

By: Van de Putte, et al.
(Flynn)

S.B. No. 162

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. 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 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) "Military veteran" means 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.

SECTION 3. Chapter 55, Occupations Code, is amended by

adding Sections 55.005, 55.006, and 55.007 to read as follows:

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

(1) process the application; and

(2) 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) 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) As soon as practicable after a state agency issues a license under Section 55.005, the state agency shall determine the requirements for the license holder to renew the license.

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

(c) 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) Notwithstanding any

1 other law, a state agency that issues a license shall, with respect
2 to an applicant who is a military service member or military
3 veteran, credit verified military service, training, or education
4 toward the licensing requirements, other than an examination
5 requirement, for a license issued by the state agency.

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

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

10 (1) holds a restricted license issued by another
11 jurisdiction; or

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

14 SECTION 4. Subchapter G, Chapter 1701, Occupations Code, is
15 amended by adding Section 1701.315 to read as follows:

16 Sec. 1701.315. LICENSE REQUIREMENTS FOR PERSONS WITH
17 MILITARY SPECIAL FORCES TRAINING. (a) In this section, "special
18 forces" means a special forces component of the United States armed
19 forces, including:

20 (1) the United States Army Special Forces;

21 (2) the United States Navy SEALs;

22 (3) the United States Air Force Pararescue;

23 (4) the United States Marine Corps Force
24 Reconnaissance; and

25 (5) any other component of the United States Special
26 Operations Command approved by the commission.

27 (b) The commission shall adopt rules to allow an applicant

1 to qualify to take an examination described by Section 1701.304 if
2 the applicant:

3 (1) has served in the special forces;

4 (2) has successfully completed a special forces
5 training course and provides to the commission documentation
6 verifying completion of the course;

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

9 (4) completes any other training required by the
10 commission after the commission has reviewed the applicant's
11 military training.

12 (c) Commission rules adopted under Subsection (b) shall
13 include rules:

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

16 (2) under which the commission may waive any other
17 license requirement for an applicant described by Subsection (b)
18 based on other relevant military training the applicant has
19 received, as determined by the commission, including intelligence
20 or medical training; and

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

23 (d) The commission shall review the content of the training
24 course for each special forces component described by Subsection
25 (a) and in adopting rules under Subsection (b) specify the training
26 requirements an applicant who has completed that training course
27 must complete and the training requirements from which an applicant

1 who has completed that training course is exempt.

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

9 (b) Each state agency as defined by Section 55.001,
10 Occupations Code, shall adopt rules under Sections 55.005, 55.006,
11 and 55.007, Occupations Code, as added by this Act, not later than
12 January 1, 2014.

13 (c) Section 1701.315, Occupations Code, as added by this
14 Act, applies only to an application for a license filed with the
15 Commission on Law Enforcement Officer Standards and Education on or
16 after March 1, 2014. An application for a license filed before
17 March 1, 2014, is governed by the law in effect immediately before
18 the effective date of this Act, and that law is continued in effect
19 for that purpose.

20 (d) The Commission on Law Enforcement Officer Standards and
21 Education shall adopt rules under Section 1701.315, Occupations
22 Code, as added by this Act, not later than January 1, 2014.

23 SECTION 6. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2013.