

By: Buckley, Wilson, Slawson, Bowers

H.B. No. 139

Substitute the following for H.B. No. 139:

By: Tinderholt

C.S.H.B. No. 139

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to state occupational licensing of certain military  
3 veterans and military spouses.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 21.052, Education Code, is amended by  
6 amending Subsections (a-1), (b-1), and (f) and adding Subsection  
7 (i) to read as follows:

8 (a-1) The commissioner may adopt rules establishing  
9 exceptions to the examination requirements prescribed by  
10 Subsection (a)(3) for an educator who is a military veteran or  
11 military spouse or is from outside the state to obtain a certificate  
12 in this state.

13 (b-1) The board shall propose rules in accordance with  
14 Chapter 55, Occupations Code, to establish procedures to expedite  
15 the processing of an application for a certificate under this  
16 section submitted by an educator who is a military veteran or  
17 military ~~[the] spouse [of a person who is serving on active duty as~~  
18 ~~a member of the armed forces of the United States]~~, including rules  
19 for providing a permanent change of station order for purposes of  
20 establishing residency and for providing a military identification  
21 card ~~[the appropriate documentation to establish the educator's~~  
22 ~~status as a spouse of a person who is serving on active duty as a~~  
23 ~~member of the armed forces of the United States].~~

24 (f) The board shall post on the board's Internet website the

1 procedures for obtaining a certificate under Subsection (a) and the  
2 notice required under Section 55.010, Occupations Code.

3 (i) In this section:

4 (1) "Active duty" means current full-time military  
5 service in the armed forces of the United States or active duty  
6 military service as a member of the Texas military forces, as  
7 defined by Section 437.001, Government Code, or similar military  
8 service of another state.

9 (2) "Armed forces of the United States" means the  
10 army, navy, air force, space force, coast guard, or marine corps of  
11 the United States or a reserve unit of one of those branches of the  
12 armed forces.

13 (3) "Military service member" means a person who is on  
14 active duty.

15 (4) "Military spouse" means a person who is married to  
16 a military service member.

17 (5) "Military veteran" means a person who has served  
18 on active duty and who was discharged or released from active duty.

19 SECTION 2. Section 55.001(2), Occupations Code, is amended  
20 to read as follows:

21 (2) "Armed forces of the United States" means the  
22 army, navy, air force, space force, coast guard, or marine corps of  
23 the United States or a reserve unit of one of those branches of the  
24 armed forces.

25 SECTION 3. Section 55.004, Occupations Code, is amended by  
26 adding Subsections (a-1) and (d) to read as follows:

27 (a-1) In adopting rules under Subsection (a), the state

1 agency shall ensure that a military veteran or military spouse  
2 receives appropriate credit for the individual's experience,  
3 including clinical and professional experience, in a licensed  
4 profession.

5 (d) A state agency that issues a license that has a  
6 residency requirement for license eligibility shall adopt rules  
7 regarding documentation necessary for a military spouse applicant  
8 to establish residency for purposes of this subsection, including  
9 by providing to the agency a copy of the permanent change of station  
10 order for the military service member to whom the spouse is married.

11 SECTION 4. Section 55.0041(b), Occupations Code, is amended  
12 to read as follows:

13 (b) Before engaging in the practice of the business or  
14 occupation, the military spouse must:

15 (1) notify the applicable state agency of the spouse's  
16 intent to practice in this state;

17 (2) submit to the agency proof of the spouse's  
18 residency in this state in accordance with rules adopted under  
19 Section 55.004(d) and a copy of the spouse's military  
20 identification card; and

21 (3) receive from the agency confirmation that:

22 (A) the agency has verified the spouse's license  
23 in the other jurisdiction; and

24 (B) the spouse is authorized to engage in the  
25 business or occupation in accordance with this section.

26 SECTION 5. Section 2, Chapter 1048 (H.B. 1934), Acts of the  
27 85th Legislature, Regular Session, 2017, is repealed.

1           SECTION 6. The changes in law made by this Act apply only to  
2 an initial application for or an application for renewal of an  
3 occupational license or certificate filed on or after the effective  
4 date of this Act. An application for a license or certificate filed  
5 before the effective date of this Act is governed by the law in  
6 effect on the date the application was filed, and the former law is  
7 continued in effect for that purpose.

8           SECTION 7. This Act takes effect September 1, 2021.