HB388

By Representative McClammy

RFD: Military and Veterans Affairs

First Read: 08-FEB-18
SYNOPSIS: Under existing law, a military spouse relocating to the State of Alabama with an active duty member of the United States Armed Forces may be permitted to obtain expedited issuance of certain professional licenses and certificates.

This bill would create the Military Family Jobs Opportunity Act.

This bill would require each professional licensing body in the state to adopt a rule recognizing the professional licenses and certificates obtained by the spouses of certain military service members in other states, if the issuing state has licensing criteria that is greater than or substantially similar to the licensing criteria of the State of Alabama.

This bill would also require each professional licensing body in the state to adopt a rule providing for the issuance of a temporary professional license or certificate to those spouses who have been issued professional licenses.
or certificates in states where licensing criteria is not substantially similar to that of the State of Alabama.

A BILL

TO BE ENTITLED

AN ACT

To amend Section 31-1-6, Code of Alabama 1975, relating to the issuance of professional licenses and certificates to the spouses of active duty military personnel; to name the section the Military Family Jobs Opportunity Act; to require the adoption of rules to implement the issuance of and acknowledgement of professional licenses and certificates obtained in other jurisdictions by military service members and their spouses, if the issuing state has licensing criteria that is greater than or substantially similar to that of Alabama; and to provide for the issuance of temporary licenses and certificates under certain circumstances.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 31-1-6 of the Code of Alabama 1975, is amended to read as follows:

"§31-1-6.

"(a) This section shall be known and may be cited as the Military Family Jobs Opportunity Act.

"(b) Except as provided in subsection (e) (h), and notwithstanding other provisions of law, this section
shall apply to any board, agency, commission, or other entity
providing professional licenses or certificates, or both, for
the purpose of employment in the State of Alabama. Each On or
before January 1, 2019, each board, commission, or agency
providing professional licenses or certificates, or both, may
shall promulgate rules in conformity with this section for the
purpose of implementing its requirements. The rules shall
provide a method of accomplishing both of the following:

"(1) The issuance of a license or certificate to an
eligible individual if the requirements for certification or
licensure of the original issuing state or governing body are
substantially equivalent to that required in the state, as
provided in subsection (d).

"(2) A procedure for authorizing an eligible
individual to perform professional services regulated by the
board, agency, or commission in this state pursuant to a
temporary permit, effective for at least 180 days, while the
eligible individual completes the specific requirements of the
board, agency, or commission to obtain a license or
certificate in this state that were not required in the
original issuing state.

"(b) Except as provided in subsection (c), and
notwithstanding other provisions of law, this section shall
apply to individuals who For the purposes of this section, an
eligible individual is any individual who satisfies all of the
following:
"(1) Are married to and living with Is the spouse of an active duty reserve, or transitioning member of the United States Armed Forces, including the National Guard, or a surviving spouse of a service member who, at the time of his or her death, was serving on active duty, who is relocated to and stationed in the State of Alabama under official military orders. For the purposes of this section, a transitioning service member is a member of the United States Armed Forces, including the National Guard, on active duty status or on separation leave who is within 24 months of retirement.

"(2) Have Has not committed or participated in an act that would constitute grounds for refusal, suspension, or revocation of a professional license or certificate.

"(3) Have Has not been disciplined by an authorized entity or are under investigation, in any jurisdiction, in relation to a professional license or certificate.

"(4) Pay any required fee and submit to any required criminal or other background check by an authorized board, commission, or agency in the State of Alabama.

"(c) Any eligible individual under subsection (b)(c) who possesses a valid license or certificate in another state, district, or territory of the United States, or in any branch of the United States Armed Forces, including the National Guard, with licensing or certification requirements greater than or substantially similar to the licensing or certification requirements of the appropriate board, commission, or agency in the State of Alabama may shall be
approved to continue work in his or her profession upon
relocation to the State of Alabama for such time as normally
allotted with receipt of a license or certificate from the
appropriate board, commission, or agency; provided, that upon

Upon completion of an application that documents compliance
with the receiving agency's requirements for a certificate or
license, an authorized board, commission, or agency shall
expedite the application according to statute, promulgated
rules, or if applicable, at the next scheduled licensure
proceeding for an eligible individual under subsection (b)(c).

"(d)(e) Any board, commission, or agency in the
State of Alabama may establish reciprocity with other states
for military spouse professional licensing and certification.

"(f) Any board, agency, commission, or other entity
providing professional licenses or certificates, or both, for
the purpose of employment in this state, that is created after
the effective date of the act adding this amendatory language,
shall adopt the rules required by this section within one year
after the date of its initial organizational meeting.

"(g) Any board, agency, commission, or other entity
providing professional licenses or certificates, or both, for
the purpose of employment in the state, shall waive the
initial licensing fee for the eligible individual upon
application by the eligible individual in a manner prescribed
by the board, agency, commission, or other entity. The board,
agency, commission, or other entity shall process an
application for a fee waiver within 30 days after receiving
the application.

"(e)(h) This section does not apply to the practice
of law or the regulation of attorneys."

Section 2. This act shall become effective
immediately following its passage and approval by the
Governor, or its otherwise becoming law.