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H.B. No. 139

A BILL TO BE ENTITLED

AN ACT

relating to state occupational licensing of certain military
veterans and military spouses.

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

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

(a-1) The commissioner may adopt rules establishing
exceptions to the examination requirements prescribed by
Subsection (a)(3) for an educator from outside the state, including
military service members, military spouses, and military veterans,
to obtain a certificate in this state.

(b-1) The board shall propose rules in accordance with
Chapter 55, Occupations Code, to establish procedures to expedite
the processing of an application for a certificate under this
section submitted by an educator who is a military veteran or
military ~~[the] spouse [of a person who is serving on active duty as~~
~~a member of the armed forces of the United States]~~, including rules
for providing a permanent change of station order for purposes of
establishing residency and for providing a military identification
card ~~[the appropriate documentation to establish the educator's~~
~~status as a spouse of a person who is serving on active duty as a~~
~~member of the armed forces of the United States]~~.

(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, space force, coast guard, or marine corps of
11 the United States or a reserve unit of one of those branches of the
12 armed 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. Section 55.001(2), Occupations Code, is amended
20 to read as follows:

21 (2) "Armed forces of the United States" means the
22 army, navy, air force, space force, coast guard, or marine corps of
23 the United States or a reserve unit of one of those branches of the
24 armed forces.

25 SECTION 3. Section 55.004, Occupations Code, is amended by
26 amending Subsection (c) and adding Subsection (d) to read as
27 follows:

1 (c) In addition to the rules adopted under Subsection (a), a
2 state agency that issues a license may adopt rules that would
3 establish alternate methods for a military service member, military
4 veteran, or military spouse to demonstrate competency to meet the
5 requirements for obtaining the license, including receiving
6 appropriate credit for training, education, and clinical and
7 professional experience.

8 (d) A state agency that issues a license that has a
9 residency requirement for license eligibility shall adopt rules
10 regarding documentation necessary for a military spouse applicant
11 to establish residency for purposes of this subsection, including
12 by providing to the agency a copy of the permanent change of station
13 order for the military service member to whom the spouse is married.

14 SECTION 4. Section 55.0041(b), Occupations Code, is amended
15 to read as follows:

16 (b) Before engaging in the practice of the business or
17 occupation, the military spouse must:

18 (1) notify the applicable state agency of the spouse's
19 intent to practice in this state;

20 (2) submit to the agency proof of the spouse's
21 residency in this state in accordance with rules adopted under
22 Section 55.004(d) and a copy of the spouse's military
23 identification card; and

24 (3) receive from the agency confirmation that:

25 (A) the agency has verified the spouse's license
26 in the other jurisdiction; and

27 (B) the spouse is authorized to engage in the

1 business or occupation in accordance with this section.

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

9 SECTION 6. This Act takes effect September 1, 2021.