

BILL ANALYSIS

Senate Research Center
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S.B. 1325
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas is home to thousands of military families, made up of veterans, active-duty service members, spouses, and dependents. These individuals offer a unique set of skills, experiences and leadership abilities, yet many struggle to find and maintain employment. For veterans, translating their skills to the civilian workforce and marketing themselves to employers play an important role. For military spouses, challenges stem from frequent moves and parenting responsibilities. Veterans and military spouses face barriers and challenges with state occupational licensing regulations. For many of them, building a career can be difficult when they have to move every two or three years.

While the monetary cost of obtaining a license affects everyone working in a licensed occupation, military spouses must spend both time and money on complying with these rules every time they move for the military member's career. This cost is made more difficult to bear for military spouses, as many find it difficult or even impossible to secure unemployment compensation while they search for their next job and navigate the licensing process of each state.

In the same line as spouse employment and education, some state requirements for licensing can be too costly or lengthy for the spouse to reapply and renew licenses every few years. Some states require additional schooling, which may be neither cost-effective nor available to a military spouse. Many veterans who have received military training in an occupation may only need a few additional hours or an additional course before being eligible for the license. Instead, they are often required to start over, incurring considerable financial costs as well as opportunity costs—the time spent repeating training, when they could otherwise be earning an income.

S.B. 1325 amends current law relating to licensing of military service members, military veterans, and military spouses to make it easier for military spouses to obtain an occupational license and improves current license reciprocity procedures.

As proposed, S.B. 1325 amends current law relating to occupational licensing of certain military service members, military veterans, and military spouses by state agencies and political subdivisions.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to a political subdivision that issues a license in SECTION 2 (Section 55.002, Occupations Code) and SECTION 4 (Section 55.004, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 55.001, Occupations Code, by amending Subdivisions (3) and (5) and adding Subdivisions (6-a) and (6-b) to redefine "license" and "military spouse" and define "political subdivision" and "rule."

SECTION 2. Amends Section 55.002, Occupations Code, as follows:

Sec. 55.002. EXEMPTION FROM PENALTY FOR FAILURE TO RENEW LICENSE. Requires a state agency or political subdivision that issues a license to adopt rules to exempt an individual who holds a license issued by the agency or political subdivision from any increased fee or other penalty imposed by the agency or political subdivision for failing to renew the license in a timely manner if the individual establishes to the satisfaction of the agency or political subdivision that the individual failed to renew the license in a timely manner because the individual was serving as a military service member.

SECTION 3. Amends Section 55.003, Occupations Code, to entitle a military service member who holds a license issued by a state agency or political subdivision to two years of additional time to complete certain requirements.

SECTION 4. Amends Section 55.004, Occupations Code, as follows:

Sec. 55.004. ALTERNATIVE LICENSING FOR MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND MILITARY SPOUSES. (a) Requires a state agency or political subdivision 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:

(1) 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 or the political subdivision, as applicable; or

(2) within the five years preceding the application date held the license in this state or the political subdivision, as applicable.

(b) Authorizes the executive director of a state agency or the person overseeing licensing of an occupation by a political subdivision to waive any prerequisite to obtaining a license for an applicant described by Subsection (a) after reviewing the applicant's credentials.

(c) Authorizes a state agency or political subdivision that issues a license, in addition to the rules adopted under Subsection (a), to adopt rules that would establish alternate methods for a military service member, military veteran, or military spouse to demonstrate competency to meet the requirements for obtaining the license.

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

Sec. 55.009. LICENSE APPLICATION AND EXAMINATION FEES. Requires a state agency or political subdivision that issues a license, notwithstanding any other law, to waive the license application and examination fees paid to the state or political subdivision 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 or the political subdivision, as applicable.

SECTION 6. Amends Section 55.010, Occupations Code, as follows:

Sec. 55.010. NOTICE OF CHAPTER PROVISIONS. (a) Creates this subsection from existing text and makes no further changes.

(b) Requires the Texas Veterans Commission (TVC) to establish and maintain an Internet website to serve as a single location for military service members, military veterans, and military spouses to access information regarding the issuance of a license by a state agency to a military service member, military veteran, or military spouse who is licensed in another jurisdiction.

SECTION 7. Requires TVC, not later than January 1, 2020, to establish the Internet website required by Section 55.010(b), Occupations Code, as added by this Act.

SECTION 8. Makes application of this Act prospective.

SECTION 9. Effective date: September 1, 2019.