

By: Buckley

H.B. No. 139

A BILL TO BE ENTITLED

AN ACT

1
2 relating to state occupational licensing of certain military
3 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 veteran or
11 military spouse or is from outside the state to obtain a certificate
12 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 veteran or military ~~[the]~~ spouse ~~[of a person who is~~
18 ~~serving on active duty as a member of the armed forces of the United~~
19 ~~States],~~ including rules for providing a permanent change of
20 station order or military identification card ~~[the appropriate~~
21 ~~documentation to establish the educator's status as a spouse of a~~
22 ~~person who is serving on active duty as a member of the armed forces~~
23 ~~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. 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 veteran or military spouse
23 receives appropriate credit for the individual's experience,
24 including clinical and professional experience, in a licensed
25 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 spouse applicant to establish residency for
2 purposes of this subsection by providing to the agency a copy of the
3 permanent change of station order for the military service member
4 to whom the spouse is married or the spouse's military
5 identification card.

6 SECTION 3. Section 55.0041(b), Occupations Code, is amended
7 to read as follows:

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

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

12 (2) submit to the agency proof of the spouse's
13 residency in this state by providing to the agency ~~and~~ a copy of:

14 (A) the permanent change of station order for the
15 military service member to whom the spouse is married; or

16 (B) the spouse's military identification card;

17 and

18 (3) receive from the agency confirmation that:

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

21 (B) the spouse is authorized to engage in the
22 business or occupation in accordance with this section.

23 SECTION 4. Section 2, Chapter 1048 (H.B. 1934), Acts of the
24 85th Legislature, Regular Session, 2017, is repealed.

25 SECTION 5. The changes in law made by this Act apply only to
26 an initial application for or an application for renewal of an
27 occupational license or certificate filed on or after the effective

1 date of this Act. An application for a license or certificate filed
2 before the effective date of this Act is governed by the law in
3 effect immediately before that date, and that law is continued in
4 effect for that purpose.

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