

By: Miller

H.B. No. 3701

A BILL TO BE ENTITLED

AN ACT

1
2 relating to occupational licensing of certain military service
3 members, military veterans, and military spouses by state agencies
4 and political subdivisions.

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

6 SECTION 1. Section 55.001, Occupations Code, is amended by
7 amending Subdivisions (3) and (5) and adding Subdivisions (6-a) and
8 (6-b) to read as follows:

9 (3) "License" means a license, certificate,
10 registration, permit, or other form of authorization required by
11 law or a state agency or political subdivision rule that must be
12 obtained by an individual to engage in a particular business.

13 (5) "Military spouse" means a person who is married to
14 a military service member or military veteran.

15 (6-a) "Political subdivision" means a county,
16 municipality, special district, or other political subdivision of
17 this state.

18 (6-b) "Rule" includes an ordinance, order, or
19 regulation adopted by a political subdivision.

20 SECTION 2. Section 55.002, Occupations Code, is amended to
21 read as follows:

22 Sec. 55.002. EXEMPTION FROM PENALTY FOR FAILURE TO RENEW
23 LICENSE. A state agency or a political subdivision that issues a
24 license shall adopt rules to exempt an individual who holds a

1 license issued by the agency or political subdivision from any
2 increased fee or other penalty imposed by the agency or political
3 subdivision for failing to renew the license in a timely manner if
4 the individual establishes to the satisfaction of the agency or
5 political subdivision that the individual failed to renew the
6 license in a timely manner because the individual was serving as a
7 military service member.

8 SECTION 3. Section 55.003, Occupations Code, is amended to
9 read as follows:

10 Sec. 55.003. EXTENSION OF LICENSE RENEWAL DEADLINES FOR
11 MILITARY SERVICE MEMBERS. A military service member who holds a
12 license issued by a state agency or political subdivision is
13 entitled to two years of additional time to complete:

- 14 (1) any continuing education requirements; and
15 (2) any other requirement related to the renewal of
16 the military service member's license.

17 SECTION 4. Section 55.004, Occupations Code, is amended to
18 read as follows:

19 Sec. 55.004. ALTERNATIVE LICENSING FOR MILITARY SERVICE
20 MEMBERS, MILITARY VETERANS, AND MILITARY SPOUSES. (a) A state
21 agency or political subdivision that issues a license shall adopt
22 rules for the issuance of the license to an applicant who is a
23 military service member, military veteran, or military spouse and:

- 24 (1) holds a current license issued by another
25 jurisdiction that has licensing requirements that are
26 substantially equivalent to the requirements for the license in
27 this state or the political subdivision, as applicable; [~~or~~]

1 (2) within the five years preceding the application
2 date held the license in this state or the political subdivision, as
3 applicable; or[-]

4 (3) holds a current license issued by another
5 jurisdiction in the same occupation and at the same practice level.

6 (b) The executive director of a state agency or the person
7 overseeing licensing of an occupation by a political subdivision
8 may waive any prerequisite to obtaining a license for an applicant
9 described by Subsection (a) after reviewing the applicant's
10 credentials.

11 (c) In addition to the rules adopted under Subsection (a), a
12 state agency or political subdivision that issues a license [~~may~~]
13 must adopt rules [~~that would~~] to establish alternate methods for a
14 military service member, military veteran, or military spouse to
15 demonstrate competency to meet the requirements for obtaining the
16 license.

17 SECTION 5. Section 55.009, Occupations Code, is amended to
18 read as follows:

19 Sec. 55.009. LICENSE APPLICATION AND EXAMINATION FEES.
20 Notwithstanding any other law, a state agency or political
21 subdivision that issues a license shall waive the license
22 application and examination fees paid to the state or political
23 subdivision for an applicant who is:

24 (1) a military service member or military veteran
25 whose military service, training, or education substantially meets
26 all of the requirements for the license; [~~or~~]

27 (2) a military service member, military veteran, or

1 military spouse who holds a current license issued by another
2 jurisdiction that has licensing requirements that are
3 substantially equivalent to the requirements for the license in
4 this state or the political subdivision, as applicable; or~~[-]~~

5 (3) a military service member, military veteran, or
6 military spouse who holds a current license issued by another
7 jurisdiction in the same occupation and at the same practice level.

8 SECTION 6. The changes in law made by this Act apply only to
9 an initial application for or an application for renewal of an
10 occupational license filed on or after the effective date of this
11 Act. An application for a license filed before the effective date of
12 this Act is governed by the law in effect immediately before that
13 date, and that law is continued in effect for that purpose.

14 SECTION 7. This Act takes effect September 1, 2019.