall condition of the dwelling. The
28 inspection is based on observation of the visible and
29 apparent condition of the structure and its components on
30 the date of inspection.

1 (ii) The results of this home inspection are not
2 intended to make a representation regarding the presence
3 or absence of latent or concealed defects that are not
4 reasonably ascertainable in a competently performed home
5 inspection. No warranty or guaranty is expressed or
6 implied.

7 (iii) If the person conducting your home inspection
8 is not a licensed structural engineer or other
9 professional whose license authorizes the rendering of an
10 opinion as to the structural integrity of a building or
11 the building's other component parts, you may be advised
12 to seek a professional opinion as to any defect or
13 concern mentioned in the report.

14 (iv) This home inspection report is not to be
15 construed as an appraisal and may not be used as such for
16 any purpose.

17 (b) Delivery of report.--Except as otherwise required by
18 this subsection or by law, a licensed home inspector may not
19 deliver a home inspection report to a person other than the
20 client of the licensed home inspector without the client's
21 consent. The property owner shall have the right, upon request,
22 to receive without charge a copy of a home inspection report
23 from the person for whom the home inspection report was
24 prepared. If immediate threats to health or safety are observed
25 during the course of the inspection and if the premises are
26 occupied, the client hereby consents to allow the licensed home
27 inspector to disclose the immediate threats to health or safety
28 to the property owner and occupants of the property.

29 (c) Liability.--A licensed home inspector shall not be held
30 liable for the contents or omissions of a home inspection report

1 if relied upon by any individual or person other than the client
2 as identified by the executed contract for the specific home
3 inspection.

4 (d) Limitation period.--An action to recover damages arising
5 from a home inspection report must be commenced within one year
6 after the date the report is delivered regardless of when the
7 claim is discovered by the client.

8 Section 8. Sections 602(a) and 608.6(h) of the act are
9 amended to read:

10 Section 602. Reciprocal licenses.

11 (a) Any person who holds a current license to provide real
12 estate services or home inspection services issued by another
13 state and whose principal place of business for the provision of
14 those services is outside of this Commonwealth may be issued a
15 reciprocal license under this act in accordance with this
16 section. The reciprocal license shall be the type of license
17 that the commission determines is most similar to the type of
18 license issued by the other state.

19 * * *

20 Section 608.6. Broker price opinion.

21 * * *

22 (h) A registered appraisal management company may recruit,
23 engage and negotiate fees with a broker to prepare broker price
24 opinions and may receive orders for and submit broker price
25 opinions to [clients] consumers.

26 * * *

27 Section 9. Repeals are as follows:

28 (1) The General Assembly declares that the repeal under
29 paragraph (2) is necessary to effectuate this act.

30 (2) 68 Pa.C.S. Ch. 75 is repealed.

1 Section 10. The State Real Estate Commission shall
2 promulgate final regulations to implement this act within 18
3 months of the effective date of this section.

4 Section 11. This act shall take effect as follows:

5 (1) The following provisions shall take effect
6 immediately:

7 (i) The amendment of section 202(a) and (b) of the
8 act.

9 (ii) Section 10 of this act.

10 (iii) This section.

11 (2) The remainder of this act shall take effect in two
12 years.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB2645 PN3641	Prepared By:	Kari Orchard (717) 787-6882
Committee:	Professional Licensure	Executive Director:	Kari Orchard
Sponsor:	Davis, Tina		
Date:	6/23/2026		

A. Brief Concept

Establishes licensure for home inspectors and registration for home inspectors-in-training under the Real Estate Commission.

C. Analysis of the Bill

Senate Bill 907 amends the Real Estate Licensing and Registration Act to create a license for home inspectors under the Real Estate Commission.

Key Definitions

"Home inspection." a noninvasive visual examination of the systems and essential components of a residential dwelling designed to identify material defects in those systems and components and performed for a fee in connection with or preparation for a proposed or possible residential real estate transfer. The term:

(1) Includes a consultation regarding the property that is represented to be a home inspection or that is described by a confusingly similar term such as a home survey, home assessment, building survey, home walk-through or dwelling examination.

(2) Does not include:

(i) an examination of a single system or component of a residential dwelling, such as an electrical or plumbing system or roof.

(ii) an examination that is limited to inspection for or of one or more of the following:

(a) wood destroying insects.

(b) underground tanks and wells.

(c) septic systems.

(d) swimming pools and spas.

(e) alarm and smart home systems.

(f) air and water quality.

(g) tennis courts and playground equipment.

(h) pollutants, toxic chemicals and environmental hazards.

(iii) an examination associated with moving into or out of a leased home.

"Home inspection report." a typewritten report on the results of a home inspection.

"Home inspector-in-training." A candidate for licensure as a licensed home inspector who has been granted a registration as a home inspector-in-training.

"Licensed home inspector." An individual licensed by the commission to perform home inspections. The term does not include an individual licensed under any of the following laws when acting under the individual's registration or license:

- (1) The Act of May 23, 1945 (P.L.913, No.367), known as the Engineer, Land Surveyor and Geologist Registration Law, as a professional engineer, professional land surveyor and professional geologist.
- (2) The Act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act.
- (3) The Act of March 1, 1974 (P.L.90, No.24), known as the Pennsylvania Pesticide Control Act of 1973.
- (4) The Act of December 14, 1982 (P.L.1227, No.281), known as the Architects Licensure Law.
- (5) The Act of July 9, 1987 (P.L.238, No.43), known as the Radon Certification Act.

"Material defect." A problem with a residential property or any portion of it that would have a significant adverse impact on the value of the property or that involves an unreasonable risk to people on the property. The fact that an essential component, system or subsystem is near, at or beyond the end of its normal useful life is not by itself a material defect.

Commission Changes

The bill expands the Real Estate Commission from 11 members to 14 members by adding a sixth real estate broker and two home inspectors to the board.

Board member terms are five years, and no board member may serve more than two consecutive terms.

License and Continuing Education Required

The bill adds licensed home inspectors and home inspectors-in-training to those professions under the act that must be licensed or registered to engage in, conduct or advertise to do business in Pennsylvania.

Establishes a requirement that a licensed home inspector obtain 32 hours of CE each biennial licensure renewal period. Three of the total required hours must focus on the difference between manufactured home construction/safety, the Industrialized Housing Act and the installation of manufactured and modular homes.

Home Inspector License and Home Inspector-in-Training Registration

To become a licensed home inspector, an applicant must:

- Be at least 18 years old and of good moral character
- Is not addicted to alcohol or drugs
- Have no criminal history which would impede eligibility
- Submit an application and required fees to the commission
- Have a high school diploma or its equivalent, or "equivalent life or occupational experience"
- Have completed at least 80 hours of commission-approved instruction
- Is registered as a home inspector-in-training
- Have completed at least 50 mentored home inspections in the presence and under direct supervision of a licensed home inspector in PA

- Have passed a licensing exam approved by the commission

Home inspector-in-training registration:

- The commission shall issue a registration once an applicant submits an application and required fees and meets the educational requirements set by the commission.
- A home inspector-in-training must keep a detailed record of the supervised/mentored home inspections completed.

Title Protection:

- A home inspector-in-training may not hold themselves out as a home inspector while practicing under supervision.
- An individual who holds a license or maintains one on inactive status may use the title "licensed home inspector," "home inspector," or derivatives and the abbreviations associated.

Legacy Provision, Exemptions and Exclusions

The commission shall issue a license to an applicant who applies within two years of the effective date if the individual: is an active home inspector in continuous practice for at least five years immediately preceding the effective date of the law; meets the requirements for age, high school diploma and criminal history; and performed or participated in 100 home inspections and passed a recognized exam testing knowledge of conducting a home inspection.

Individuals must be licensed home inspectors to perform home inspections unless they are licensed as a professional engineer or architect under those respective state statutes. Individuals shall be subject to disciplinary action by the board that licenses them for any violations.

A licensed home inspector cannot practice any other profession regulated by law if they are not licensed in that profession, including these practice acts:

- The Engineer, Land Surveyor and Geologist Registration Law
- The Pennsylvania Sewage Facilities Act
- Pennsylvania Pesticide Control Act of 1973
- The Architects Licensure Law
- The Radon Certification Act

Licensure by Reciprocity

The commission may issue a home inspector license without examination to a licensed home inspector from another state who meets the following:

- Submits an application and pays required fees
- Is of good moral character and has no criminal history that impedes eligibility
- Holds an unrestricted, active license from another state whose licensure requirements are substantially equivalent to Pennsylvania's

A licensed home inspector who is certified or licensed in another state must report that and any disciplinary action taken in another state to the commission on biennial renewal, or within 90 days of disposition, whichever is sooner.

Conduct of Home Inspection

A licensed home inspector shall conduct a home inspection with the degree of care that a reasonably prudent licensed home inspector would exercise. A court shall consider the standards of practice and codes of ethics established by the commission by regulation.

If an immediate threat to health or safety is observed during a home inspection and the home is occupied, the licensed home inspector must disclose that to the property owner or occupants and post a notice on the front door of the home.

Consumer Protections

The performance of home inspections are subject to the Unfair Trade Practices and Consumer Protection Law.

The following acts are deemed unfair or deceptive:

- Performing or offering to perform repairs identified by the home inspector in the past 12 months (unless the inspector is affiliated with a home warranty company)
- Inspecting for a fee any property in which the inspector, his/her employer or other business has a financial interest in the transfer of the property
- Offering or paying a kickback, referral fee or commission for a referral
- Agreeing to perform an inspection where payment is contingent on pre-established or prescribed findings, or the closing of the transaction.

