

1-1 By: Buckley, et al. (Senate Sponsor - Powell) H.B. No. 139
 1-2 (In the Senate - Received from the House April 6, 2021;
 1-3 April 12, 2021, read first time and referred to Committee on
 1-4 Veteran Affairs & Border Security; April 21, 2021, reported
 1-5 favorably by the following vote: Yeas 5, Nays 0; April 21, 2021,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14			X	
1-15	X			

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to state occupational licensing of certain military
 1-19 veterans and military spouses.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 21.052, Education Code, is amended by
 1-22 amending Subsections (a-1), (b-1), and (f) and adding Subsection
 1-23 (i) to read as follows:

1-24 (a-1) The commissioner may adopt rules establishing
 1-25 exceptions to the examination requirements prescribed by
 1-26 Subsection (a)(3) for an educator from outside the state, including
 1-27 military service members, military spouses, and military veterans,
 1-28 to obtain a certificate in this state.

1-29 (b-1) The board shall propose rules in accordance with
 1-30 Chapter 55, Occupations Code, to establish procedures to expedite
 1-31 the processing of an application for a certificate under this
 1-32 section submitted by an educator who is a military veteran or
 1-33 military [the] spouse [of a person who is serving on active duty as
 1-34 a member of the armed forces of the United States], including rules
 1-35 for providing a permanent change of station order for purposes of
 1-36 establishing residency and for providing a military identification
 1-37 card [the appropriate documentation to establish the educator's
 1-38 status as a spouse of a person who is serving on active duty as a
 1-39 member of the armed forces of the United States].

1-40 (f) The board shall post on the board's Internet website the
 1-41 procedures for obtaining a certificate under Subsection (a) and the
 1-42 notice required under Section 55.010, Occupations Code.

1-43 (i) In this section:

1-44 (1) "Active duty" means current full-time military
 1-45 service in the armed forces of the United States or active duty
 1-46 military service as a member of the Texas military forces, as
 1-47 defined by Section 437.001, Government Code, or similar military
 1-48 service of another state.

1-49 (2) "Armed forces of the United States" means the
 1-50 army, navy, air force, space force, coast guard, or marine corps of
 1-51 the United States or a reserve unit of one of those branches of the
 1-52 armed forces.

1-53 (3) "Military service member" means a person who is on
 1-54 active duty.

1-55 (4) "Military spouse" means a person who is married to
 1-56 a military service member.

1-57 (5) "Military veteran" means a person who has served
 1-58 on active duty and who was discharged or released from active duty.

1-59 SECTION 2. Section 55.001(2), Occupations Code, is amended
 1-60 to read as follows:

1-61 (2) "Armed forces of the United States" means the

2-1 army, navy, air force, space force, coast guard, or marine corps of
2-2 the United States or a reserve unit of one of those branches of the
2-3 armed forces.

2-4 SECTION 3. Section 55.004, Occupations Code, is amended by
2-5 amending Subsection (c) and adding Subsection (d) to read as
2-6 follows:

2-7 (c) In addition to the rules adopted under Subsection (a), a
2-8 state agency that issues a license may adopt rules that would
2-9 establish alternate methods for a military service member, military
2-10 veteran, or military spouse to demonstrate competency to meet the
2-11 requirements for obtaining the license, including receiving
2-12 appropriate credit for training, education, and clinical and
2-13 professional experience.

2-14 (d) A state agency that issues a license that has a
2-15 residency requirement for license eligibility shall adopt rules
2-16 regarding documentation necessary for a military spouse applicant
2-17 to establish residency for purposes of this subsection, including
2-18 by providing to the agency a copy of the permanent change of station
2-19 order for the military service member to whom the spouse is married.

2-20 SECTION 4. Section 55.0041(b), Occupations Code, is amended
2-21 to read as follows:

2-22 (b) Before engaging in the practice of the business or
2-23 occupation, the military spouse must:

2-24 (1) notify the applicable state agency of the spouse's
2-25 intent to practice in this state;

2-26 (2) submit to the agency proof of the spouse's
2-27 residency in this state in accordance with rules adopted under
2-28 Section 55.004(d) and a copy of the spouse's military
2-29 identification card; and

2-30 (3) receive from the agency confirmation that:

2-31 (A) the agency has verified the spouse's license
2-32 in the other jurisdiction; and

2-33 (B) the spouse is authorized to engage in the
2-34 business or occupation in accordance with this section.

2-35 SECTION 5. The changes in law made by this Act apply only to
2-36 an initial application for or an application for renewal of an
2-37 occupational license or certificate filed on or after the effective
2-38 date of this Act. An application for a license or certificate filed
2-39 before the effective date of this Act is governed by the law in
2-40 effect on the date the application was filed, and the former law is
2-41 continued in effect for that purpose.

2-42 SECTION 6. This Act takes effect September 1, 2021.

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