

By: Sparks

S.B. No. 716

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of an occupational license to certain out-of-state applicants.

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

SECTION 1. Title 2, Occupations Code, is amended by adding Chapter 61 to read as follows:

CHAPTER 61. LICENSING OF CERTAIN OUT-OF-STATE APPLICANTS

Sec. 61.001. DEFINITION. In this chapter, "license" means a license, certificate, registration, permit, or other form of authorization required by law or rule that must be obtained by an individual to engage in a particular business or occupation.

Sec. 61.002. APPLICABILITY; EXCEPTION. (a) This chapter applies only to the issuance of a license by any of the following licensing authorities:

(1) Executive Council of Physical Therapy and Occupational Therapy Examiners;

(2) Department of Public Safety of the State of Texas;

(3) Department of State Health Services;

(4) Health and Human Services Commission;

(5) State Board for Educator Certification;

(6) State Board of Dental Examiners;

(7) State Board of Veterinary Medical Examiners;

(8) Supreme Court of Texas;

(9) Texas Appraiser Licensing and Certification

1 Board;

2 (10) Texas Behavioral Health Executive Council;

3 (11) Texas Board of Architectural Examiners;

4 (12) Texas Board of Chiropractic Examiners;

5 (13) Texas Board of Nursing;

6 (14) Texas Board of Professional Engineers and Land

7 Surveyors;

8 (15) Texas Department of Insurance;

9 (16) Texas Department of Licensing and Regulation;

10 (17) Texas Medical Board;

11 (18) Texas Optometry Board;

12 (19) Texas State Board of Acupuncture Examiners;

13 (20) Texas State Board of Pharmacy;

14 (21) Texas State Board of Plumbing Examiners; and

15 (22) Texas State Board of Public Accountancy.

16 (b) This chapter does not apply to a license or other
17 authorization required for the establishment or operation of a
18 facility.

19 Sec. 61.003. ISSUANCE OF LICENSE TO CERTAIN OUT-OF-STATE
20 APPLICANTS. (a) Notwithstanding any other law, a licensing
21 authority described by Section 61.002(a) shall issue a license to
22 an applicant who pays any required fees and:

23 (1) holds a current license in good standing in
24 another state with a similar scope of practice, as determined by the
25 licensing authority;

26 (2) has held the license for at least one year;

27 (3) was required to pass an examination or meet other

1 experience, education, or training requirements to obtain the
2 license;

3 (4) does not have a disqualifying criminal history as
4 determined by the licensing authority;

5 (5) has not been subject to the revocation or
6 surrender of the license in any state due to unprofessional conduct
7 or while under investigation for unprofessional conduct in the
8 performance of work under the license;

9 (6) is not currently subject to ongoing discipline by
10 a regulatory agency in connection with the applicant's license,
11 including a probated suspension, limitation on scope of practice,
12 or program of additional monitoring; and

13 (7) is not currently the subject of a complaint or
14 investigation in the other state for an act that constitutes
15 unprofessional conduct or an offense.

16 (b) For purposes of Subsection (a)(1), if the applicant
17 holds a license of similar scope in more than one state, each
18 license must be in good standing in each state.

19 (c) Before a license may be issued under Subsection (a), the
20 licensing authority must request and receive from the other state
21 confirmation that the applicant meets the requirements described by
22 Subsection (a)(3).

23 (d) An applicant for a license under this section may be
24 required to pass a jurisprudence examination specific to the
25 relevant laws of this state applicable to the activities for which
26 the license is sought if a similar examination is required to obtain
27 the license for all other applicants.

1 (e) Each licensing authority described by Section 61.002(a)
2 shall adopt rules to implement this section.

3 SECTION 2. (a) Each licensing authority to which Section
4 61.003, Occupations Code, as added by this Act, applies shall adopt
5 rules required by that section not later than January 1, 2026.

6 (b) Chapter 61, Occupations Code, as added by this Act,
7 applies only to an application for a license submitted to a
8 licensing authority to which that chapter applies on or after
9 January 1, 2026.

10 SECTION 3. This Act takes effect September 1, 2025.