Home Inspection Contracts and Reports

A home inspection contract must be typed and include the scope and fee; a client signature; contact information and signature of the inspector; license number of the inspector and a confidentiality statement.

A contract cannot contain a limitation on the liability of the inspector for gross negligence or willful misconduct, or a waiver or modification of statutory requirements.

A home inspection report must be typed and include:

- Description of the scope of inspection
- Description of material defects along with recommendation that experts be retained to determine extent of defects and corrective actions
- Disclosure of visible evidence of mold, its location and advice to the client on obtaining professional evaluation
- Standard statements about what a home inspection is and is not (an appraisal, a guarantee, etc.)

A home inspection report may only be provided to the client unless the client consents otherwise. A property owner has the right to a free copy of the report from the person for whom it was prepared. If immediate threats are observed, the client hereby consents to allow the licensed home inspector to disclose them to the property owner or occupants of the property.

Miscellaneous Provisions

Adds home inspectors and home inspectors-in-training throughout the act to provisions addressing administration, enforcement, civil penalties, inactive and revoked licenses, etc.

Allows the Real Estate Commission to establish limits on the number of times a home inspector-in-training may renew their registration.

Prohibits any other agency or political subdivision (aside from the commission) from imposing licensure requirements or local license fees on a home inspector.

A licensed home inspector shall maintain liability insurance with coverage of at least \$250,000 per occurrence and \$500,000 in the aggregate with a deductible of \$15,000 or less. A licensed home inspector must maintain the liability insurance for at least one year after the last home inspection completed.

An action to recover damages arising from a home inspection report must be commenced within one year after the date the report is delivered regardless of when the claim is discovered by the client.

Effective Date:

Changes to the Real Estate Commission composition and the promulgation of regulations shall take effect immediately. The rest of the act shall take effect in two years.

G. Relevant Existing Laws

Home inspectors are not currently licensed in Pennsylvania, but are regulated by **Act 114 of 2000**, the Residential Real Estate Transfer Law. That law provides a uniform definition for home inspections, requires inspections to be done according to standards set by professional home inspectors associations, and requires that home inspectors be a member of national organization as defined in the bill:

“National home inspectors association.” Any national association of home inspectors that: (1) Is operated on a not-for-profit basis and is not operated as a franchise. (2) Has members in more than ten states. (3) Requires that a person may not become a full member unless the person has performed or participated in more than 100 home inspections and has passed a recognized or accredited examination testing knowledge of the proper procedures for conducting a home inspection. (4) Requires that its members comply with a code of conduct and attend continuing professional education classes as an ongoing condition of membership.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

HB 21 of the 2019-2020 Legislative Session established licensure for home inspectors under a different board but with very similar requirements. The bill was approved by the General Assembly, but vetoed by then-Gov. Tom Wolf. The House voted 176-22 to pass the bill; Senate voted 40-9 after amending; and the House concurred in amendments 182-20.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 2645

Sponsor: Burns

Printer's No. 3641

1 Amend Bill, page 1, line 16, by inserting after "license"
2 , repealing provisions relating to qualifications for license
3 and to application for license

4 Amend Bill, page 1, line 19, by inserting after "for" where
5 it occurs the first time

6 duty of brokers, cemetery brokers and rental listing referral
7 agents to maintain office, for

8 Amend Bill, page 1, line 19, by inserting after "licenses"
9 , for employment of associate brokers, salesperson

10 Amend Bill, page 1, lines 23 through 26; page 2, line 1; by
11 striking out all of said lines on said pages and inserting

12 Section 1. The definitions of "campground membership
13 salesperson," "license," "salesperson," "school" and "time-share
14 salesperson" in section 201 of the act of February 19, 1980
15 (P.L.15, No.9), known as the Real Estate Licensing and
16 Registration Act, amended July 8, 2024 (P.L.545, No.52), are
17 amended and the section is amended by adding definitions to
18 read:

19 Amend Bill, page 2, by inserting between lines 6 and 7

20 "Campground membership salesperson." A person who either as
21 an employee or an independent contractor sells or offers to sell
22 campground memberships. [Such person shall sell campground
23 memberships under the active supervision of a broker. A person
24 licensed as a broker, as a salesperson or as a time-share
25 salesperson shall not be required to be licensed as a campground
26 membership salesperson as a condition for selling or offering to
27 sell campground memberships.]

28 * * *

29 Amend Bill, page 4, by inserting between lines 11 and 12

30 "Salesperson." Any person employed by a licensed real estate
31 broker to perform comparative market analyses or to list for

1 sale, sell or offer for sale, to buy or offer to buy or to
2 negotiate the purchase or sale or exchange of real estate or to
3 negotiate a loan on real estate or to lease or rent or offer to
4 lease, rent or place for rent any real estate or collect or
5 offer or attempt to collect rent for the use of real estate or
6 engage or attempt to engage in a wholesale transaction for or in
7 behalf of such real estate broker. No person employed by a
8 broker to perform duties other than those activities as defined
9 herein under "broker" shall be required to be licensed as a
10 salesperson. No person who performs only the duties of a
11 campground membership salesperson, rental listing referral agent
12 or time-share salesperson shall be required to be licensed as a
13 salesperson.

14 Amend Bill, page 4, by inserting between lines 17 and 18

15 "Time-share salesperson." A person who either as an employee
16 or independent contractor sells or offers to sell time shares.
17 [Such person shall sell time shares under the active supervision
18 of a broker. A person licensed as a broker or as a salesperson
19 shall not be required to be licensed as a time-share salesperson
20 as a condition for selling or offering to sell time shares.]

21 * * *

22 Amend Bill, page 6, line 13, by inserting a bracket before
23 "campground"

24 Amend Bill, page 6, line 14, by inserting a bracket after
25 "salesperson,"

26 Amend Bill, page 6, line 14, by inserting a bracket before
27 the comma after "salesperson"

28 Amend Bill, page 6, line 15, by inserting a bracket after
29 "agent"

30 Amend Bill, page 6, line 27, by inserting a bracket before
31 the comma after "salesperson"

32 Amend Bill, page 6, line 28, by inserting after
33 "salesperson,"

34] or

35 Amend Bill, page 6, line 28, by inserting a bracket before
36 "or"

1 Amend Bill, page 6, line 29, by inserting a bracket after
2 "agent"

3 Amend Bill, page 7, line 8, by inserting a bracket before
4 "campground"

5 Amend Bill, page 7, line 9, by inserting a bracket after
6 "salesperson,"

7 Amend Bill, page 7, line 9, by inserting a bracket before
8 "rental"

9 Amend Bill, page 7, line 10, by inserting a bracket after
10 "agent"

11 Amend Bill, page 7, line 10, by striking out the comma after
12 "agent"

13 Amend Bill, page 9, line 10, by striking out "406" and
14 inserting
15 406(3)

16 Amend Bill, page 9, line 10, by inserting after "amended"
17 and the section is amended

18 Amend Bill, page 9, by inserting between lines 15 and 16
19 [(3) Those activities involving campground memberships
20 for which licensing is required under this act and to
21 instruct and require its agents to bring prosecutions for
22 unauthorized or unlawful activities.]

23 Amend Bill, page 9, line 26, by inserting a bracket before
24 "campground"

25 Amend Bill, page 9, line 27, by inserting a bracket after
26 "salesperson,"

27 Amend Bill, page 9, line 28, by striking out the comma after
28 "inspector" and inserting
29 or

1 Amend Bill, page 9, line 29, by inserting a bracket before
2 "or"

3 Amend Bill, page 9, line 29, by inserting a bracket after
4 "agent"

5 Amend Bill, page 10, by inserting between lines 15 and 16

6 Section 6.1. Sections 561, 581, 582, 591 and 592 of the act
7 are repealed.

8 [Section 561. Qualifications for license.

9 The qualification for licensure as a rental listing referral
10 agent shall be the same as those set forth in sections 521 and
11 522 except that the applicant need not be affiliated with a
12 broker.

13 Section 581. Qualifications for license.

14 (a) The applicant for a campground salesperson's license
15 shall be at least 18 years of age.

16 (b) The applicant shall have successfully completed 15 hours
17 in the following areas of study:

18 (1) Basic contract law.

19 (2) Sales practices and procedures.

20 (3) Sales ethics.

21 (4) Basic theory of campground memberships.

22 (c) The applicant shall undergo not less than 30 days of
23 onsite training at a campground membership facility.

24 Section 582. Application for license.

25 (a) An application for a license as a campground membership
26 salesperson shall be made in writing to the department upon a
27 form provided for the purpose by the department and shall
28 contain such information as to the applicant as the commission
29 shall require.

30 (b) The applicant for a license shall submit a sworn
31 affidavit by a broker certifying that the broker will actively
32 supervise and train the applicant and certifying the truth and
33 accuracy of the certification of the applicant.

34 (c) A license shall be renewed biennially.

35 (d) The commission shall establish an application fee and a
36 biennial renewal fee by regulation.

37 Section 591. Qualifications for license.

38 (a) The applicant for a time-share salesperson's license
39 shall be at least 18 years of age.

40 (b) The applicant shall have successfully completed 30 hours
41 of instruction in the following areas of study:

42 (1) Basic contract law.

43 (2) Sales practices and procedures.

44 (3) Sales ethics.

45 (4) Basic theory of resort time sharing.

46 (c) The applicant shall undergo not less than 30 days of

1 onsite training at a time-share facility.

2 Section 592. Application for license.

3 (a) An application for a license as a time-share salesperson
4 shall be made in writing to the department upon a form provided
5 for the purpose by the department and shall contain such
6 information as to the applicant as the commission shall require.

