

SUBJECT: Facilitating occupational licensing for some military spouses and veterans

COMMITTEE: Defense and Veterans' Affairs — committee substitute recommended

VOTE: 9 ayes — Raymond, Buckley, Biedermann, Cyrier, Gervin-Hawkins,
Lambert, Lopez, Morales, Tinderholt

0 nays

WITNESSES: For — Steven Price, The Texas Democratic Veterans Caucus/The
VOICES Foundation; (*Registered, but did not testify*: R Clint Smith,
Abilene Chamber of Commerce; Dana Harris, Austin Chamber of
Commerce; Guadalupe Cuellar, City of El Paso; Daniel Collins, County of
El Paso; Mitch Fuller, Department of Texas Veterans of Foreign Wars
(VFW) aka Texas VFW; Annie Spilman, NFIB; Jim Brennan, Texas
Coalition of Veterans Organizations; General Juan Ayala, Texas Mayors
of Military Communities (TMMC); Dan Finch, Texas Medical
Association; Thomas Parkinson)

Against — None

BACKGROUND: Occupations Code sec. 55.0041 allows military spouses to engage in a
business or occupation for which a license is required without obtaining
the applicable license if the spouse is currently licensed in good standing
by another jurisdiction that has licensing requirements that are
substantially equivalent to the license requirements in Texas.

DIGEST: CSHB 139 would require that any state agency that issues a license with a
residency requirement adopt rules that allow a permanent change of
station (PCS) order to serve as proof of residency for spouses of active
military service members. The agency also would be required to ensure
that, in the licensing process, military spouses and veterans received
appropriate credit for experience, including clinical and professional
experience, in a licensed profession.

Military spouses who hold a license from outside the state would be able

to use a PCS order as the proof of residency required to practice the relevant business or occupation without acquiring a new license as allowed under current law.

The bill also would establish that the State Board for Educator Certification's rules for expediting the processing of an educator certificate application for military spouses be extended to veterans, and include rules allowing a PCS order to establish residency for a military spouse, as well as rules for providing a military identification card. These rules would be in accordance with Occupations Code provisions relating to the licensing of military service members, military veterans, and military spouses. The board would be required to post on its website a notice describing the specific provisions that apply to military service members, military veterans, and military spouses.

The bill also would allow the commissioner of education to establish exceptions to examination requirements for military spouses and veterans seeking to obtain an educator certificate.

The bill would update the Occupations Code's definition of "armed forces of the United States" to include the space force.

CSHB 139 would repeal the provision that the adoption of rules by the State Board for Educator Certification in order to expedite the certificate application process for military spouses was required only if the Legislature appropriated funds specifically for that purpose.

The bill would take effect September 1, 2021, and would apply only to applications filed on or after that date.

**SUPPORTERS
SAY:**

CSHB 139 would help ensure that military spouses and veterans were not burdened by redundant and time-consuming licensing procedures related to occupations for which they already possess licensing and experience.

Frequent relocation is a major challenge for military families, and uncertainty over whether a service member's spouse will be able to find

new employment in a field for which that person is already qualified adds unnecessary stress. Any delay in acquiring a license after having moved to a new state can inflict significant financial loss on military families. CSHB 139 aims to avoid these unnecessary negative impacts by simplifying the process of establishing state residency for military spouses.

Many state agencies already require the submission of PCS orders in addition to some other form of proof of residency. By requiring that licensing state agencies accept a permanent change of station order as proof of residency for military spouses, CSHB 139 would increase efficiency and benefit not only military families but also the relevant businesses and professions in the state and would enhance the attractiveness of the state for future military bases and missions.

By including veterans along with military spouses among those who may be granted an expedited educator certificate application process or exemption from some examination requirements, this bill would help ease the transition to civilian life for military members who are educators and their families.

CRITICS
SAY:

No concerns identified.