

1-1 By: Menéndez S.B. No. 1307
1-2 (In the Senate - Filed March 11, 2015; March 18, 2015, read
1-3 first time and referred to Committee on Veteran Affairs and
1-4 Military Installations; April 8, 2015, reported favorably by the
1-5 following vote: Yeas 6, Nays 0; April 8, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Campbell	X		
1-9	Burton	X		
1-10	Birdwell	X		
1-11	Garcia	X		
1-12	Hall	X		
1-13	Lucio		X	
1-14	Rodríguez	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to occupational licenses for military service members,
1-18 military veterans, and military spouses.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. The heading to Chapter 55, Occupations Code, as
1-21 amended by Chapters 66 (S.B. 162) and 348 (H.B. 2254), Acts of the
1-22 83rd Legislature, Regular Session, 2013, is reenacted to read as
1-23 follows:

1-24 CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY
1-25 VETERANS, AND MILITARY SPOUSES

1-26 SECTION 2. Section 55.001, Occupations Code, is amended to
1-27 read as follows:

1-28 Sec. 55.001. DEFINITIONS. In this chapter:

1-29 (1) "Active duty" means current full-time military
1-30 service in the armed forces of the United States or active duty
1-31 military service as a member of the Texas military forces, as
1-32 defined by Section 437.001, Government Code, or similar military
1-33 service of another state.

1-34 (2) "Armed forces of the United States" means the
1-35 army, navy, air force, coast guard, or marine corps of the United
1-36 States or a reserve unit of one of those branches of the armed
1-37 forces.

1-38 (3) "License" means a license, certificate,
1-39 registration, permit, or other form of authorization required by
1-40 law or a state agency rule that must be obtained by an individual to
1-41 engage in a particular business.

1-42 (4) ~~[(1-a)]~~ "Military service member" means a person
1-43 who is on active duty ~~[currently serving in the armed forces of the~~
1-44 ~~United States, in a reserve component of the armed forces of the~~
1-45 ~~United States, including the National Guard, or in the state~~
1-46 ~~military service of any state].~~

1-47 (5) ~~[(1-b)]~~ "Military spouse" means a person who is
1-48 married to a military service member ~~[who is currently on active~~
1-49 ~~duty].~~

1-50 (6) ~~[(1-c)]~~ "Military veteran" means a person who has
1-51 served on active duty and who was discharged or released from active
1-52 duty ~~[in the army, navy, air force, marine corps, or coast guard of~~
1-53 ~~the United States, or in an auxiliary service of one of those~~
1-54 ~~branches of the armed forces].~~

1-55 (7) ~~[(2)]~~ "State agency" means a department, board,
1-56 bureau, commission, committee, division, office, council, or
1-57 agency of the state.

1-58 SECTION 3. Section 55.002, Occupations Code, is amended to
1-59 read as follows:

1-60 Sec. 55.002. EXEMPTION FROM PENALTY FOR FAILURE TO RENEW
1-61 LICENSE. A state agency that issues a license shall adopt rules to

2-1 exempt an individual who holds a license issued by the agency from
 2-2 any increased fee or other penalty imposed by the agency for failing
 2-3 to renew the license in a timely manner if the individual
 2-4 establishes to the satisfaction of the agency that the individual
 2-5 failed to renew the license in a timely manner because the
 2-6 individual was serving as a military service member [~~on active duty~~
 2-7 ~~in the United States armed forces serving outside this state~~].

2-8 SECTION 4. Section 55.003, Occupations Code, is amended to
 2-9 read as follows:

2-10 Sec. 55.003. EXTENSION OF LICENSE RENEWAL [~~CERTAIN~~
 2-11 ~~DEADLINES FOR~~ [ACTIVE DUTY] MILITARY SERVICE MEMBERS [~~PERSONNEL~~].
 2-12 A military service member [~~person~~] who holds a license [~~, is a member~~
 2-13 ~~of the state military forces or a reserve component of the armed~~
 2-14 ~~forces of the United States, and is ordered to active duty by proper~~
 2-15 ~~authority]~~ is entitled to two years of [~~an~~] additional [~~amount of~~]
 2-16 ~~time[, equal to the total number of years or parts of years that the~~
 2-17 ~~person serves on active duty,]~~ to complete:

2-18 (1) any continuing education requirements; and

2-19 (2) any other requirement related to the renewal of
 2-20 the military service member's [~~person's~~] license.

2-21 SECTION 5. Section 55.004, Occupations Code, is amended to
 2-22 read as follows:

2-23 Sec. 55.004. ALTERNATIVE LICENSING [~~LICENSE PROCEDURE~~] FOR
 2-24 MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND MILITARY SPOUSES
 2-25 [~~SPOUSE~~]. (a) A state agency that issues a license shall adopt
 2-26 rules for the issuance of the license to an applicant who is a
 2-27 military service member, military veteran, or military spouse [~~the~~
 2-28 ~~spouse of a person serving on active duty as a member of the armed~~
 2-29 ~~forces of the United States]~~ and:

2-30 (1) holds a current license issued by another
 2-31 jurisdiction [~~state~~] that has licensing requirements that are
 2-32 substantially equivalent to the requirements for the license in
 2-33 this state; or

2-34 (2) within the five years preceding the application
 2-35 date held the license in this state [~~that expired while the~~
 2-36 ~~applicant lived in another state for at least six months~~].

2-37 (b) [~~Rules adopted under this section must include~~
 2-38 ~~provisions to allow alternative demonstrations of competency to~~
 2-39 ~~meet the requirements for obtaining the license.~~

2-40 [(c)] The executive director of a state agency may waive any
 2-41 prerequisite to obtaining a license for an applicant described by
 2-42 Subsection (a) after reviewing the applicant's credentials [~~issue a~~
 2-43 ~~license by endorsement in the same manner as the Texas Commission of~~
 2-44 ~~Licensing and Regulation under Section 51.404 to an applicant~~
 2-45 ~~described by Subsection (a)]].~~

2-46 (c) In addition to the rules adopted under Subsection (a), a
 2-47 state agency that issues a license may adopt rules that would
 2-48 establish alternate methods for a military service member, military
 2-49 veteran, or military spouse to demonstrate competency to meet the
 2-50 requirements for obtaining the license.

2-51 SECTION 6. The heading to Section 55.005, Occupations Code,
 2-52 as added by Chapter 66 (S.B. 162), Acts of the 83rd Legislature,
 2-53 Regular Session, 2013, is amended to read as follows:

2-54 Sec. 55.005. EXPEDITED LICENSE PROCEDURE FOR MILITARY
 2-55 SERVICE MEMBERS, MILITARY VETERANS, AND MILITARY SPOUSES.

2-56 SECTION 7. Section 55.005(a), Occupations Code, as added by
 2-57 Chapter 66 (S.B. 162), Acts of the 83rd Legislature, Regular
 2-58 Session, 2013, is amended to read as follows:

2-59 (a) A state agency that issues a license shall, as soon as
 2-60 practicable after a military service member, military veteran, or
 2-61 military spouse files an application for a license:

2-62 (1) process the application; and

2-63 (2) issue the [~~a~~] license to an [~~a qualified military~~
 2-64 ~~spouse]~~ applicant who qualifies for the license under Section
 2-65 55.004 [~~holds a current license issued by another jurisdiction that~~
 2-66 ~~has licensing requirements that are substantially equivalent to the~~
 2-67 ~~licensing requirements in this state]~~.

2-68 SECTION 8. Section 55.005, Occupations Code, as added by
 2-69 Chapter 348 (H.B. 2254), Acts of the 83rd Legislature, Regular

