

By: Flynn, Moody, Dale, Sheffield of Bell,
King of Parker, et al.

H.B. No. 45

Substitute the following for H.B. No. 45:

By: Menendez

C.S.H.B. No. 45

A BILL TO BE ENTITLED

AN ACT

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.

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

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 an examination requirement, 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 to read as follows:

CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY VETERANS, [LICENSE WHILE ON MILITARY DUTY] AND [FOR] MILITARY SPOUSES [SPOUSE]

SECTION 3. Section 55.001, Occupations Code, is amended by adding Subdivisions (1-a), (1-b), and (1-c) to read as follows:

(1-a) "Military service member" means a person who is currently serving in the armed forces of the United States, in a

1 reserve component of the armed forces of the United States,
2 including the National Guard, or in the state military service of
3 any state.

4 (1-b) "Military spouse" means a person who is married
5 to a military service member who is currently on active duty.

6 (1-c) "Military veteran" means a person who served as
7 a military service member before the date the person applied for a
8 license in this state.

9 SECTION 4. Chapter 55, Occupations Code, is amended by
10 adding Sections 55.005, 55.006, and 55.007 to read as follows:

11 Sec. 55.005. EXPEDITED LICENSE PROCEDURE FOR MILITARY
12 SPOUSES. (a) A state agency that issues a license shall, as soon as
13 practicable after a military spouse files an application for a
14 license:

15 (1) process the application; and

16 (2) issue a license without requiring an examination
17 to a qualified military spouse applicant who holds a current
18 license issued by another jurisdiction that has licensing
19 requirements that are substantially equivalent to the licensing
20 requirements in this state.

21 (b) A license issued under this section may not be a
22 provisional license and must confer the same rights, privileges,
23 and responsibilities as a license not issued under this section.

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

1 license.

2 (b) The state agency shall notify the license holder of the
3 requirements for renewing the license in writing or by electronic
4 means.

5 (c) A license issued under Section 55.005 has the term
6 established by law or state agency rule.

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

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

16 (c) Rules adopted under this section may not apply to an
17 applicant who:

18 (1) holds a restricted license issued by another
19 jurisdiction; or

20 (2) has an unacceptable criminal history according to
21 the law applicable to the state agency.

22 SECTION 5. Subchapter G, Chapter 1701, Occupations Code, is
23 amended by adding Section 1701.315 to read as follows:

24 Sec. 1701.315. LICENSE REQUIREMENTS FOR PERSONS WITH
25 MILITARY SPECIAL FORCES TRAINING. (a) In this section, "special
26 forces" means a special forces component of the United States armed
27 forces, including:

- 1 (1) the United States Army Special Forces;
- 2 (2) the United States Navy SEALs;
- 3 (3) the United States Air Force Pararescue;
- 4 (4) the United States Marine Corps Force
5 Reconnaissance; and
- 6 (5) any other component of the United States Special
7 Operations Command approved by the commission.

8 (b) The commission shall adopt rules to allow an applicant
9 to qualify to take an examination described by Section 1701.304 if
10 the applicant:

- 11 (1) has served in the special forces;
- 12 (2) has successfully completed a special forces
13 training course and provides to the commission documentation
14 verifying completion of the course;
- 15 (3) completes a supplemental peace officer training
16 course; and
- 17 (4) completes any other training required by the
18 commission after the commission has reviewed the applicant's
19 military training.

20 (c) Commission rules adopted under Subsection (b) shall
21 include rules:

- 22 (1) to determine acceptable forms of documentation
23 that satisfy the requirements of Subsection (b)(2);
- 24 (2) under which the commission may waive any other
25 license requirement for an applicant described by Subsection (b)
26 based on other relevant military training the applicant has
27 received, as determined by the commission, including intelligence

1 or medical training; and

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

4 (d) The commission shall review the content of the training
5 course for each special forces component described by Subsection
6 (a) and in adopting rules under Subsection (b) provide the training
7 requirements an applicant who has completed that training course
8 must complete and the training requirements from which an applicant
9 who has completed that training course is exempt.

10 SECTION 6. (a) Section 51.4013, Occupations Code, as added
11 by this Act, applies only to an application for a license filed with
12 the Texas Department of Licensing and Regulation on or after May 1,
13 2014. An application for a license filed before May 1, 2014, is
14 governed by the law in effect immediately before the effective date
15 of this Act, and that law is continued in effect for that purpose.

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

19 (c) Sections 55.005, 55.006, and 55.007, Occupations Code,
20 as added by this Act, apply only to an application for a license
21 filed with a state agency as defined by Section 55.001, Occupations
22 Code, on or after November 1, 2014. An application for a license
23 filed before November 1, 2014, is governed by the law in effect
24 immediately before the effective date of this Act, and that law is
25 continued in effect for that purpose.

26 (d) Each state agency as defined by Section 55.001,
27 Occupations Code, shall adopt rules under Sections 55.005, 55.006,

1 and 55.007, Occupations Code, as added by this Act, not later than
2 September 1, 2014.

3 (e) Section 1701.315, Occupations Code, as added by this
4 Act, applies only to an application for a license filed with the
5 Commission on Law Enforcement Officer Standards and Education on or
6 after November 1, 2014. An application for a license filed before
7 November 1, 2014, is governed by the law in effect immediately
8 before the effective date of this Act, and that law is continued in
9 effect for that purpose.

10 (f) The Commission on Law Enforcement Officer Standards and
11 Education shall adopt rules under Section 1701.315, Occupations
12 Code, as added by this Act, not later than September 1, 2014.

13 SECTION 7. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2013.