

By: Paxton

S.B. No. 422

A BILL TO BE ENTITLED

AN ACT

relating to the authority of certain military service members to engage in a business or occupation in this state.

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

SECTION 1. Section 55.004(d), Occupations Code, is amended to read as follows:

(d) A state agency that issues a license that has a residency requirement for license eligibility shall adopt rules regarding documentation necessary for an applicant who is a military service member or 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 [~~military service member to whom the spouse is married~~].

SECTION 2. Section 55.0041, Occupations Code, is amended to read as follows:

Sec. 55.0041. RECOGNITION OF OUT-OF-STATE LICENSE OF MILITARY SERVICE MEMBERS AND MILITARY SPOUSES [~~SPOUSE~~]. (a) Notwithstanding any other law, a military service member or military spouse may engage in a business or occupation for which a license is required without obtaining the applicable license if the member or 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

1 this state.

2 (b) Before engaging in the practice of the business or
3 occupation, the military service member or military spouse must:

4 (1) notify the applicable state agency of the member's
5 or spouse's intent to practice in this state;

6 (2) submit to the agency proof of the member's or
7 spouse's residency in this state in accordance with rules adopted
8 under Section 55.004(d) and a copy of the member's or spouse's
9 military identification card; and

10 (3) receive from the agency confirmation that:

11 (A) the agency has verified the member's or
12 spouse's license in the other jurisdiction; and

13 (B) the member or spouse is authorized to engage
14 in the business or occupation in accordance with this section.

15 (c) The military service member or military spouse shall
16 comply with all other laws and regulations applicable to the
17 business or occupation in this state.

18 (d) A military service member or military spouse may engage
19 in the business or occupation under the authority of this section
20 only for the period during which the military service member or,
21 with respect to a military spouse, the military service member to
22 whom the [~~military~~] spouse is married is stationed at a military
23 installation in this state but not to exceed three years from the
24 date the member or spouse receives the confirmation described by
25 Subsection (b)(3).

26 (e) A state agency that issues a license shall adopt rules
27 to implement this section. The rules must establish a process for

1 the agency to:

2 (1) identify, with respect to each type of license
3 issued by the agency, the jurisdictions that have licensing
4 requirements that are substantially equivalent to the requirements
5 for the license in this state; and

6 (2) verify that a military service member or military
7 spouse is licensed in good standing in a jurisdiction described by
8 Subdivision (1).

9 (f) In addition to the rules adopted under Subsection (e), a
10 state agency that issues a license may adopt rules to provide for
11 the issuance of a license to a military service member or military
12 spouse to whom the agency provides confirmation under Subsection
13 (b)(3). A license issued under this subsection must expire not
14 later than the third anniversary of the date the agency provided the
15 confirmation and may not be renewed. A state agency may not charge
16 a fee for the issuance of the license.

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

20 SECTION 4. This Act takes effect September 1, 2023.