

BILL ANALYSIS

Senate Research Center
89R26722 BEE-D

H.B. 5629
By: Wilson (Sparks)
Veteran Affairs
5/23/2025
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 5629 amends current law relating to the occupational licensing of military service members, military veterans, and military spouses.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to a state agency that issues a license is rescinded in SECTION 1 (Section 55.004, Occupations Code) and SECTION 6 (Section 55.0041, Occupations Code) of this bill.

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 55.004(a) and (d), Occupations Code, as follows:

(a) Requires a state agency that issues a license to issue the license to an applicant who is a military service member, military veteran, or military spouse and meets certain criteria, including holding a current license issued by another state that is similar in scope of practice to the license in this state and being in good standing with that state's licensing authority.

Deletes existing text requiring a state agency that issues a license to adopt rules for the issuance of the license to an applicant who is a military service member, military veteran, or military spouse and holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the requirements for the license in this state.

(d) Prohibits a state agency that issues a license that has a residency requirement for license eligibility from adopting rules requiring documentation for an applicant who is a military service member, military veteran, or military spouse to establish residency for purposes of Section 55.004 (Alternative Licensing for Military Service Members, Military Veterans, and Military Spouses).

Deletes existing text requiring 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 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.

SECTION 2. Amends Section 55.0041, Occupations Code, by amending Subsections (a), (b), (d), (d-1), and (e) and adding Subsection (b-1), as follows:

(a) Authorizes a military service member or 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 currently holds a license similar

in scope of practice issued by the licensing authority of another state and is in good standing with that licensing authority

Deletes existing text authorizing a military service member or military spouse to 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 with by another jurisdiction that has licensing requirements that are substantially equivalent to the requirements for the license in this state.

(b) Requires the military service member or military spouse, before engaging in the practice of the business or occupation under Subsection (a), to submit an application to the applicable state agency in the form the agency prescribes that includes:

(1) a copy of the member's military orders showing relocation to this state;

(2) if the applicant is a military spouse, a copy of the military spouse's marriage license

(3) a notarized affidavit affirming under penalty of perjury that the applicant is the person described and identified in the application; all statements in the application are true, correct, and complete; the applicant understands the scope of practice for the applicable license in this state and will not perform outside of that scope of practice; and the applicant is in good standing in each state in which the applicant holds or has held an applicable license.

Deletes existing text requiring the military service member or military spouse, before engaging in the practice of the business or occupation, to notify the applicable state agency of the member's or spouse's intent to practice in this state, submit to the agency proof of the member's or spouse's residency in this state in accordance with rules adopted under Section 55.004(d) and a copy of the member's or spouse's military identification card, and receive from the agency confirmation that the agency has verified the member's or spouse's license in the other jurisdiction and the member or spouse is authorized to engage in the business or occupation in accordance with Section 55.0041 (Recognition of Out-of-State License of Military Service Members and Military Spouses).

(b-1) Requires the agency, not later than the 10th business day after the date the agency receives an application under Subsection (b), to notify the applicant that the agency recognizes the applicant's out-of-state license, the application is incomplete, or the agency is unable to recognize the applicant's out-of-state license because the agency does not issue a license similar in scope of practice to the applicant's license.

(d) Provides that a military service member or military spouse is authorized to engage in the business or occupation under the authority of this section only for a certain period, rather than for that period but not to exceed three years from the date the member or spouse receives the confirmation described by Subsection (b)(3).

(d-1) Authorizes a former spouse, in the event of a divorce or similar event that affects a person's status as a military spouse, to continue to engage in the business or occupation under the authority of this section until the third anniversary of the date the spouse submitted the application required by Subsection (b).

Deletes existing text authorizing a spouse, notwithstanding Subsection (d), in the event of a divorce or similar event that affects a person's status as a military spouse, to continue to engage in certain activities until the third anniversary of the date the spouse received the confirmation described by Subsection (b)(3).

(e) Requires that the rules adopted by a state agency that issues a license establish a process for the agency identify, with respect to each type of license issued by the agency, the states that issue licenses similar in scope of practice to those issued by the agency.

Deletes existing text requiring that the rules establish a process for the agency to identify, with respect to each type of license issued by the agency, the jurisdictions that have licensing requirements that are substantially equivalent to the requirements for the license in this state and, not later than the 30th day after the date a military service member or military spouse submits the information described by Subsections (b)(1) and (2), verify that the member or spouse is licensed in good standing in a jurisdiction described by Subdivision (1) (relating to identifying certain jurisdictions). Makes nonsubstantive changes.

SECTION 3. Amends Chapter 55, Occupations Code, by adding Sections 55.0042 and 55.0043, as follows:

Sec. 55.0042. DETERMINATION OF GOOD STANDING. Provides that, for purposes of Chapter 55 (Licensing of Out-of-State License of Military Service Members and Military Spouses), a person is in good standing with another state's licensing authority if the person holds a license that is current, has not been suspended or revoked, and has not been voluntarily surrendered during an investigation for unprofessional conduct; has not been disciplined by the licensing authority with respect to the license or person's practice of the occupation for which the license is issued; and is not currently under investigation by the licensing authority for unprofessional conduct related to the person's license or profession.

Sec. 55.0043. COMPLAINTS. (a) Requires a state agency that issues a license or recognizes an out-of-state license under this chapter to maintain a record of each complaint made against a military service member, military veteran, or military spouse to whom the agency issues a license or who holds an out-of-state license the agency recognizes.

(b) Requires a state agency to publish at least quarterly on the agency's Internet website the information maintained under Subsection (a), including a general description of the disposition of each complaint.

SECTION 4. Amends Section 55.005(a), Occupations Code, to require a state agency that issues a license, not later than the 10th business day, rather than the 30th day, after the date a military service member, military veteran, or military spouse files an application for a license, to take certain actions.

SECTION 5. Amends Section 55.009, Occupations Code, as follows:

Sec. 55.009. LICENSE APPLICATION AND EXAMINATION FEES. Requires a state agency that issues a license, notwithstanding any other law, to waive the license application and examination fees paid to the state for an applicant who is a military service member, military veteran, or military spouse, rather than who is a military service member or military veteran whose military service, training, or education substantially meets all of the requirements for the license or a military service member, military veteran, or military spouse who holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the requirements for the license in this state. Makes nonsubstantive changes.

SECTION 6. Repealer: Section 55.0041(f) (relating to authorizing a state agency that issues a license to adopt certain rules), Occupations Code.

SECTION 7. Requires a state agency, as defined by Section 55.001 (Definitions), Occupations Code, as soon as practicable after the effective date of this Act, to adopt, modify, or repeal the rules necessary to implement the changes in law made by this Act.

SECTION 8. Makes application of this Act prospective.

SECTION 9. Effective date: September 1, 2025.