

## **BILL ANALYSIS**

S.B. 422  
By: Paxton  
Defense & Veterans' Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In 2019, the Texas Legislature passed S.B. 1200 to recognize out-of-state occupational licenses for a spouse of a military service member. The law allows the portability of a license for the spouse of a service member so the spouse does not have to redo any curriculum and testing from one state to another when the service member changes duty stations. S.B. 422 seeks to extend this occupational licensing reciprocity to military service members, who often must station in states outside of the state where they originally obtained their license but who may still wish to provide valuable services, including in fields for which the state is experiencing workforce shortages, such as nursing.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to a state agency that issues an applicable license in SECTIONS 1 and 2 of this bill.

### **ANALYSIS**

S.B. 422 amends the Occupations Code to make the requirement for a state agency that issues an occupational license that has a residency requirement for license eligibility to adopt rules regarding documentation necessary for a military spouse applicant to establish residency also applicable with respect to an applicant who is a military service member.

S.B. 422 makes provisions relating to the recognition of an out-of-state occupational license of a military spouse, including provisions providing for the adoption of rules, also applicable to military service members. The bill revises the requirement for a state agency's rules regarding out-of-state license recognition to establish a process for verifying that the individual is licensed in good standing in a qualifying jurisdiction by setting a deadline by which such verification must be completed as not later than the 30th day after the date a military service member or spouse submits notice of their intent to practice in Texas, proof of Texas residency, and a copy of the military identification card. The bill authorizes a military spouse whose out-of-state license is recognized, in the event of a divorce or similar event that affects their status as a military spouse, to continue to engage in the business or occupation until the third anniversary of the date the spouse received confirmation from the state agency that their out-of-state license has been verified and that they are authorized to engage in the business or occupation. The bill requires a state agency that issues an occupational license to adopt rules to implement these provisions not later than December 1, 2023.

S.B. 422 changes the deadline by which a state agency that issues an occupational license must process a license application filed by a military service member, military veteran, or military spouse and, if applicable, issue the license from as soon as practicable after the application is filed to not later than the 30th day after the date of application.

S.B. 422 applies only to an application for a license submitted on or after the bill's effective date.

**EFFECTIVE DATE**

September 1, 2023.