

By: Flynn

H.B. No. 45

A BILL TO BE ENTITLED

AN ACT

relating to the occupational licensing of members of the military and spouses of members of the military.

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

SECTION 1. The heading to Chapter 55, Occupations Code, is amended to read as follows:

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

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

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

(1-c) "Recent veteran" means a person who has served as a military service member within the 12 months preceding the date the person applied for a license in this state.

SECTION 3. Chapter 55, Occupations Code, is amended by adding Sections 55.005 and 55.006 to read as follows:

Sec. 55.005. EXPEDITED LICENSE PROCEDURE. (a) A state

1 agency that issues a license shall, as soon as practicable after a  
2 military service member, recent veteran, or military spouse files  
3 an application for a license:

4 (1) process the application; and

5 (2) issue a license to a qualified applicant who holds  
6 a current license issued by another jurisdiction, including a  
7 branch of the armed forces of the United States, that has licensing  
8 requirements that are substantially equivalent to the licensing  
9 requirements in this state.

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

13 Sec. 55.006. RENEWAL OF EXPEDITED LICENSE. (a) As soon as  
14 practicable after a state agency issues a license under Section  
15 55.005, the state agency shall determine the requirements for the  
16 license holder to renew the license. The renewal requirements must  
17 be designed so that the license holder must, in order to renew the  
18 license, satisfy the requirements for the issuance of an original  
19 license in this state and the requirements to renew the license in  
20 this state.

21 (b) The agency shall notify the license holder of the  
22 requirements for renewing the license in writing.

23 (c) A license issued under Section 55.005 expires on the  
24 first anniversary of the date the state agency provides notice of  
25 the renewal requirements under Subsection (b). The license holder  
26 may not renew the license unless the license holder complies with  
27 the renewal requirements described by Subsection (a).

1 SECTION 4. Section 55.004, Occupations Code, is repealed.

2 SECTION 5. Sections 55.005 and 55.006, Occupations Code, as  
3 added by this Act, apply only to an application for a license filed  
4 on or after the effective date of this Act. An application for a  
5 license filed before the effective date of this Act is governed by  
6 the law in effect on the date the application was filed, and that  
7 law is continued in effect for that purpose.

8 SECTION 6. A state agency that issues an occupational  
9 license shall adopt any rules necessary to implement Sections  
10 55.005 and 55.006, Occupations Code, as added by this Act, not later  
11 than January 1, 2014.

12 SECTION 7. This Act takes effect September 1, 2013.