7 (b) The applicant shall submit a sworn statement by a broker
8 certifying that the broker will actively supervise and train the
9 applicant and certifying the truth and accuracy of the
10 certification of the applicant.

11 (c) A license shall be renewed biennially.

12 (d) The commission shall establish an application fee and a
13 biennial renewal fee by regulation.]

14 Amend Bill, page 22, line 8, by inserting after "Sections"

15 601 heading and (a),

16 Amend Bill, page 22, line 8, by inserting after "602(a)"

17 and (i), 603(b)

18 Amend Bill, page 22, by inserting between lines 9 and 10

19 Section 601. Duty of brokers[,] and cemetery brokers [and
20 rental listing referral agents] to maintain office.

21 (a) Each broker (which term in this section shall include
22 cemetery broker) [and rental listing referral agent] who holds a
23 standard license shall maintain a fixed office within this
24 Commonwealth. The current license of such a [rental listing
25 referral agent or] broker and of each licensee employed by [such
26 broker or rental listing referral agent] the broker shall be
27 prominently displayed in an office of the broker [or rental
28 listing referral agent]. The address of the office shall be
29 designated on the current license. In case of removal of a
30 broker's office from the designated location, all licensees
31 registered at that location shall make application to the
32 commission before such removal or within ten days thereafter,
33 designating the new location of the office, and shall pay the
34 required fees, whereupon the commission shall issue a current
35 license at the new location for the unexpired period, if the new
36 location complies with the terms of this act. Each broker who
37 holds a standard license shall maintain a sign on the outside of
38 his office indicating the proper licensed brokerage name.

39 * * *

40 Amend Bill, page 22, by inserting between lines 19 and 20

41 (i) An associate broker[,] or salesperson[, campground
42 membership salesperson or time-share salesperson] holding a
43 reciprocal license shall not conduct business in this
44 Commonwealth except in affiliation with a broker holding either
45 a standard or a reciprocal license.

46 * * *

1 Section 603. Employment of associate brokers, salesperson.

2 * * *

3 [(b) No campground membership salesperson or time-share
4 salesperson shall be supervised by any other broker than is
5 designated upon the current license issued to such salesperson.
6 Whenever a campground membership salesperson or a time-share
7 salesperson desires to be supervised by a different broker, such
8 licensee and the commission shall follow the procedure specified
9 in subsection (a) for real estate salespersons.]

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 604 Session of
2025

INTRODUCED BY BOSCOLA, SCHWANK, FONTANA, COMMITTA, BROWN,
PENNYCUICK, ROTHMAN, PHILLIPS-HILL, COSTA, J. WARD AND
CAPPELLETTI, APRIL 9, 2025

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
APRIL 9, 2025

AN ACT

1 Authorizing the Commonwealth of Pennsylvania to join the
2 Counseling Compact; and providing for the form of the
3 compact.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Counseling
8 Compact Act.

9 Section 2. Authority to execute compact.

10 The Governor, on behalf of the Commonwealth, is hereby
11 authorized to execute a compact in substantially the following
12 form with any one or more of the states of the United States,
13 and the General Assembly hereby signifies in advance its
14 approval and ratification of such compact:

15 COUNSELING COMPACT

16 SECTION 1. PURPOSE

17 The purpose of this Compact is to facilitate interstate practice

1 of Licensed Professional Counselors with the goal of improving
2 public access to Professional Counseling services. The practice
3 of Professional Counseling occurs in the State where the client
4 is located at the time of the counseling services. The Compact
5 preserves the regulatory authority of States to protect public
6 health and safety through the current system of State licensure.
7 This Compact is designed to achieve the following objectives:

8 A. Increase public access to Professional Counseling
9 services by providing for the mutual recognition of other Member
10 State licenses;

11 B. Enhance the States' ability to protect the public's
12 health and safety;

13 C. Encourage the cooperation of Member States in regulating
14 multistate practice for Licensed Professional Counselors;

15 D. Support spouses of relocating Active Duty Military
16 personnel;

17 E. Enhance the exchange of licensure, investigative, and
18 disciplinary information among Member States;

19 F. Allow for the use of Telehealth technology to facilitate
20 increased access to Professional Counseling services;

21 G. Support the uniformity of Professional Counseling
22 licensure requirements throughout the States to promote public
23 safety and public health benefits;

24 H. Invest all Member States with the authority to hold a
25 Licensed Professional Counselor accountable for meeting all
26 State practice laws in the State in which the client is located
27 at the time care is rendered through the mutual recognition of
28 Member State licenses;

29 I. Eliminate the necessity for licenses in multiple States;
30 and

1 J. Provide opportunities for interstate practice by Licensed
2 Professional Counselors who meet uniform licensure requirements.

3 SECTION 2. DEFINITIONS

4 As used in this Compact, and except as otherwise provided, the
5 following definitions shall apply:

6 A. "Active Duty Military" means full-time duty status in the
7 active uniformed service of the United States, including members
8 of the National Guard and Reserve on active duty orders pursuant
9 to 10 U.S.C. Chapters 1209 and 1211.

10 B. "Adverse Action" means any administrative, civil,
11 equitable or criminal action permitted by a State's laws which
12 is imposed by a licensing board or other authority against a
13 Licensed Professional Counselor, including actions against an
14 individual's license or Privilege to Practice such as
15 revocation, suspension, probation, monitoring of the licensee,
16 limitation on the licensee's practice, or any other Encumbrance
17 on licensure affecting a Licensed Professional Counselor's
18 authorization to practice, including issuance of a cease and
19 desist action.

20 C. "Alternative Program" means a non-disciplinary monitoring
21 or practice remediation process approved by a Professional
22 Counseling Licensing Board to address Impaired Practitioners.

23 D. "Continuing Competence/Education" means a requirement, as
24 a condition of license renewal, to provide evidence of
25 participation in, and/or completion of, educational and
26 professional activities relevant to practice or area of work.

27 E. "Counseling Compact Commission" or "Commission" means the
28 national administrative body whose membership consists of all
29 States that have enacted the Compact.

30 F. "Current Significant Investigative Information" means:

1 1. Investigative Information that a Licensing Board,
2 after a preliminary inquiry that includes notification and an
3 opportunity for the Licensed Professional Counselor to
4 respond, if required by State law, has reason to believe is
5 not groundless and, if proved true, would indicate more than
6 a minor infraction; or

7 2. Investigative Information that indicates that the
8 Licensed Professional Counselor represents an immediate
9 threat to public health and safety regardless of whether the
10 Licensed Professional Counselor has been notified and had an
11 opportunity to respond.

12 G. "Data System" means a repository of information about
13 Licensees, including, but not limited to, continuing education,
14 examination, licensure, investigative, Privilege to Practice and
15 Adverse Action information.

16 H. "Encumbered License" means a license in which an Adverse
17 Action restricts the practice of licensed Professional
18 Counseling by the Licensee and said Adverse Action has been
19 reported to the National Practitioners Data Bank (NPDB).

20 I. "Encumbrance" means a revocation or suspension of, or any
21 limitation on, the full and unrestricted practice of Licensed
22 Professional Counseling by a Licensing Board.

23 J. "Executive Committee" means a group of directors elected
24 or appointed to act on behalf of, and within the powers granted
25 to them by, the Commission.

26 K. "Home State" means the Member State that is the
27 Licensee's primary State of residence.

28 L. "Impaired Practitioner" means an individual who has a
29 condition(s) that may impair their ability to practice as a
30 Licensed Professional Counselor without some type of

1 intervention and may include, but are not limited to, alcohol
2 and drug dependence, mental health impairment, and neurological
3 or physical impairments.

4 M. "Investigative Information" means information, records,
5 and documents received or generated by a Professional Counseling
6 Licensing Board pursuant to an investigation.

7 N. "Jurisprudence Requirement" if required by a Member
8 State, means the assessment of an individual's knowledge of the
9 laws and Rules governing the practice of Professional Counseling
10 in a State.

11 O. "Licensed Professional Counselor" means a counselor
12 licensed by a Member State, regardless of the title used by that
13 State, to independently assess, diagnose, and treat behavioral
14 health conditions.

15 P. "Licensee" means an individual who currently holds an
16 authorization from the State to practice as a Licensed
17 Professional Counselor.

18 Q. "Licensing Board" means the agency of a State, or
19 equivalent, that is responsible for the licensing and regulation
20 of Licensed Professional Counselors.

21 R. "Member State" means a State that has enacted the
22 Compact.

23 S. "Privilege to Practice" means a legal authorization,
24 which is equivalent to a license, permitting the practice of
25 Professional Counseling in a Remote State.

26 T. "Professional Counseling" means the assessment,
27 diagnosis, and treatment of behavioral health conditions by a
28 Licensed Professional Counselor.

29 U. "Remote State" means a Member State other than the Home
30 State, where a Licensee is exercising or seeking to exercise the

1 Privilege to Practice.

2 V. "Rule" means a regulation promulgated by the Commission
3 that has the force of law.

4 W. "Single State License" means a Licensed Professional
5 Counselor license issued by a Member State that authorizes
6 practice only within the issuing State and does not include a
7 Privilege to Practice in any other Member State.

8 X. "State" means any state, commonwealth, district, or
9 territory of the United States of America that regulates the
10 practice of Professional Counseling.

11 Y. "Telehealth" means the application of telecommunication
12 technology to deliver Professional Counseling services remotely
13 to assess, diagnose, and treat behavioral health conditions.

14 Z. "Unencumbered License" means a license that authorizes a
15 Licensed Professional Counselor to engage in the full and
16 unrestricted practice of Professional Counseling.

