

## **BILL ANALYSIS**

Senate Research Center  
88R1439 SCP-D

S.B. 422  
By: Paxton  
Veteran Affairs  
4/1/2023  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In 2019, the Texas Legislature passed S.B. 1200 which created Section 55.0041, Occupations Code, to recognize out-of-state occupational licenses for a spouse of a military service member. This 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.

This bill extends this occupational licensing reciprocity to military members who often must station in states outside of where they originally obtained their license, but who still wish to provide valuable services some of which the state is experiencing workforce shortages, such as nursing.

As proposed, S.B. 422 amends current law relating to the authority of certain military service members to engage in a business or occupation in this state.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to any state agency that issues a license under Section 55.0041, Occupations Code, is modified in SECTION 2 (Section 55.0041, Occupations Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 55.004(d), Occupations Code, as follows:

(d) Requires a state agency that issues a license that has a residency requirement for license eligibility to adopt rules regarding documentation necessary for an applicant who is a military service member or military spouse, rather than a military spouse applicant, to establish residency for purposes of this subsection, including by providing to the agency a copy of the permanent change of station order for the applicant or the applicant's spouse, rather than the military service member to whom the spouse is married.

SECTION 2. Amends Section 55.0041, Occupations Code, as follows:

Sec. 55.0041. New heading: RECOGNITION OF OUT-OF-STATE LICENSE OF MILITARY SERVICE MEMBERS AND MILITARY SPOUSES. (a) Authorizes a military service member or military spouse, rather than a military spouse, notwithstanding any other law, to engage in a business or occupation for which a license is required without obtaining the applicable license if the member or spouse, rather than the spouse, is currently licensed in good standing by another jurisdiction that has licensing requirements that are substantially equivalent to the requirements for the license in this state.

(b)-(f) Make conforming changes to these subsections.

SECTION 3. Requires a state agency to which Section 55.0041, Occupations Code, as amended by this Act, applies, not later than December 1, 2023, to adopt rules to implement that section.

SECTION 4. Effective date: September 1, 2023.