

BILL ANALYSIS

C.S.H.B. 5043
By: McQueeney
Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee that, although military service members and military spouses are allowed to practice in Texas if they hold an occupational license in good standing in another state that is substantially equivalent to a Texas license, some states may take as long as six months to issue verification of the license holder's standing, preventing military service members and spouses from being able to easily transfer their license when assigned to military installations in Texas and inhibiting their contributions to the Texas economy. C.S.H.B. 5043 seeks to address this issue by providing for a provisional licensing process for military service members, veterans, and spouses, as applicable, upon their application for an alternative license or recognition of an out-of-state occupational license.

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 an applicable state agency that issues an occupational license in SECTION 3 of this bill.

ANALYSIS

C.S.H.B. 5043 amends the Occupations Code to require an applicable state agency that issues an occupational license, on receipt of an application for an alternative license for a military service member, military veteran, or military spouse, to promptly issue a provisional license to the applicant while the agency processes the application or issue the license for which the applicant applied. The bill establishes that such a provisional license expires on the earlier of the date the agency approves or denies the provisional license holder's application or the 180th day after the date the provisional license is issued.

C.S.H.B. 5043 requires a state agency, on receipt of the notice and information required under current law for the recognition of an out-of-state license of a military service member or military spouse, to promptly issue the confirmation that the agency has verified the license in the other jurisdiction and that the member or spouse is authorized to engage in the applicable business or occupation in accordance with that law or issue a provisional license to the service member or spouse pending the issuance of such confirmation. The bill establishes that the provisional license expires on the earlier of the date the agency issues or denies such confirmation or the 180th day after the date the provisional license is issued.

C.S.H.B. 5043 requires an applicable state agency, defined by reference as a department, board, bureau, commission, committee, division, office, council, or agency of the state, to adopt rules not later than December 1, 2025, to implement the bill's provisions.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 5043 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

While both the introduced and the substitute require an applicable state agency that issues an occupational license to promptly issue a provisional license to an applicant for an alternative license who is a military service member, veteran, or military spouse while the agency processes the application, the substitute includes a provision absent from the introduced giving the state agency the option of issuing the license for which the applicant applied as an alternative to issuing the provisional license.

While both the introduced and the substitute require a state agency to issue a provisional license to an applicant for recognition of an out-of-state license who is a military service member or military spouse pending the issuance of confirmation that the agency has verified the license in the other jurisdiction and that the member or spouse is authorized to engage in the applicable business or occupation, the substitute includes a provision absent from the introduced giving the state agency the option of promptly issuing such confirmation as an alternative to issuing the provisional license.