17 SECTION 3. STATE PARTICIPATION IN THE COMPACT

18 A. To Participate in the Compact, a State must currently:

19 1. License and regulate Licensed Professional
20 Counselors;

21 2. Require Licensees to pass a nationally recognized
22 exam approved by the Commission;

23 3. Require Licensees to have a 60 semester-hour (or 90
24 quarter-hour) master's degree in counseling or 60 semester-
25 hours (or 90 quarter-hours) of graduate course work including
26 the following topic areas:

27 a. Professional Counseling Orientation and Ethical
28 Practice;

29 b. Social and Cultural Diversity;

30 c. Human Growth and Development;

- 1 d. Career Development;
- 2 e. Counseling and Helping Relationships;
- 3 f. Group Counseling and Group Work;
- 4 g. Diagnosis and Treatment; Assessment and Testing;
- 5 h. Research and Program Evaluation; and
- 6 i. Other areas as determined by the Commission.

7 4. Require Licensees to complete a supervised
8 postgraduate professional experience as defined by the
9 Commission;

10 5. Have a mechanism in place for receiving and
11 investigating complaints about Licensees.

12 B. A Member State shall:

13 1. Participate fully in the Commission's Data System,
14 including using the Commission's unique identifier as defined
15 in Rules;

16 2. Notify the Commission, in compliance with the terms
17 of the Compact and Rules, of any Adverse Action or the
18 availability of Investigative Information regarding a
19 Licensee;

20 3. Implement or utilize procedures for considering the
21 criminal history records of applicants for an initial
22 Privilege to Practice. These procedures shall include the
23 submission of fingerprints or other biometric-based
24 information by applicants for the purpose of obtaining an
25 applicant's criminal history record information from the
26 Federal Bureau of Investigation and the agency responsible
27 for retaining that State's criminal records;

28 a. A member state must fully implement a criminal
29 background check requirement, within a time frame
30 established by rule, by receiving the results of the

1 Federal Bureau of Investigation record search and shall
2 use the results in making licensure decisions.

3 b. Communication between a Member State, the
4 Commission and among Member States regarding the
5 verification of eligibility for licensure through the
6 Compact shall not include any information received from
7 the Federal Bureau of Investigation relating to a federal
8 criminal records check performed by a Member State under
9 Public Law 92-544.

10 4. Comply with the Rules of the Commission;

11 5. Require an applicant to obtain or retain a license in
12 the Home State and meet the Home State's qualifications for
13 licensure or renewal of licensure, as well as all other
14 applicable State laws;

15 6. Grant the Privilege to Practice to a Licensee holding
16 a valid Unencumbered License in another Member State in
17 accordance with the terms of the Compact and Rules; and

18 7. Provide for the attendance of the State's
19 commissioner to the Counseling Compact Commission meetings.

20 C. Member States may charge a fee for granting the Privilege
21 to Practice.

22 D. Individuals not residing in a Member State shall continue
23 to be able to apply for a Member State's Single State License as
24 provided under the laws of each Member State. However, the
25 Single State License granted to these individuals shall not be
26 recognized as granting a Privilege to Practice Professional
27 Counseling in any other Member State.

28 E. Nothing in this Compact shall affect the requirements
29 established by a Member State for the issuance of a Single State
30 License.

1 F. A license issued to a Licensed Professional Counselor by
2 a Home State to a resident in that State shall be recognized by
3 each Member State as authorizing a Licensed Professional
4 Counselor to practice Professional Counseling, under a Privilege
5 to Practice, in each Member State.

6 SECTION 4. PRIVILEGE TO PRACTICE

7 A. To exercise the Privilege to Practice under the terms and
8 provisions of the Compact, the Licensee shall:

9 1. Hold a license in the Home State;

10 2. Have a valid United States Social Security Number or
11 National Practitioner Identifier;

12 3. Be eligible for a Privilege to Practice in any Member
13 State in accordance with Section 4(D), (G) and (H);

14 4. Have not had any Encumbrance or restriction against
15 any license or Privilege to Practice within the previous two
16 (2) years;

17 5. Notify the Commission that the Licensee is seeking
18 the Privilege to Practice within a Remote State(s);

19 6. Pay any applicable fees, including any State fee, for
20 the Privilege to Practice;

21 7. Meet any Continuing Competence/Education requirements
22 established by the Home State;

23 8. Meet any Jurisprudence Requirements established by
24 the Remote State(s) in which the Licensee is seeking a
25 Privilege to Practice; and

26 9. Report to the Commission any Adverse Action,
27 Encumbrance, or restriction on license taken by any non-
28 Member State within 30 days from the date the action is
29 taken.

30 B. The Privilege to Practice is valid until the expiration

1 date of the Home State license. The Licensee must comply with
2 the requirements of Section 4(A) to maintain the Privilege to
3 Practice in the Remote State.

4 C. A Licensee providing Professional Counseling in a Remote
5 State under the Privilege to Practice shall adhere to the laws
6 and regulations of the Remote State.

7 D. A Licensee providing Professional Counseling services in
8 a Remote State is subject to that State's regulatory authority.
9 A Remote State may, in accordance with due process and that
10 State's laws, remove a Licensee's Privilege to Practice in the
11 Remote State for a specific period of time, impose fines, and/or
12 take any other necessary actions to protect the health and
13 safety of its citizens. The Licensee may be ineligible for a
14 Privilege to Practice in any Member State until the specific
15 time for removal has passed and all fines are paid.

16 E. If a Home State license is encumbered, the Licensee shall
17 lose the Privilege to Practice in any Remote State until the
18 following occur:

- 19 1. The Home State license is no longer encumbered; and
- 20 2. Have not had any Encumbrance or restriction against
21 any license or Privilege to Practice within the previous two
22 (2) years.

23 F. Once an Encumbered License in the Home State is restored
24 to good standing, the Licensee must meet the requirements of
25 Section 4(A) to obtain a Privilege to Practice in any Remote
26 State.

27 G. If a Licensee's Privilege to Practice in any Remote State
28 is removed, the individual may lose the Privilege to Practice in
29 all other Remote States until the following occur:

- 30 1. The specific period of time for which the Privilege

1 to Practice was removed has ended;

2 2. All fines have been paid; and

3 3. Have not had any Encumbrance or restriction against
4 any license or Privilege to Practice within the previous two
5 (2) years.

6 H. Once the requirements of Section 4(G) have been met, the
7 Licensee must meet the requirements in Section 4(A) to obtain a
8 Privilege to Practice in a Remote State.

9 SECTION 5. OBTAINING A NEW HOME STATE LICENSE BASED ON A
10 PRIVILEGE TO PRACTICE

11 A. A Licensed Professional Counselor may hold a Home State
12 license, which allows for a Privilege to Practice in other
13 Member States, in only one Member State at a time.

14 B. If a Licensed Professional Counselor changes primary
15 State of residence by moving between two Member States:

16 1. The Licensed Professional Counselor shall file an
17 application for obtaining a new Home State license based on a
18 Privilege to Practice, pay all applicable fees, and notify
19 the current and new Home State in accordance with applicable
20 Rules adopted by the Commission.

21 2. Upon receipt of an application for obtaining a new
22 Home State license by virtue of a Privilege to Practice, the
23 new Home State shall verify that the Licensed Professional
24 Counselor meets the pertinent criteria outlined in Section 4
25 via the Data System, without need for primary source
26 verification except for:

27 a. a Federal Bureau of Investigation fingerprint
28 based criminal background check if not previously
29 performed or updated pursuant to applicable rules adopted
30 by the Commission in accordance with Public Law 92-544;

1 b. other criminal background check as required by
2 the new Home State; and
3 c. completion of any requisite Jurisprudence
4 Requirements of the new Home State.

5 3. The former Home State shall convert the former Home
6 State license into a Privilege to Practice once the new Home
7 State has activated the new Home State license in accordance
8 with applicable Rules adopted by the Commission.

9 4. Notwithstanding any other provision of this Compact,
10 if the Licensed Professional Counselor cannot meet the
11 criteria in Section 4, the new Home State may apply its
12 requirements for issuing a new Single State License.

13 5. The Licensed Professional Counselor shall pay all
14 applicable fees to the new Home State in order to be issued a
15 new Home State license.

16 C. If a Licensed Professional Counselor changes Primary
17 State of Residence by moving from a Member State to a non-Member
18 State, or from a non-Member State to a Member State, the State
19 criteria shall apply for issuance of a Single State License in
20 the new State.

21 D. Nothing in this Compact shall interfere with a Licensee's
22 ability to hold a Single State License in multiple States,
23 however for the purposes of this Compact, a Licensee shall have
24 only one Home State license.

25 E. Nothing in this Compact shall affect the requirements
26 established by a Member State for the issuance of a Single State
27 License.

28 SECTION 6. ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES

29 Active Duty Military personnel, or their spouse, shall
30 designate a Home State where the individual has a current

1 license in good standing. The individual may retain the Home
2 State designation during the period the service member is on
3 active duty. Subsequent to designating a Home State, the
4 individual shall only change their Home State through
5 application for licensure in the new State, or through the
6 process outlined in Section 5.

7 SECTION 7. COMPACT PRIVILEGE TO PRACTICE TELEHEALTH

8 A. Member States shall recognize the right of a Licensed
9 Professional Counselor, licensed by a Home State in accordance
10 with Section 3 and under Rules promulgated by the Commission, to
11 practice Professional Counseling in any Member State via
12 Telehealth under a Privilege to Practice as provided in the
13 Compact and Rules promulgated by the Commission.

