

## **BILL ANALYSIS**

C.S.H.B. 757  
By: Pickett  
Defense & Veterans' Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Many members of the U.S. military receive invaluable training and experience in jobs that mirror civilian specialties, such as air conditioning technicians and electricians. In addition, spouses of military members may obtain licensing or certification outside of Texas due to the out-of-state assignment of a military spouse. Interested parties report that many discharged veterans who return to their home state of Texas to work try to apply such experience to an occupation requiring a license issued by the Texas Department of Licensing and Regulation (TDLR) but, while there are certain exemptions and deadline extensions for a licensed individual serving on active duty outside the state, there is no consideration given, with respect to specific licensing prerequisites, to military service, training, or education. Such parties also note that there is no mechanism through which a spouse's out-of-state training or experience can be applied to certain state agency licensing requirements. The parties assert that military veterans would benefit greatly if TDLR were allowed to credit veterans' military training and experience toward certain licensing requirements and that military families would benefit if state agencies were allowed to credit certain training or experience acquired out-of-state by a veteran's spouse towards licensure in Texas.

C.S.H.B. 757 seeks to expand employment opportunities for military families by providing for crediting the military service, training, or education of a veteran or the veteran's spouse toward certain occupational licensing requirements.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTIONS 1 and 5 of this bill and to a state agency in SECTIONS 3, 4, and 5 of this bill.

### **ANALYSIS**

C.S.H.B. 757 amends the Occupations Code to require the Texas Department of Licensing and Regulation (TDLR) and a state agency to credit verified military service, training, or education toward the licensing requirements, other than examination requirements, for an occupational license issued by TDLR or the state agency, as applicable. The bill requires TDLR or the state agency, as applicable, to expedite the issuance of a temporary license or a license by endorsement or reciprocity to an applicant who has verified military experience and who holds a current license issued by another jurisdiction that has license requirements that are substantially equivalent to the license requirements of Texas.

C.S.H.B. 757 requires such a state agency to adopt rules to expedite the issuance of a temporary license or a license by endorsement or reciprocity to an applicant who is the spouse of a person serving on active duty as a member of the U.S. military and who holds a current license issued by another jurisdiction that has license requirements that are substantially equivalent to the license requirements of Texas.

C.S.H.B. 757 requires the Texas Commission of Licensing and Regulation and such a state agency to adopt rules necessary to implement the bill's requirements not later than March 1, 2014. The bill's provisions apply to an application for an occupational license filed on or after May 1, 2014.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 757 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

**INTRODUCED**

SECTION 1. Subchapter H, Chapter 51, Occupations Code, is amended by adding Section 51.4013 to read as follows:

Sec. 51.4013. LICENSE ELIGIBILITY REQUIREMENTS FOR APPLICANTS WITH MILITARY EXPERIENCE. (a) Notwithstanding any other law, the department shall credit verified military service, training, or education toward the licensing requirements, other than examination requirements, for a license issued by the department.

(b) The commission shall adopt rules necessary to implement this section.

SECTION 2. The heading to Chapter 55, Occupations Code, is amended.

**No equivalent provision.**

**HOUSE COMMITTEE SUBSTITUTE**

SECTION 1. Subchapter H, Chapter 51, Occupations Code, is amended by adding Section 51.4013 to read as follows:

Sec. 51.4013. LICENSE ELIGIBILITY REQUIREMENTS FOR APPLICANTS WITH MILITARY EXPERIENCE. (a) Notwithstanding any other law, the department shall credit verified military service, training, or education toward the licensing requirements, other than examination requirements, for a license issued by the department.

(b) The department shall expedite the issuance of a temporary license or a license by endorsement or reciprocity to an applicant who:

- (1) has verified military experience; and
- (2) holds a current license issued by another jurisdiction that has license requirements that are substantially equivalent to the license requirements of this state.

(c) The commission shall adopt rules necessary to implement this section.

SECTION 2. Same as introduced version.

SECTION 3. Section 55.004, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) A state agency shall adopt rules to expedite the issuance of a temporary license or a license by endorsement or reciprocity to an applicant who:

- (1) is the spouse of a person serving on

active duty as a member of the armed forces of the United States; and  
(2) holds a current license issued by another jurisdiction that has license requirements that are substantially equivalent to the license requirements of this state.

SECTION 3. Chapter 55, Occupations Code, is amended by adding Section 55.005 to read as follows:

Sec. 55.005. LICENSE ELIGIBILITY REQUIREMENTS FOR APPLICANTS WITH MILITARY EXPERIENCE. (a) Notwithstanding any other law, a state agency shall credit verified military service, training, or education toward the licensing requirements, other than examination requirements, for a license issued by the state agency.

(b) The state agency shall adopt rules necessary to implement this section.

SECTION 4. (a) Sections 51.4013 and 55.005, Occupations Code, as added by this Act, apply only to an application for an occupational license filed on or after May 1, 2014. An application for a license filed before May 1, 2014, is governed by the law in effect on the date the application was filed, and that law is continued in effect for that purpose.

(b) The Texas Commission of Licensing and Regulation shall adopt rules under Section 51.4013, Occupations Code, as added by this Act, and a state agency shall adopt rules under Section 55.005, Occupations Code, as added by this Act, not later than March 1, 2014.

SECTION 5. This Act takes effect

SECTION 4. Chapter 55, Occupations Code, is amended by adding Section 55.005 to read as follows:

Sec. 55.005. LICENSE ELIGIBILITY REQUIREMENTS FOR APPLICANTS WITH MILITARY EXPERIENCE. (a) Notwithstanding any other law, a state agency shall credit verified military service, training, or education toward the licensing requirements, other than examination requirements, for a license issued by the state agency.

(b) The state agency shall expedite the issuance of a temporary license or a license by endorsement or reciprocity to an applicant who:

(1) has verified military experience; and  
(2) holds a current license issued by another jurisdiction that has license requirements that are substantially equivalent to the license requirements of this state.

(c) The state agency shall adopt rules necessary to implement this section.

SECTION 5. (a) Sections 51.4013, 55.004(d), and 55.005, Occupations Code, as added by this Act, apply only to an application for an occupational license filed on or after May 1, 2014. An application for a license filed before May 1, 2014, is governed by the law in effect on the date the application was filed, and that law is continued in effect for that purpose.

(b) The Texas Commission of Licensing and Regulation shall adopt rules under Section 51.4013, Occupations Code, as added by this Act, and a state agency shall adopt rules under Sections 55.004(d) and 55.005, Occupations Code, as added by this Act, not later than March 1, 2014.

SECTION 6. Same as introduced version.

immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.