By: Hinojosa S.B. No. 1325

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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

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

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

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

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

(1) any continuing education requirements; and

(2) any other requirement related to the renewal of the military service member's license.

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

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

(1) holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the requirements for the license in this state or the political subdivision, as applicable; or

(2) within the five years preceding the application date held the license in this state or the political subdivision, as applicable.

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

(c) In addition to the rules adopted under Subsection (a), a state agency or political subdivision that issues a license may adopt rules that would establish alternate methods for a military service member, military veteran, or military spouse to demonstrate competency to meet the requirements for obtaining the license.

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

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

(1) a military service member or military veteran whose military service, training, or education substantially meets all of the requirements for the license; or

(2) a military service member, military veteran, or military spouse who holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the requirements for the license in

this state or the political subdivision, as applicable.

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

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

(b) The Texas Veterans Commission shall establish and maintain an Internet website to serve as a single location for military service members, military veterans, and military spouses to access information regarding the issuance of a license by a state agency to a military service member, military veteran, or military spouse who is licensed in another jurisdiction.

SECTION 7. Not later than January 1, 2020, the Texas Veterans Commission shall establish the Internet website required by Section 55.010(b), Occupations Code, as added by this Act.

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

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