14 B. A Licensee providing Professional Counseling services in
15 a Remote State under the Privilege to Practice shall adhere to
16 the laws and regulations of the Remote State.

17 SECTION 8. ADVERSE ACTIONS

18 A. In addition to the other powers conferred by State law, a
19 Remote State shall have the authority, in accordance with
20 existing State due process law, to:

21 1. Take Adverse Action against a Licensed Professional
22 Counselor's Privilege to Practice within that Member State,
23 and

24 2. Issue subpoenas for both hearings and investigations
25 that require the attendance and testimony of witnesses as
26 well as the production of evidence. Subpoenas issued by a
27 Licensing Board in a Member State for the attendance and
28 testimony of witnesses or the production of evidence from
29 another Member State shall be enforced in the latter State by
30 any court of competent jurisdiction, according to the

1 practice and procedure of that court applicable to subpoenas
2 issued in proceedings pending before it. The issuing
3 authority shall pay any witness fees, travel expenses,
4 mileage, and other fees required by the service statutes of
5 the State in which the witnesses or evidence are located.

6 3. Only the Home State shall have the power to take
7 Adverse Action against a Licensed Professional Counselor's
8 license issued by the Home State.

9 B. For purposes of taking Adverse Action, the Home State
10 shall give the same priority and effect to reported conduct
11 received from a Member State as it would if the conduct had
12 occurred within the Home State. In so doing, the Home State
13 shall apply its own State laws to determine appropriate action.

14 C. The Home State shall complete any pending investigations
15 of a Licensed Professional Counselor who changes primary State
16 of residence during the course of the investigations. The Home
17 State shall also have the authority to take appropriate
18 action(s) and shall promptly report the conclusions of the
19 investigations to the administrator of the Data System. The
20 administrator of the coordinated licensure information system
21 shall promptly notify the new Home State of any Adverse Actions.

22 D. A Member State, if otherwise permitted by State law, may
23 recover from the affected Licensed Professional Counselor the
24 costs of investigations and dispositions of cases resulting from
25 any Adverse Action taken against that Licensed Professional
26 Counselor.

27 E. A Member State may take Adverse Action based on the
28 factual findings of the Remote State, provided that the Member
29 State follows its own procedures for taking the Adverse Action.

30 F. Joint Investigations:

1 1. In addition to the authority granted to a Member
2 State by its respective Professional Counseling practice act
3 or other applicable State law, any Member State may
4 participate with other Member States in joint investigations
5 of Licensees.

6 2. Member States shall share any investigative,
7 litigation, or compliance materials in furtherance of any
8 joint or individual investigation initiated under the
9 Compact.

10 G. If Adverse Action is taken by the Home State against the
11 license of a Licensed Professional Counselor, the Licensed
12 Professional Counselor's Privilege to Practice in all other
13 Member States shall be deactivated until all Encumbrances have
14 been removed from the State license. All Home State disciplinary
15 orders that impose Adverse Action against the license of a
16 Licensed Professional Counselor shall include a Statement that
17 the Licensed Professional Counselor's Privilege to Practice is
18 deactivated in all Member States during the pendency of the
19 order.

20 H. If a Member State takes Adverse Action, it shall promptly
21 notify the administrator of the Data System. The administrator
22 of the Data System shall promptly notify the Home State of any
23 Adverse Actions by Remote States.

24 I. Nothing in this Compact shall override a Member State's
25 decision that participation in an Alternative Program may be
26 used in lieu of Adverse Action.

27 SECTION 9. ESTABLISHMENT OF COUNSELING COMPACT COMMISSION

28 A. The Compact Member States hereby create and establish a
29 joint public agency known as the Counseling Compact Commission:

30 1. The Commission is an instrumentality of the Compact

1 States.

2 2. Venue is proper and judicial proceedings by or
3 against the Commission shall be brought solely and
4 exclusively in a court of competent jurisdiction where the
5 principal office of the Commission is located. The Commission
6 may waive venue and jurisdictional defenses to the extent it
7 adopts or consents to participate in alternative dispute
8 resolution proceedings.

9 3. Nothing in this Compact shall be construed to be a
10 waiver of sovereign immunity.

11 B. Membership, Voting, and Meetings

12 1. Each Member State shall have and be limited to one
13 (1) delegate selected by that Member State's Licensing Board.

14 2. The delegate shall be either:

15 a. A current member of the Licensing Board at the
16 time of appointment, who is a Licensed Professional
17 Counselor or public member; or

18 b. An administrator of the Licensing Board.

19 3. Any delegate may be removed or suspended from office
20 as provided by the law of the State from which the delegate
21 is appointed.

22 4. The Member State Licensing Board shall fill any
23 vacancy occurring on the Commission within 60 days.

24 5. Each delegate shall be entitled to one (1) vote with
25 regard to the promulgation of Rules and creation of bylaws
26 and shall otherwise have an opportunity to participate in the
27 business and affairs of the Commission.

28 6. A delegate shall vote in person or by such other
29 means as provided in the bylaws. The bylaws may provide for
30 delegates' participation in meetings by telephone or other

1 means of communication.

2 7. The Commission shall meet at least once during each
3 calendar year. Additional meetings shall be held as set forth
4 in the bylaws.

5 8. The Commission shall by Rule establish a term of
6 office for delegates and may by Rule establish term limits.

7 C. The Commission shall have the following powers and
8 duties:

9 1. Establish the fiscal year of the Commission;

10 2. Establish bylaws;

11 3. Maintain its financial records in accordance with the
12 bylaws;

13 4. Meet and take such actions as are consistent with the
14 provisions of this Compact and the bylaws;

15 5. Promulgate Rules which shall be binding to the extent
16 and in the manner provided for in the Compact;

17 6. Bring and prosecute legal proceedings or actions in
18 the name of the Commission, provided that the standing of any
19 State Licensing Board to sue or be sued under applicable law
20 shall not be affected;

21 7. Purchase and maintain insurance and bonds;

22 8. Borrow, accept, or contract for services of
23 personnel, including, but not limited to, employees of a
24 Member State;

25 9. Hire employees, elect or appoint officers, fix
26 compensation, define duties, grant such individuals
27 appropriate authority to carry out the purposes of the
28 Compact, and establish the Commission's personnel policies
29 and programs relating to conflicts of interest,
30 qualifications of personnel, and other related personnel

1 matters;

2 10. Accept any and all appropriate donations and grants
3 of money, equipment, supplies, materials, and services, and
4 to receive, utilize, and dispose of the same; provided that
5 at all times the Commission shall avoid any appearance of
6 impropriety and/or conflict of interest;

7 11. Lease, purchase, accept appropriate gifts or
8 donations of, or otherwise to own, hold, improve or use, any
9 property, real, personal or mixed; provided that at all times
10 the Commission shall avoid any appearance of impropriety;

11 12. Sell convey, mortgage, pledge, lease, exchange,
12 abandon, or otherwise dispose of any property real, personal,
13 or mixed;

14 13. Establish a budget and make expenditures;

15 14. Borrow money;

16 15. Appoint committees, including standing committees
17 composed of members, State regulators, State legislators or
18 their representatives, and consumer representatives, and such
19 other interested persons as may be designated in this Compact
20 and the bylaws;

21 16. Provide and receive information from, and cooperate
22 with, law enforcement agencies;

23 17. Establish and elect an Executive Committee; and

24 18. Perform such other functions as may be necessary or
25 appropriate to achieve the purposes of this Compact
26 consistent with the State regulation of Professional
27 Counseling licensure and practice.

28 D. The Executive Committee

29 1. The Executive Committee shall have the power to act
30 on behalf of the Commission according to the terms of this

1 Compact.

2 2. The Executive Committee shall be composed of up to
3 eleven (11) members:

4 a. Seven voting members who are elected by the
5 Commission from the current membership of the Commission;
6 and

7 b. Up to four (4) ex-officio, nonvoting members from
8 four (4) recognized national professional counselor
9 organizations.

10 c. The ex-officio members will be selected by their
11 respective organizations.

12 3. The Commission may remove any member of the Executive
13 Committee as provided in bylaws.

14 4. The Executive Committee shall meet at least annually.

15 5. The Executive Committee shall have the following
16 duties and responsibilities:

17 a. Recommend to the entire Commission changes to the
18 Rules or bylaws, changes to this Compact legislation,
19 fees paid by Compact Member States such as annual dues,
20 and any Commission Compact fee charged to Licensees for
21 the Privilege to Practice;

22 b. Ensure Compact administration services are
23 appropriately provided, contractual or otherwise;

24 c. Prepare and recommend the budget;

25 d. Maintain financial records on behalf of the
26 Commission;

27 e. Monitor Compact compliance of Member States and
28 provide compliance reports to the Commission;

29 f. Establish additional committees as necessary; and

30 g. Other duties as provided in Rules or bylaws.

1 E. Meetings of the Commission

2 1. All meetings shall be open to the public, and public
3 notice of meetings shall be given in the same manner as
4 required under the Rulemaking provisions in Section 11.

