

## **BILL ANALYSIS**

S.B. 162  
By: Van de Putte  
Defense & Veterans' Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Employment challenges for spouses of active duty service members and recently separated veterans remain an ongoing priority for the state. Interested parties contend that there is need for military members and their spouses to have a process for receiving reasonable credit toward an occupational license in Texas based on licenses received from other jurisdictions, including the U.S. Department of Defense. 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.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Commission on Law Enforcement Officer Standards and Education in SECTIONS 4 and 5 and to a state agency that issues an occupational license in SECTIONS 3 and 5 of this bill.

### **ANALYSIS**

S.B. 162 amends the Occupations Code to require a state agency that issues a license, as soon as practicable after a military spouse files an application for a license, to process the application and issue a license to a qualified military spouse applicant who holds a current license issued by another jurisdiction that has substantially equivalent licensing requirements to those in Texas. The bill prohibits a license issued under these provisions relating to expedited licensure of military spouses from being a provisional license and requires the license to confer the same rights, privileges, and responsibilities as a license issued under other statutory provisions.

S.B. 162 requires a state agency that issues an expedited license under the bill's provisions to determine the requirements for license renewal as soon as practicable after an expedited license is issued. The bill requires the state agency to notify the license holder of the renewal requirements in writing or by electronic means and specifies that an expedited license issued under these provisions 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.

S.B. 162 requires a state agency that issues a license to credit the verified military service, training, or education of an applicant who is a military service member or military veteran toward the licensing requirements, other than an examination requirement, for a license issued by the state agency. The bill requires the state agency to adopt rules necessary to implement this requirement. The bill prohibits application of such rules to an applicant who holds a restricted license issued by another jurisdiction or who has an unacceptable criminal history according to the law applicable to the state agency. The bill requires a state agency that issues a license to adopt rules to implement the bill's provisions relating to expedited licensing procedures not later than January 1, 2014. The bill's provisions relating to expedited licensing procedures for state licensing agencies apply only to an application for a license filed with a state agency on or after March 1, 2014.

S.B. 162 requires the Commission on Law Enforcement Officer Standards and Education (TCLEOSE) to adopt rules not later than January 1, 2014, allowing an applicant to qualify to take certain law enforcement officer licensing examinations if the applicant has served in the special forces as specified in the bill; has successfully completed a special forces training course and provides to TCLEOSE documentation verifying completion of the course; completes a supplemental peace officer training course; and completes any other training required by TCLEOSE after TCLEOSE has reviewed the applicant's military training. The bill requires such rules to include rules to determine acceptable forms of documentation verifying completion of a special forces training course, rules under which TCLEOSE may waive any other license requirement for such an applicant based on other relevant military training the applicant has received, and rules establishing an expedited application process for such an applicant. The bill requires TCLEOSE to review the content of the training course for each special forces component and, in adopting such rules, to specify the training requirements that 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. The bill's provisions relating to licensing persons with military special forces training apply only to an application for a license filed with TCLEOSE on or after March 1, 2014.

S.B. 162 defines "military service member" as a person who is currently serving in the U.S. military, in a reserve component of the U.S. military, including the National Guard, or in the state military service of any state. The bill defines "military spouse" as a person who is married to a military service member who is currently on active duty. The bill defines "military veteran" as a person who has served in the army, navy, air force, marine corps, or coast guard of the United States, or in an auxiliary service of one of those branches of the armed forces.

#### **EFFECTIVE DATE**

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