

1 HB388
2 191227-1
3 By Representative McClammy
4 RFD: Military and Veterans Affairs
5 First Read: 08-FEB-18

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8 SYNOPSIS: Under existing law, a military spouse
9 relocating to the State of Alabama with an active
10 duty member of the United States Armed Forces may
11 be permitted to obtain expedited issuance of
12 certain professional licenses and certificates.

13 This bill would create the Military Family
14 Jobs Opportunity Act.

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

23 This bill would also require each
24 professional licensing body in the state to adopt a
25 rule providing for the issuance of a temporary
26 professional license or certificate to those
27 spouses who have been issued professional licenses

1 or certificates in states where licensing criteria
2 is not substantially similar to that of the State
3 of Alabama.

4
5 A BILL
6 TO BE ENTITLED
7 AN ACT
8

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

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. Section 31-1-6 of the Code of Alabama
22 1975, is amended to read as follows:

23 "§31-1-6.

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

26 "~~(a)~~ (b) Except as provided in subsection ~~(e)~~ (h),
27 and notwithstanding other provisions of law, this section

1 shall apply to any board, agency, commission, or other entity
2 providing professional licenses or certificates, or both, for
3 the purpose of employment in the State of Alabama. ~~Each~~ On or
4 before January 1, 2019, each board, commission, or agency
5 providing professional licenses or certificates, or both, ~~may~~
6 shall promulgate rules in conformity with this section for the
7 purpose of implementing its requirements. The rules shall
8 provide a method of accomplishing both of the following:

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

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

22 ~~"(b)(c) Except as provided in subsection (e), and~~
23 ~~notwithstanding other provisions of law, this section shall~~
24 ~~apply to individuals who~~ For the purposes of this section, an
25 eligible individual is any individual who satisfies all of the
26 following:

1 "~~Are married to and living with~~ Is the spouse of
2 an active duty reserve, or transitioning member of the United
3 States Armed Forces, including the National Guard, or a
4 surviving spouse of a service member who, at the time of his
5 or her death, was serving on active duty, who is relocated to
6 and stationed in the State of Alabama under official military
7 orders. For the purposes of this section, a transitioning
8 service member is a member of the United States Armed Forces,
9 including the National Guard, on active duty status or on
10 separation leave who is within 24 months of retirement.

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

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

17 "~~Pay any required fee and submit to any required~~
18 ~~criminal or other background check by an authorized board,~~
19 ~~commission, or agency in the State of Alabama.~~

20 "~~(c)~~ (d) Any eligible individual under subsection
21 ~~(b)~~ (c) who possesses a valid license or certificate in another
22 state, district, or territory of the United States, or in any
23 branch of the United States Armed Forces, including the
24 National Guard, with licensing or certification requirements
25 greater than or substantially similar to the licensing or
26 certification requirements of the appropriate board,
27 commission, or agency in the State of Alabama ~~may~~ shall be

1 approved to continue work in his or her profession upon
2 relocation to the State of Alabama for such time as normally
3 allotted with receipt of a license or certificate from the
4 appropriate board, commission, or agency; ~~provided, that upon.~~
5 Upon completion of an application that documents compliance
6 with the receiving agency's requirements for a certificate or
7 license, an authorized board, commission, or agency shall
8 expedite the application according to statute, promulgated
9 rules, or if applicable, at the next scheduled licensure
10 proceeding for an eligible individual under subsection ~~(b)~~(c).

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

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

20 "(g) Any board, agency, commission, or other entity
21 providing professional licenses or certificates, or both, for
22 the purpose of employment in the state, shall waive the
23 initial licensing fee for the eligible individual upon
24 application by the eligible individual in a manner prescribed
25 by the board, agency, commission, or other entity. The board,
26 agency, commission, or other entity shall process an

1 application for a fee waiver within 30 days after receiving
2 the application.

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

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