5 2. The Commission or the Executive Committee or other
6 committees of the Commission may convene in a closed, non-
7 public meeting if the Commission or Executive Committee or
8 other committees of the Commission must discuss:

9 a. Non-compliance of a Member State with its
10 obligations under the Compact;

11 b. The employment, compensation, discipline or other
12 matters, practices or procedures related to specific
13 employees or other matters related to the Commission's
14 internal personnel practices and procedures;

15 c. Current, threatened, or reasonably anticipated
16 litigation;

17 d. Negotiation of contracts for the purchase, lease,
18 or sale of goods, services, or real estate;

19 e. Accusing any person of a crime or formally
20 censuring any person;

21 f. Disclosure of trade secrets or commercial or
22 financial information that is privileged or confidential;

23 g. Disclosure of information of a personal nature
24 where disclosure would constitute a clearly unwarranted
25 invasion of personal privacy;

26 h. Disclosure of investigative records compiled for
27 law enforcement purposes;

28 i. Disclosure of information related to any
29 investigative reports prepared by or on behalf of or for
30 use of the Commission or other committee charged with

1 responsibility of investigation or determination of
2 compliance issues pursuant to the Compact; or

3 j. Matters specifically exempted from disclosure by
4 federal or Member State statute.

5 3. If a meeting, or portion of a meeting, is closed
6 pursuant to this provision, the Commission's legal counsel or
7 designee shall certify that the meeting may be closed and
8 shall reference each relevant exempting provision.

9 4. The Commission shall keep minutes that fully and
10 clearly describe all matters discussed in a meeting and shall
11 provide a full and accurate summary of actions taken, and the
12 reasons therefore, including a description of the views
13 expressed. All documents considered in connection with an
14 action shall be identified in such minutes. All minutes and
15 documents of a closed meeting shall remain under seal,
16 subject to release by a majority vote of the Commission or
17 order of a court of competent jurisdiction.

18 F. Financing of the Commission

19 1. The Commission shall pay, or provide for the payment
20 of, the reasonable expenses of its establishment,
21 organization, and ongoing activities.

22 2. The Commission may accept any and all appropriate
23 revenue sources, donations, and grants of money, equipment,
24 supplies, materials, and services.

25 3. The Commission may levy on and collect an annual
26 assessment from each Member State or impose fees on other
27 parties to cover the cost of the operations and activities of
28 the Commission and its staff, which must be in a total amount
29 sufficient to cover its annual budget as approved each year
30 for which revenue is not provided by other sources. The

1 aggregate annual assessment amount shall be allocated based
2 upon a formula to be determined by the Commission, which
3 shall promulgate a Rule binding upon all Member States.

4 4. The Commission shall not incur obligations of any
5 kind prior to securing the funds adequate to meet the same;
6 nor shall the Commission pledge the credit of any of the
7 Member States, except by and with the authority of the Member
8 State.

9 5. The Commission shall keep accurate accounts of all
10 receipts and disbursements. The receipts and disbursements of
11 the Commission shall be subject to the audit and accounting
12 procedures established under its bylaws. However, all
13 receipts and disbursements of funds handled by the Commission
14 shall be audited yearly by a certified or licensed public
15 accountant, and the report of the audit shall be included in
16 and become part of the annual report of the Commission.

17 G. Qualified Immunity, Defense, and Indemnification

18 1. The members, officers, executive director, employees
19 and representatives of the Commission shall be immune from
20 suit and liability, either personally or in their official
21 capacity, for any claim for damage to or loss of property or
22 personal injury or other civil liability caused by or arising
23 out of any actual or alleged act, error or omission that
24 occurred, or that the person against whom the claim is made
25 had a reasonable basis for believing occurred within the
26 scope of Commission employment, duties or responsibilities;
27 provided that nothing in this paragraph shall be construed to
28 protect any such person from suit and/or liability for any
29 damage, loss, injury, or liability caused by the intentional
30 or willful or wanton misconduct of that person.

1 2. The Commission shall defend any member, officer,
2 executive director, employee or representative of the
3 Commission in any civil action seeking to impose liability
4 arising out of any actual or alleged act, error, or omission
5 that occurred within the scope of Commission employment,
6 duties, or responsibilities, or that the person against whom
7 the claim is made had a reasonable basis for believing
8 occurred within the scope of Commission employment, duties,
9 or responsibilities; provided that nothing herein shall be
10 construed to prohibit that person from retaining his or her
11 own counsel; and provided further, that the actual or alleged
12 act, error, or omission did not result from that person's
13 intentional or willful or wanton misconduct.

14 3. The Commission shall indemnify and hold harmless any
15 member, officer, executive director, employee, or
16 representative of the Commission for the amount of any
17 settlement or judgment obtained against that person arising
18 out of any actual or alleged act, error, or omission that
19 occurred within the scope of Commission employment, duties,
20 or responsibilities, or that such person had a reasonable
21 basis for believing occurred within the scope of Commission
22 employment, duties, or responsibilities, provided that the
23 actual or alleged act, error, or omission did not result from
24 the intentional or willful or wanton misconduct of that
25 person.

26 SECTION 10. DATA SYSTEM

27 A. The Commission shall provide for the development,
28 maintenance, operation, and utilization of a coordinated
29 database and reporting system containing licensure, Adverse
30 Action, and Investigative Information on all licensed

1 individuals in Member States.

2 B. Notwithstanding any other provision of State law to the
3 contrary, a Member State shall submit a uniform data set to the
4 Data System on all individuals to whom this Compact is
5 applicable as required by the Rules of the Commission,
6 including:

7 1. Identifying information;

8 2. Licensure data;

9 3. Adverse Actions against a license or Privilege to
10 Practice;

11 4. Non-confidential information related to Alternative
12 Program participation;

13 5. Any denial of application for licensure, and the
14 reason(s) for such denial;

15 6. Current Significant Investigative Information; and

16 7. Other information that may facilitate the
17 administration of this Compact, as determined by the Rules of
18 the Commission.

19 C. Investigative Information pertaining to a Licensee in any
20 Member State will only be available to other Member States.

21 D. The Commission shall promptly notify all Member States of
22 any Adverse Action taken against a Licensee or an individual
23 applying for a license. Adverse Action information pertaining to
24 a Licensee in any Member State will be available to any other
25 Member State.

26 E. Member States contributing information to the Data System
27 may designate information that may not be shared with the public
28 without the express permission of the contributing State.

29 F. Any information submitted to the Data System that is
30 subsequently required to be expunged by the laws of the Member

1 State contributing the information shall be removed from the
2 Data System.

3 SECTION 11. RULEMAKING

4 A. The Commission shall promulgate reasonable Rules in order
5 to effectively and efficiently achieve the purpose of the
6 Compact. Notwithstanding the foregoing, in the event the
7 Commission exercises its Rulemaking authority in a manner that
8 is beyond the scope of the purposes of the Compact, or the
9 powers granted hereunder, then such an action by the Commission
10 shall be invalid and have no force or effect.

11 B. The Commission shall exercise its Rulemaking powers
12 pursuant to the criteria set forth in this Section and the Rules
13 adopted thereunder. Rules and amendments shall become binding as
14 of the date specified in each Rule or amendment.

15 C. If a majority of the legislatures of the Member States
16 rejects a Rule, by enactment of a statute or resolution in the
17 same manner used to adopt the Compact within four (4) years of
18 the date of adoption of the Rule, then such Rule shall have no
19 further force and effect in any Member State.

20 D. Rules or amendments to the Rules shall be adopted at a
21 regular or special meeting of the Commission.

22 E. Prior to promulgation and adoption of a final Rule or
23 Rules by the Commission, and at least thirty (30) days in
24 advance of the meeting at which the Rule will be considered and
25 voted upon, the Commission shall file a Notice of Proposed
26 Rulemaking:

27 1. On the website of the Commission or other publicly
28 accessible platform; and

29 2. On the website of each Member State Professional
30 Counseling Licensing Board or other publicly accessible

1 platform or the publication in which each State would
2 otherwise publish proposed Rules.

3 F. The Notice of Proposed Rulemaking shall include:

4 1. The proposed time, date, and location of the meeting
5 in which the Rule will be considered and voted upon;

6 2. The text of the proposed Rule or amendment and the
7 reason for the proposed Rule;

8 3. A request for comments on the proposed Rule from any
9 interested person; and

10 4. The manner in which interested persons may submit
11 notice to the Commission of their intention to attend the
12 public hearing and any written comments.

13 G. Prior to adoption of a proposed Rule, the Commission
14 shall allow persons to submit written data, facts, opinions, and
15 arguments, which shall be made available to the public.

16 H. The Commission shall grant an opportunity for a public
17 hearing before it adopts a Rule or amendment if a hearing is
18 requested by:

19 1. At least twenty-five (25) persons;

20 2. A State or federal governmental subdivision or
21 agency; or

22 3. An association having at least twenty-five (25)
23 members.

24 I. If a hearing is held on the proposed Rule or amendment,
25 the Commission shall publish the place, time, and date of the
26 scheduled public hearing. If the hearing is held via electronic
27 means, the Commission shall publish the mechanism for access to
28 the electronic hearing.

29 1. All persons wishing to be heard at the hearing shall
30 notify the executive director of the Commission or other

1 designated member in writing of their desire to appear and
2 testify at the hearing not less than five (5) business days
3 before the scheduled date of the hearing.

4 2. Hearings shall be conducted in a manner providing
5 each person who wishes to comment a fair and reasonable
6 opportunity to comment orally or in writing.

7 3. All hearings will be recorded. A copy of the
8 recording will be made available on request.

9 4. Nothing in this section shall be construed as
10 requiring a separate hearing on each Rule. Rules may be
11 grouped for the convenience of the Commission at hearings
12 required by this section.

13 J. Following the scheduled hearing date, or by the close of
14 business on the scheduled hearing date if the hearing was not
15 held, the Commission shall consider all written and oral
16 comments received.

17 K. If no written notice of intent to attend the public
18 hearing by interested parties is received, the Commission may
19 proceed with promulgation of the proposed Rule without a public
20 hearing.

