

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.