

1-1 By: Paxton, Campbell S.B. No. 422
 1-2 (In the Senate - Filed January 12, 2023; February 15, 2023,
 1-3 read first time and referred to Committee on Veteran Affairs;
 1-4 April 5, 2023, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 6, Nays 0; April 5, 2023,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Hancock	X			
1-9 Parker	X			
1-10 Blanco	X			
1-11 Eckhardt			X	
1-12 Gutierrez	X			
1-13 Hall	X			
1-14 Sparks	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 422 By: Parker

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the authority of certain military service members to
 1-20 engage in a business or occupation in this state.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 55.004(d), Occupations Code, is amended
 1-23 to read as follows:

1-24 (d) A state agency that issues a license that has a
 1-25 residency requirement for license eligibility shall adopt rules
 1-26 regarding documentation necessary for an applicant who is a
 1-27 military service member or military spouse [applicant] to establish
 1-28 residency for purposes of this subsection, including by providing
 1-29 to the agency a copy of the permanent change of station order for
 1-30 the applicant or the applicant's spouse [military service member to
 1-31 whom the spouse is married].

1-32 SECTION 2. Section 55.0041, Occupations Code, is amended to
 1-33 read as follows:

1-34 Sec. 55.0041. RECOGNITION OF OUT-OF-STATE LICENSE OF
 1-35 MILITARY SERVICE MEMBERS AND MILITARY SPOUSES [SPOUSE]. (a)
 1-36 Notwithstanding any other law, a military service member or
 1-37 military spouse may engage in a business or occupation for which a
 1-38 license is required without obtaining the applicable license if the
 1-39 member or spouse is currently licensed in good standing by another
 1-40 jurisdiction that has licensing requirements that are
 1-41 substantially equivalent to the requirements for the license in
 1-42 this state.

1-43 (b) Before engaging in the practice of the business or
 1-44 occupation, the military service member or military spouse must:

1-45 (1) notify the applicable state agency of the member's
 1-46 or spouse's intent to practice in this state;

1-47 (2) submit to the agency proof of the member's or
 1-48 spouse's residency in this state in accordance with rules adopted
 1-49 under Section 55.004(d) and a copy of the member's or spouse's
 1-50 military identification card; and

1-51 (3) receive from the agency confirmation that:

1-52 (A) the agency has verified the member's or
 1-53 spouse's license in the other jurisdiction; and

1-54 (B) the member or spouse is authorized to engage
 1-55 in the business or occupation in accordance with this section.

1-56 (c) The military service member or military spouse shall
 1-57 comply with all other laws and regulations applicable to the
 1-58 business or occupation in this state.

1-59 (d) A military service member or military spouse may engage
 1-60 in the business or occupation under the authority of this section

2-1 only for the period during which the military service member or,
2-2 with respect to a military spouse, the military service member to
2-3 whom the [military] spouse is married is stationed at a military
2-4 installation in this state but not to exceed three years from the
2-5 date the member or spouse receives the confirmation described by
2-6 Subsection (b)(3).

2-7 (d-1) Notwithstanding Subsection (d), in the event of a
2-8 divorce or similar event that affects a person's status as a
2-9 military spouse, the spouse may continue to engage in the business
2-10 or occupation under the authority of this section until the third
2-11 anniversary of the date the spouse received the confirmation
2-12 described by Subsection (b)(3).

2-13 (e) A state agency that issues a license shall adopt rules
2-14 to implement this section. The rules must establish a process for
2-15 the agency to:

2-16 (1) identify, with respect to each type of license
2-17 issued by the agency, the jurisdictions that have licensing
2-18 requirements that are substantially equivalent to the requirements
2-19 for the license in this state; and

2-20 (2) not later than the 30th day after the date a
2-21 military service member or military spouse submits the information
2-22 described by Subsections (b)(1) and (2), verify that the member or
2-23 [a military] spouse is licensed in good standing in a jurisdiction
2-24 described by Subdivision (1).

2-25 (f) In addition to the rules adopted under Subsection (e), a
2-26 state agency that issues a license may adopt rules to provide for
2-27 the issuance of a license to a military service member or military
2-28 spouse to whom the agency provides confirmation under Subsection
2-29 (b)(3). A license issued under this subsection must expire not
2-30 later than the third anniversary of the date the agency provided the
2-31 confirmation and may not be renewed. A state agency may not charge
2-32 a fee for the issuance of the license.

2-33 SECTION 3. Section 55.005(a), Occupations Code, is amended
2-34 to read as follows:

2-35 (a) A state agency that issues a license shall, not later
2-36 than the 30th day [as soon as practicable] after the date a military
2-37 service member, military veteran, or military spouse files an
2-38 application for a license:

2-39 (1) process the application; and

2-40 (2) issue the license to an applicant who qualifies
2-41 for the license under Section 55.004.

2-42 SECTION 4. Section 55.005(a), Occupations Code, as amended
2-43 by this Act, applies only to an application for a license submitted
2-44 on or after the effective date of this Act. An application submitted
2-45 before the effective date of this Act is governed by the law in
2-46 effect on the date the application was submitted, and the former law
2-47 is continued in effect for that purpose.

2-48 SECTION 5. Not later than December 1, 2023, a state agency
2-49 to which Section 55.0041, Occupations Code, as amended by this Act,
2-50 applies shall adopt rules to implement that section.

2-51 SECTION 6. This Act takes effect September 1, 2023.

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