21 L. The Commission shall, by majority vote of all members,
22 take final action on the proposed Rule and shall determine the
23 effective date of the Rule, if any, based on the Rulemaking
24 record and the full text of the Rule.

25 M. Upon determination that an emergency exists, the
26 Commission may consider and adopt an emergency Rule without
27 prior notice, opportunity for comment, or hearing, provided that
28 the usual Rulemaking procedures provided in the Compact and in
29 this section shall be retroactively applied to the Rule as soon
30 as reasonably possible, in no event later than ninety (90) days

1 after the effective date of the Rule. For the purposes of this
2 provision, an emergency Rule is one that must be adopted
3 immediately in order to:

4 1. Meet an imminent threat to public health, safety, or
5 welfare;

6 2. Prevent a loss of Commission or Member State funds;

7 3. Meet a deadline for the promulgation of an
8 administrative Rule that is established by federal law or
9 Rule; or

10 4. Protect public health and safety.

11 N. The Commission or an authorized committee of the
12 Commission may direct revisions to a previously adopted Rule or
13 amendment for purposes of correcting typographical errors,
14 errors in format, errors in consistency, or grammatical errors.
15 Public notice of any revisions shall be posted on the website of
16 the Commission. The revision shall be subject to challenge by
17 any person for a period of thirty (30) days after posting. The
18 revision may be challenged only on grounds that the revision
19 results in a material change to a Rule. A challenge shall be
20 made in writing and delivered to the chair of the Commission
21 prior to the end of the notice period. If no challenge is made,
22 the revision will take effect without further action. If the
23 revision is challenged, the revision may not take effect without
24 the approval of the Commission.

25 SECTION 12. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

26 A. Oversight

27 1. The executive, legislative, and judicial branches of
28 State government in each Member State shall enforce this
29 Compact and take all actions necessary and appropriate to
30 effectuate the Compact's purposes and intent. The provisions

1 of this Compact and the Rules promulgated hereunder shall
2 have standing as statutory law.

3 2. All courts shall take judicial notice of the Compact
4 and the Rules in any judicial or administrative proceeding in
5 a Member State pertaining to the subject matter of this
6 Compact which may affect the powers, responsibilities, or
7 actions of the Commission.

8 3. The Commission shall be entitled to receive service
9 of process in any such proceeding and shall have standing to
10 intervene in such a proceeding for all purposes. Failure to
11 provide service of process to the Commission shall render a
12 judgment or order void as to the Commission, this Compact, or
13 promulgated Rules.

14 B. Default, Technical Assistance, and Termination

15 1. If the Commission determines that a Member State has
16 defaulted in the performance of its obligations or
17 responsibilities under this Compact or the promulgated Rules,
18 the Commission shall:

19 a. Provide written notice to the defaulting State
20 and other Member States of the nature of the default, the
21 proposed means of curing the default and/or any other
22 action to be taken by the Commission; and

23 b. Provide remedial training and specific technical
24 assistance regarding the default.

25 C. If a State in default fails to cure the default, the
26 defaulting State may be terminated from the Compact upon an
27 affirmative vote of a majority of the Member States, and all
28 rights, privileges and benefits conferred by this Compact may be
29 terminated on the effective date of termination. A cure of the
30 default does not relieve the offending State of obligations or

1 liabilities incurred during the period of default.

2 D. Termination of membership in the Compact shall be imposed
3 only after all other means of securing compliance have been
4 exhausted. Notice of intent to suspend or terminate shall be
5 given by the Commission to the governor, the majority and
6 minority leaders of the defaulting State's legislature, and each
7 of the Member States.

8 E. A State that has been terminated is responsible for all
9 assessments, obligations, and liabilities incurred through the
10 effective date of termination, including obligations that extend
11 beyond the effective date of termination.

12 F. The Commission shall not bear any costs related to a
13 State that is found to be in default or that has been terminated
14 from the Compact, unless agreed upon in writing between the
15 Commission and the defaulting State.

16 G. The defaulting State may appeal the action of the
17 Commission by petitioning the U.S. District Court for the
18 District of Columbia or the federal district where the
19 Commission has its principal offices. The prevailing member
20 shall be awarded all costs of such litigation, including
21 reasonable attorney's fees.

22 H. Dispute Resolution

23 1. Upon request by a Member State, the Commission shall
24 attempt to resolve disputes related to the Compact that arise
25 among Member States and between member and non-Member States.

26 2. The Commission shall promulgate a Rule providing for
27 both mediation and binding dispute resolution for disputes as
28 appropriate.

29 I. Enforcement

30 1. The Commission, in the reasonable exercise of its

1 discretion, shall enforce the provisions and Rules of this
2 Compact.

3 2. By majority vote, the Commission may initiate legal
4 action in the United States District Court for the District
5 of Columbia or the federal district where the Commission has
6 its principal offices against a Member State in default to
7 enforce compliance with the provisions of the Compact and its
8 promulgated Rules and bylaws. The relief sought may include
9 both injunctive relief and damages. In the event judicial
10 enforcement is necessary, the prevailing member shall be
11 awarded all costs of such litigation, including reasonable
12 attorney's fees.

13 3. The remedies herein shall not be the exclusive
14 remedies of the Commission. The Commission may pursue any
15 other remedies available under federal or State law.

16 SECTION 13. DATE OF IMPLEMENTATION OF THE COUNSELING COMPACT
17 COMMISSION AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENT

18 A. The Compact shall come into effect on the date on which
19 the Compact statute is enacted into law in the tenth Member
20 State. The provisions, which become effective at that time,
21 shall be limited to the powers granted to the Commission
22 relating to assembly and the promulgation of Rules. Thereafter,
23 the Commission shall meet and exercise Rulemaking powers
24 necessary to the implementation and administration of the
25 Compact.

26 B. Any State that joins the Compact subsequent to the
27 Commission's initial adoption of the Rules shall be subject to
28 the Rules as they exist on the date on which the Compact becomes
29 law in that State. Any Rule that has been previously adopted by
30 the Commission shall have the full force and effect of law on

1 the day the Compact becomes law in that State.

2 C. Any Member State may withdraw from this Compact by
3 enacting a statute repealing the same.

4 1. A Member State's withdrawal shall not take effect
5 until six (6) months after enactment of the repealing
6 statute.

7 2. Withdrawal shall not affect the continuing
8 requirement of the withdrawing State's Professional
9 Counseling Licensing Board to comply with the investigative
10 and Adverse Action reporting requirements of this act prior
11 to the effective date of withdrawal.

12 D. Nothing contained in this Compact shall be construed to
13 invalidate or prevent any Professional Counseling licensure
14 agreement or other cooperative arrangement between a Member
15 State and a non-Member State that does not conflict with the
16 provisions of this Compact.

17 E. This Compact may be amended by the Member States. No
18 amendment to this Compact shall become effective and binding
19 upon any Member State until it is enacted into the laws of all
20 Member States.

21 SECTION 14. CONSTRUCTION AND SEVERABILITY

22 This Compact shall be liberally construed so as to effectuate
23 the purposes thereof. The provisions of this Compact shall be
24 severable and if any phrase, clause, sentence or provision of
25 this Compact is declared to be contrary to the constitution of
26 any Member State or of the United States or the applicability
27 thereof to any government, agency, person or circumstance is
28 held invalid, the validity of the remainder of this Compact and
29 the applicability thereof to any government, agency, person or
30 circumstance shall not be affected thereby. If this Compact

1 shall be held contrary to the constitution of any Member State,
2 the Compact shall remain in full force and effect as to the
3 remaining Member States and in full force and effect as to the
4 Member State affected as to all severable matters.

5 SECTION 15. BINDING EFFECT OF COMPACT AND OTHER LAWS

6 A. A Licensee providing Professional Counseling services in
7 a Remote State under the Privilege to Practice shall adhere to
8 the laws and regulations, including scope of practice, of the
9 Remote State.

10 B. Nothing herein prevents the enforcement of any other law
11 of a Member State that is not inconsistent with the Compact.

12 C. Any laws in a Member State in conflict with the Compact
13 are superseded to the extent of the conflict.

14 D. Any lawful actions of the Commission, including all Rules
15 and bylaws properly promulgated by the Commission, are binding
16 upon the Member States.

17 E. All permissible agreements between the Commission and the
18 Member States are binding in accordance with their terms.

19 F. In the event any provision of the Compact exceeds the
20 constitutional limits imposed on the legislature of any Member
21 State, the provision shall be ineffective to the extent of the
22 conflict with the constitutional provision in question in that
23 Member State.

24 Section 3. Effective date.

25 This act shall take effect in 60 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	SB0604 PN0612	Prepared By:	Joe Brett
Committee:	Professional Licensure		(717) 772-4031
Sponsor:	Boscola, Lisa	Executive Director:	Kari Orchard
Date:	6/23/2026		

A. Brief Concept

Authorizes Pennsylvania to join the National Counseling Compact.

C. Analysis of the Bill

HB 668 creates a free-standing act allowing Pennsylvania to join the interstate licensing compact for counselors and laying out the framework of the compact. The compact would have to be substantially similar in form to the model compact legislation. In order to participate in the compact, states must adopt this language. Key points of the model compact language are as follows:

Key Definitions

"Home State" means the Member State that is the Licensee's primary State of residence.

"Member State" means a State that has enacted the Compact.

"Privilege to Practice" means a legal authorization, which is equivalent to a license, permitting the practice of Professional Counseling in a Remote State.

"Remote State" means a Member State other than the Home State, where a Licensee is exercising or seeking to exercise the Privilege to Practice.

