

By: Wilson

H.B. No. 5629

A BILL TO BE ENTITLED

AN ACT

relating to the occupational licensing of military service members, military veterans, and military spouses.

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

SECTION 1. Sections 55.004(a) and (d), Occupations Code, are amended to read as follows:

(a) A state agency that issues a license shall issue ~~adopt~~ ~~rules for the issuance of~~ the license to an applicant who is a military service member, military veteran, or military spouse and:

(1) holds a current license issued by another state ~~[jurisdiction]~~ that is similar in scope of practice ~~[has licensing requirements that are substantially equivalent]~~ to the ~~[requirements for the]~~ license in this state and is in good standing with that state's licensing authority; or

(2) within the five years preceding the application date held the license in this state.

(d) A state agency that issues a license that has a residency requirement for license eligibility may not ~~[shall]~~ adopt rules requiring ~~[regarding]~~ documentation ~~[necessary]~~ for an applicant who is a military service member, military veteran, or military spouse to establish residency for purposes of this section ~~[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. Section 55.0041, Occupations Code, is amended by amending Subsections (a), (b), (d), (d-1), and (e) and adding Subsection (b-1) to read as follows:

(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 holds a license similar in scope of practice issued by the licensing authority of another state and is ~~[licensed]~~ in good standing with ~~[by another jurisdiction]~~ that ~~[has]~~ licensing authority ~~[requirements that are substantially equivalent to the requirements for the license in this state]~~.

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

(1) a copy ~~[notify the applicable state agency]~~ of the member's military orders showing relocation to ~~[or spouse's intent to practice in]~~ this state;

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

(3) a notarized affidavit affirming under penalty of perjury ~~[receive from the agency confirmation]~~ that:

(A) the applicant is the person described and

1 identified in the application ~~[the agency has verified the member's~~
2 ~~or spouse's license in the other jurisdiction]; [and]~~

3 (B) all statements in the application are true,
4 correct, and complete;

5 (C) the applicant understands the scope of
6 practice for the applicable license in this state and will not
7 perform outside of that scope of practice; and

8 (D) the applicant is in good standing in each
9 state in which the applicant holds or has held an applicable license
10 ~~[the member or spouse is authorized to engage in the business or~~
11 ~~occupation in accordance with this section].~~

12 (b-1) Not later than the 10th business day after the date
13 the agency receives an application under Subsection (b), the agency
14 shall notify the applicant that:

15 (1) the agency recognizes the applicant's out-of-state
16 license;

17 (2) the application is incomplete; or

18 (3) the agency is unable to recognize the applicant's
19 out-of-state license because the agency does not issue a license
20 similar in scope of practice to the applicant's license.

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

1 ~~(b)(3)]~~.

2 (d-1) In ~~[Notwithstanding Subsection (d), in]~~ the event of a
 3 divorce or similar event that affects a person's status as a
 4 military spouse, the former spouse may continue to engage in the
 5 business or occupation under the authority of this section until
 6 the third anniversary of the date the spouse submitted the
 7 application required ~~[received the confirmation described]~~ by
 8 Subsection (b) ~~[(b)(3)]~~.

9 (e) A state agency that issues a license shall adopt rules
 10 to implement this section. The rules must establish a process for
 11 the agency to~~+~~

12 ~~[(1)]~~ identify, with respect to each type of license
 13 issued by the agency, the states ~~[jurisdictions]~~ that issue
 14 licenses similar in scope of practice to those issued by the agency
 15 ~~[have licensing requirements that are substantially equivalent to~~
 16 ~~the requirements for the license in this state; and~~

17 ~~[(2) not later than the 30th day after the date a~~
 18 ~~military service member or military spouse submits the information~~
 19 ~~described by Subsections (b)(1) and (2), verify that the member or~~
 20 ~~spouse is licensed in good standing in a jurisdiction described by~~
 21 ~~Subdivision (1)]~~.

22 SECTION 3. Chapter 55, Occupations Code, is amended by
 23 adding Sections 55.0042 and 55.0043 to read as follows:

24 Sec. 55.0042. DETERMINATION OF GOOD STANDING. For purposes
 25 of this chapter, a person is in good standing with another state's
 26 licensing authority if the person:

27 (1) holds a license that is current, has not been

1 suspended or revoked, and has not been voluntarily surrendered
2 during an investigation for unprofessional conduct;

3 (2) has not been disciplined by the licensing
4 authority with respect to the license or person's practice of the
5 occupation for which the license is issued; and

6 (3) is not currently under investigation by the
7 licensing authority for unprofessional conduct related to the
8 person's license or profession.

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

15 (b) A state agency shall publish at least quarterly on the
16 agency's Internet website the information maintained under
17 Subsection (a), including a general description of the disposition
18 of each complaint.

19 SECTION 4. Section 55.005(a), Occupations Code, is amended
20 to read as follows:

21 (a) A state agency that issues a license shall, not later
22 than the 10th business [~~30th~~] day after the date a military service
23 member, military veteran, or military spouse files an application
24 for a license:

25 (1) process the application; and

26 (2) issue the license to an applicant who qualifies
27 for the license under Section 55.004.

SECTION 5. Section 55.009, Occupations Code, is amended to read as follows:

Sec. 55.009. LICENSE APPLICATION AND EXAMINATION FEES. Notwithstanding any other law, a state agency that issues a license shall waive the license application and examination fees paid to the state for an applicant who is[÷

~~[(1) a military service member or military veteran whose military service, training, or education substantially meets all of the requirements for the license; or~~

~~[(2)] 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].~~

SECTION 6. Section 55.0041(f), Occupations Code, is repealed.

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

SECTION 8. The changes in law made by this Act apply only to an application for a license filed with a state agency, as defined by Section 55.001, Occupations Code, on or after the effective date of this Act. An application for a license filed before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

1 SECTION 9. This Act takes effect September 1, 2025.