

By: Buckley

H.B. No. 4413

A BILL TO BE ENTITLED

AN ACT

1
2 relating to state occupational licensing of certain military
3 service members, military veterans, and military spouses.

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

5 SECTION 1. Section 21.052, Education Code, is amended by
6 amending Subsections (a-1), (b-1), and (f) and adding Subsection
7 (i) to read as follows:

8 (a-1) The commissioner may adopt rules establishing
9 exceptions to the examination requirements prescribed by
10 Subsection (a)(3) for an educator who is a military service member,
11 military veteran, or military spouse or is from outside the state to
12 obtain a certificate in this state.

13 (b-1) The board shall propose rules in accordance with
14 Sections 55.005 and 55.006, Occupations Code, to establish
15 procedures to expedite the processing of an application for a
16 certificate under this section submitted by an educator who is a
17 military service member, military veteran, or military ~~the~~ spouse
18 ~~[of a person who is serving on active duty as a member of the armed~~
19 ~~forces of the United States]~~, including rules for providing a
20 permanent change of station or military identification card ~~the~~
21 ~~appropriate documentation to establish the educator's status as a~~
22 ~~spouse of a person who is serving on active duty as a member of the~~
23 ~~armed forces of the United States].~~

24 (f) The board shall post on the board's Internet website the

1 procedures for obtaining a certificate under Subsection (a) and the
2 notice required under Section 55.010, Occupations Code.

3 (i) In this section:

4 (1) "Active duty" means current full-time military
5 service in the armed forces of the United States or active duty
6 military service as a member of the Texas military forces, as
7 defined by Section 437.001, Government Code, or similar military
8 service of another state.

9 (2) "Armed forces of the United States" means the
10 army, navy, air force, coast guard, or marine corps of the United
11 States or a reserve unit of one of those branches of the armed
12 forces.

13 (3) "Military service member" means a person who is on
14 active duty.

15 (4) "Military spouse" means a person who is married to
16 a military service member.

17 (5) "Military veteran" means a person who has served
18 on active duty and who was discharged or released from active duty.

19 SECTION 2. Subchapter A, Chapter 434, Government Code, is
20 amended by adding Section 434.026 to read as follows:

21 Sec. 434.026. STATE OCCUPATIONAL LICENSE STUDY. (a) In
22 this section:

23 (1) "Active duty" means current full-time military
24 service in the armed forces of the United States or active duty
25 military service as a member of the Texas military forces, as
26 defined by Section 437.001, Government Code, or similar military
27 service of another state.

1 (2) "Armed forces of the United States" means the
2 army, navy, air force, coast guard, or marine corps of the United
3 States or a reserve unit of one of those branches of the armed
4 forces.

5 (3) "Commission" means the Texas Veterans Commission.

6 (4) "Licensing authority" means a department,
7 commission, board, office, or other agency of this state that
8 issues an occupational license.

9 (5) "Military service member" means a person who is on
10 active duty.

11 (6) "Military spouse" means a person who is married to
12 a military service member.

13 (7) "Military veteran" means a person who has served
14 on active duty and who was discharged or released from active duty.

15 (8) "Occupational license" means a license,
16 certificate, registration, permit, or other authorization that a
17 person must obtain to practice or engage in a lawful occupation.

18 (9) "Occupational licensing requirement" means a law
19 or policy requiring a person to obtain an occupational license.

20 (b) The commission shall conduct a study to:

21 (1) identify the occupational licenses for which a
22 significant number of military service members, military veterans,
23 or military spouses submit applications to licensing authorities in
24 this state;

25 (2) examine the occupational licensing requirements
26 of each licensing authority identified in Subdivision (1); and

27 (3) identify opportunities for licensing authorities

1 to:

2 (A) accept substantially equivalent occupational
3 licensing requirements for documentation, training, education, and
4 experience, including clinical and professional experience, from
5 licensing authorities outside this state to enable a military
6 service member, military veteran, or military spouse to obtain
7 licensure in this state; and

8 (B) issue temporary licenses to military service
9 members, military veterans, and military spouses who apply for a
10 license and hold a current license issued by another jurisdiction
11 that has licensing requirements substantially equivalent to the
12 licensing requirements of this state.

13 (c) Not later than December 1, 2020, the commission shall
14 prepare and submit to the governor, the lieutenant governor, and
15 the legislature a report concerning the results of the study
16 conducted under this section, including any recommendations for
17 legislative or other action the commission considers necessary.

18 (d) This section expires September 1, 2021.

19 SECTION 3. Section 55.004, Occupations Code, is amended by
20 adding Subsections (a-1) and (d) to read as follows:

21 (a-1) In adopting rules under Subsection (a), the state
22 agency shall ensure that a military service member, military
23 veteran, or military spouse receives appropriate credit for the
24 individual's experience, including clinical and professional
25 experience, in a licensed profession.

26 (d) A state agency that issues a license that has a
27 residency requirement for license eligibility shall adopt rules to

1 allow a military service member or military spouse applicant to
2 establish residency for purposes of this subsection by providing to
3 the agency a copy of the member's or spouse's permanent change of
4 station order or military identification card.

5 SECTION 4. Section 55.010, Occupations Code, is amended to
6 read as follows:

7 Sec. 55.010. NOTICE OF CHAPTER PROVISIONS. (a) A state
8 agency that issues a license shall prominently post a notice on the
9 home page of the agency's Internet website describing the
10 provisions of this chapter that are available to military service
11 members, military veterans, and military spouses.

12 (b) A state agency that issues a license under rules adopted
13 under Section 55.004 shall notify the Texas Veterans Commission
14 immediately on determining that the requirements of a license of
15 this state are substantially equivalent to those of another
16 jurisdiction.

17 (c) The Texas Veterans Commission shall establish and
18 maintain an Internet website to serve as a single location for
19 military service members, military veterans, and military spouses
20 to access information regarding the issuance of a license by a state
21 agency to a military service member, military veteran, or military
22 spouse who is licensed in another jurisdiction, including a list of
23 each license of this state and license of another jurisdiction that
24 is determined by a state agency to be substantially equivalent.

25 SECTION 5. Section 2, Chapter 1048 (H.B. 1934), Acts of the
26 85th Legislature, Regular Session, 2017, is repealed.

27 SECTION 6. Not later than January 1, 2020, the Texas

1 Veterans Commission shall establish the Internet website required
2 by Section 55.010(c), Occupations Code, as added by this Act.

3 SECTION 7. The changes in law made by this Act apply only to
4 an initial application for or an application for renewal of an
5 occupational license filed on or after the effective date of this
6 Act. An application for a license filed before the effective date of
7 this Act is governed by the law in effect immediately before that
8 date, and that law is continued in effect for that purpose.

9 SECTION 8. This Act takes effect September 1, 2019.