

BILL ANALYSIS

Senate Research Center

S.B. 162
By: Van de Putte et al.
Veteran Affairs & Military Installations
7/3/2013
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Employment challenges for spouses of active duty service members and recently separated veterans remain an ongoing priority for the state. S.B. 162 seeks to ease the transition of service members and their families to civilian life by recognizing professional occupational licenses issued by other jurisdictions.

S.B. 162 requires state agencies that issue occupational licenses to provide an expedited licensure for military service members, military spouses, and military veterans within one year of separation from the military. Licensing agencies will be required to issue an occupational license to a qualified applicant who holds a current license issued by another jurisdiction, including a branch of the armed forces, as long as that license is substantially equivalent to licensing requirements in Texas. Licenses issued under this law expire 12 months after being issued. By the end of the 12 months, individuals are expected to meet Texas's requirements for the appropriate occupational license.

S.B. 162 amends current law relating to the occupational licensing of spouses of members of the military and the eligibility requirements for certain occupational licenses issued to applicants with military experience.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to a department, board, bureau, commission, committee, division, office, council, or agency of the state in SECTION 3 (Section 55.007, Occupations Code) and SECTION 5 of this bill.

Rulemaking authority is expressly granted to the Texas Commission on Law Enforcement Officer Standards and Education in SECTION 4 (Section 1701.315, Occupations Code) and SECTION 5 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Chapter 55, Occupations Code, to read as follows:

CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND MILITARY SPOUSES

SECTION 2. Amends Section 55.001, Occupations Code, by adding Subdivisions (1-a), (1-b), and (1-c) to define "military service member," "military spouse," and "military veteran."

SECTION 3. Amends Chapter 55, Occupations Code, by adding Sections 55.005, 55.006, and 55.007, as follows:

Sec. 55.005. EXPEDITED LICENSE PROCEDURE FOR MILITARY SPOUSES. (a) Requires a department, board, bureau, commission, committee, division, office, council, or agency of the state (state agency) that issues a license to, as soon as practicable after a military spouse files an application for a license, process the application and issue a license to a qualified military spouse applicant who holds a current license issued by

another jurisdiction that has licensing requirements that are substantially equivalent to the licensing requirements in this state.

- (b) Provides that a license issued under this section may not be a provisional license and must confer the same rights, privileges, and responsibilities as a license not issued under this section.

Sec. 55.006. RENEWAL OF EXPEDITED LICENSE ISSUED TO MILITARY SPOUSE. (a) Requires a state agency to, as soon as practicable after the state agency issues a license under Section 55.005, determine the requirements for the license holder to renew the license.

- (b) Requires the state agency to notify the license holder of the requirements for renewing the license in writing or by electronic means.

- (c) Provides that a license issued under Section 55.005 has the term established by law or state agency rule, or a term of 12 months from the date the license is issued, whichever term is longer.

Sec. 55.007. LICENSE ELIGIBILITY REQUIREMENTS FOR APPLICANTS WITH MILITARY EXPERIENCE. (a) Requires a state agency that issues a license, notwithstanding any other law, to with respect to an applicant who is a military service member or military veteran, credit verified military service, training, or education toward the licensing requirements, other than an examination requirement, for a license issued by the state agency.

- (b) Requires the state agency to adopt rules necessary to implement this section.

- (c) Prohibits rules adopted under this section from applying to an applicant who holds a restricted license issued by another jurisdiction or has an unacceptable criminal history according to the law applicable to the state agency.

SECTION 4. Amends Subchapter G, Chapter 1701, Occupations Code, by adding Section 1701.315, as follows:

Sec. 1701.315. LICENSE REQUIREMENTS FOR PERSONS WITH MILITARY SPECIAL FORCES TRAINING. (a) Defines, in this section, "special forces."

- (b) Requires the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) to adopt rules to allow an applicant to qualify to take an examination described by Section 1701.304 if the applicant:

- (1) has served in the special forces;

- (2) has successfully completed a special forces training course and provides to TCLEOSE documentation verifying completion of the course;

- (3) completes a supplemental peace officer training course; and

- (4) completes any other training required by TCLEOSE after TCLEOSE has reviewed the applicant's military training.

- (c) Requires that TCLEOSE rules adopted under Subsection (b) include rules:

- (1) to determine acceptable forms of documentation that satisfy the requirements of Subsection (b);

- (2) under which TCLEOSE is authorized to waive any other license requirement for an applicant described by Subsection (b) based on other

relevant military training the applicant has received, as determined by TCLEOSE, including intelligence or medical training; and

(3) to establish an expedited application process for an applicant described by Subsection (b).

(d) Requires TCLEOSE to review the content of the training course for each special forces component described by Subsection (a) and in adopting rules under Subsection (b) specify the training requirements an applicant who has completed that training course must complete and the training requirements from which an applicant who has completed that training course is exempt.

SECTION 5. (a) Provides that Sections 55.005, 55.006, and 55.007, Occupations Code, as added by this Act, apply only to an application for a license filed with a state agency as defined by Section 55.001, Occupations Code, on or after March 1, 2014. Provides that an application for a license filed before March 1, 2014, is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(b) Requires each state agency as defined by Section 55.001, Occupations Code, to adopt rules under Sections 55.005, 55.006, and 55.007, Occupations Code, as added by this Act, not later than January 1, 2014.

(c) Provides that Section 1701.315, Occupations Code, as added by this Act, applies only to an application for a license filed with TCLEOSE on or after March 1, 2014. Provides that an application for a license filed before March 1, 2014, is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(d) Requires TCLEOSE to adopt rules under Section 1701.315, Occupations Code, as added by this Act, not later than January 1, 2014.

SECTION 6. Effective date: upon passage or September 1, 2013.