"Single State License" means a Licensed Professional Counselor license issued by a Member State that authorizes practice only within the issuing State and does not include a Privilege to Practice in any other Member State.

State Participation in the Compact

To participate in the compact, a state must currently:

1. License and regulate Licensed Professional Counselors;
2. Require Licensees to pass a nationally recognized exam approved by the Commission;
3. Require Licensees to have a 60 semester-hour (or 90 quarter-hour) master's degree in counseling or 60 semester hours (or 90 quarter-hours) of graduate course work including the relevant topic areas;
4. Require Licensees to complete a supervised postgraduate professional experience as defined by the Commission; and,
5. Have a mechanism in place for receiving and investigating complaints about Licensees.

Requirements for Member States

A member state shall:

1. Implement or utilize procedures for considering the criminal history records of applicants for an initial Privilege to Practice. This includes fully implementing a criminal background check requirement;
2. Comply with the Rules of the Commission;
3. Require an applicant to obtain a license in their home state; and

4. Grant the privilege to practice to a licensee holding a valid license in another member state;

Member states may charge a fee for granting privilege to practice.

Individuals not residing in a member state will be able to apply for a single state license but will not be recognized as having privilege to practice in any other member state. Nothing in the compact will affect the requirements established by a member state for the issuance of a single state license.

Privilege to Practice

To gain the Privilege to Practice in a Remote State, a counselor must:

1. Hold an active license in their Home State.
2. Have a valid U.S. Social Security Number or National Practitioner Identifier.
3. Be eligible according to the Compact's rules.
4. Have no license restrictions or disciplinary actions in the past 2 years.
5. Notify the Compact Commission of their intent to practice in another state.
6. Pay all required fees.
7. Meet continuing education requirements set by the Home State.
8. Complete any legal or ethical training ("jurisprudence requirements") required by the Remote State.
9. Report any disciplinary actions from non-member states within 30 days.

The Privilege to Practice remains valid as long as the counselor's Home State license is active. The counselor must follow the laws and rules of the Remote State when practicing there.

Remote States have the power to suspend or revoke a counselor's privilege, issue fines, or take other actions to protect public safety. If the counselor's Home State license is restricted or suspended, they automatically lose the Privilege to Practice in all Remote States until the Home State license is cleared, and two years have passed without new restrictions.

Obtaining a New Home State License Based on Privilege to Practice

A counselor can only hold one Home State license at any given time under the Compact. When a counselor moves from one Compact state to another:

1. They must apply for a new Home State license, pay the required fees, and notify both the old and new states.
2. The new Home State will verify their qualifications via the Compact's data system, except:
 - A federal fingerprint-based background check (if not done before).
 - Any criminal background checks required by the new state.
 - Completion of the new state's legal/ethics requirements.
3. Once the new license is activated, the old Home State license automatically converts to a Privilege to Practice.
4. If the counselor doesn't meet Compact requirements, the new state may instead issue them a Single State License.
5. The counselor must pay all required fees in the new state.

Adverse Actions

A Remote State can take disciplinary action against a counselor's right to practice in that state and issue subpoenas for investigations or hearings, including across state lines. However, only the Home State can take action against the counselor's actual license. The Home State must give the same priority and effect to reported conduct received from a Member State as it would if the conduct had occurred within the Home State.

States can rely on the facts determined by another state's investigation but must follow their own laws and procedures before taking action.

If a counselor's Home State license is disciplined, their Privilege to Practice in all other states is automatically deactivated until the issue is resolved.

Establishment of the Commission

Section 9 of the bill creates the Counseling Compact Commission, the administrative body responsible for managing and enforcing the Compact. The Commission includes one delegate from each Member State.

The Commission has the power to:

- Develop rules and bylaws.
- Manage a data system for tracking license status, adverse actions, and eligibility.
- Hire staff, establish committees, and manage its own finances.

Member States must uphold and enforce the Compact's rules once adopted. If states fail to comply, the Commission can give notice, offer guidance, or require corrective actions. Continued noncompliance can lead to termination from the Compact, subject to a majority vote by all Member States.

Effective Date:

This act shall take effect in 60 days.

G. Relevant Existing Laws

Pennsylvania currently licenses professional counselors under Act 39 of 1987, known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act.

Under this practice act, licensees are regulated by the state Board of Social Workers, Marriage and Family Therapists and Professional Counselors, and may practice in Pennsylvania according to the scope of practice outlined for their specific license category.

Individuals wishing to practice in another state must become licensed in that state. Similarly, applicants from other states must apply for licensure by endorsement or reciprocity and obtain a Pennsylvania license in order to practice social work in the Commonwealth.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

The bill was introduced previously as:

- SB 1348 (Boscola) and HB 2852 (O'Mara) in the 2021-2022 Session, but neither was considered by the committee.
- HB 2300 (O'Mara) in the 2023-2024 Session, but it was not considered by the committee.
- HB 668 (O'Mara) this session. The bill passed the House 186-16 on June 4, 2025.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1240 Session of 2026

INTRODUCED BY HUTCHINSON AND PISCIOTTANO, MARCH 31, 2026

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
MARCH 31, 2026

AN ACT

1 Amending the act of May 26, 1947 (P.L.318, No.140), entitled "An
2 act relating to the practice of public accounting; providing
3 for the examination, education and experience requirements
4 for certification of certified public accountants and for the
5 licensing of certified public accountants, public accountants
6 and firms; requiring continuing education and peer review;
7 providing for the organization and ownership of firms and for
8 the procedures and grounds for discipline and reinstatement
9 of licensees; prescribing the powers and duties of the State
10 Board of Accountancy and the Department of State; providing
11 for ownership of working papers and confidentiality;
12 regulating the professional responsibility of licensees;
13 defining unlawful acts and acts not unlawful; providing
14 penalties; and repealing existing laws," further providing
15 for requirements for issuance of certificate.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. Section 4.2(b)(3)(ii) and (iii) of the act of May
19 26, 1947 (P.L.318, No.140), known as the CPA Law, amended June
20 30, 2025 (P.L.85, No.27), are amended to read:

21 Section 4.2. Requirements for Issuance of Certificate.--* *

22 *

23 (b) Except as provided under subsection (b.1), before an
24 individual may take the examination, the board shall be

1 satisfied that the individual meets all of the following:

2 * * *

3 (3) Has graduated with:

4 * * *

5 (ii) a baccalaureate degree from a college or university
6 accredited by a nationally recognized accrediting agency
7 recognized by the United States Department of Education, or a
8 college or university approved by the board, and completed at
9 least a total of twenty-four semester credits, which credits
10 shall be in accounting and auditing, business law, economics,
11 technology, finance or tax subjects of a content satisfactory to
12 the board, [not necessarily as a part of his undergraduate work]
13 and an additional twelve semester credits in accounting and
14 auditing subjects or tax subjects of a content satisfactory to
15 the board, not necessarily as part of the individual's
16 undergraduate or graduate work; or

17 (iii) a Master's Degree or other post-graduate degree from a
18 college or university accredited by a nationally recognized
19 accrediting agency recognized by the United States Department of
20 Education, or a college or university approved by the board, and
21 completed at least a total of twenty-four semester credits,
22 which credits shall be in accounting and auditing, business law,
23 economics, technology, finance or tax subjects of a content
24 satisfactory to the board, [not necessarily as part of his
25 undergraduate or graduate work.] and an additional twelve
26 semester credits in accounting and auditing subjects or tax
27 subjects of a content satisfactory to the board, not necessarily
28 as part of the individual's undergraduate or graduate work.

29 * * *

30 Section 2. This act shall take effect immediately.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	SB1240 PN1556	Prepared By:	Joseph Brett (717) 772-4031
Committee:	Professional Licensure	Executive Director:	Kari Orchard
Sponsor:	Hutchinson, Scott		
Date:	6/16/2026		

A. Brief Concept

Provides for additional education requirements for the issuance of a certificate of certified public accountant.

C. Analysis of the Bill

Senate Bill 1240 requires applicants for the certified public accountant examination to complete an additional 12 semester credits in accounting and auditing subjects or tax subjects.

Effective Date:

Immediately.

G. Relevant Existing Laws

Certified Public Accountants are governed by the CPA Law (Act 140 of 1947) as well as regulations in Chapter 49 of the PA Code.

Section 4.2 of the CPA Law provides that applicants must be 18 years or older, of good moral character, and has graduated with:

(i) a baccalaureate or higher degree from a college or university accredited by a nationally recognized accrediting agency recognized by the United States Department of Education, or a college or university approved by the board, and completed a total of one hundred fifty semester credits of post-secondary education, including at least a total of twenty-four semester credits of accounting and auditing, business law, economics, technology, finance or tax subjects of a content satisfactory to the board and an additional twelve semester credits in accounting and auditing subjects or tax subjects of a content satisfactory to the board, not necessarily as part of the individual's undergraduate or graduate work;

(ii) a baccalaureate degree from a college or university accredited by a nationally recognized accrediting agency recognized by the United States Department of Education, or a college or university approved by the board, and completed at least a total of twenty-four semester credits, which credits shall be in accounting and auditing, business law, economics, technology, finance or tax subjects of a content satisfactory to the board, not necessarily as a part of his undergraduate work; or

(iii) a Master's Degree or other post-graduate degree from a college or university accredited by a nationally recognized accrediting agency recognized by the United States Department of Education, or a college or university approved by the board, and completed at least a total of twenty-four semester credits, which credits shall be in accounting and auditing, business law, economics, technology, finance or tax subjects of a content satisfactory to the board, not necessarily as part of his undergraduate or graduate work.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

This bill was not introduced in prior sessions.

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