

1 HB151
2 216067-1
3 By Representatives Moore (P), Reynolds, Daniels and Whitt
4 RFD: State Government
5 First Read: 18-JAN-22

SYNOPSIS: Under existing law, occupational licensing boards are required to adopt rules to provide for licensure or certification of spouses of military personnel if the applicant possesses a license or certificate from another state that is substantially equivalent to Alabama's licensure requirements.

This bill would revise the date by which rules must be adopted, would extend the timeframe for which a temporary permit to practice is effective for a military spouse, and would no longer exempt certain health occupational licensing boards from the provisions of this act.

A BILL
TO BE ENTITLED
AN ACT

Relating to military spouses; to amend Section 31-1-6, Code of Alabama 1975, to revise requirements for

1 occupational licensing boards to adopt rules that provide for
2 reciprocal occupational licenses for military spouses under
3 certain circumstances, and to no longer exempt certain health
4 occupational licensing boards from these requirements.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

8 "§31-1-6.

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

11 "(b) Except as provided in subsection (h), and
12 notwithstanding other provisions of law, this section shall
13 apply to any board, agency, commission, or other entity
14 providing professional licenses or certificates, or both, for
15 the purpose of employment in the State of Alabama. On or
16 before January 1, ~~2019~~ 2023, each board, ~~commission, or , or~~
17 commission agency providing professional licenses or
18 certificates, or both, shall ~~promulgate~~ adopt rules in
19 conformity with this section for the purpose of implementing
20 its requirements. The rules shall provide a method of
21 accomplishing both of the following:

22 "(1) The issuance of a license or certificate to an
23 eligible individual, within 30 days of application, if the
24 ~~requirements for certification or licensure~~ license of the
25 original issuing state or governing body ~~are substantially~~
26 ~~equivalent~~ is similar to that ~~required in the~~ requested from
27 this state, as provided in subsection (d).

1 "(2) A procedure for authorizing an eligible
2 individual to perform professional services regulated by the
3 board, agency, or commission in this state pursuant to a
4 temporary permit, effective for at least ~~180~~ 360 days, while
5 ~~the eligible individual completes the specific requirements of~~
6 ~~the board, agency, or commission~~ deliberates the application
7 to obtain a license or certificate in this state, ~~that were~~
8 ~~not required in the original issuing state~~ as provided in
9 subsection (d).

10 "(c) For the purposes of this section, an eligible
11 individual is any individual who satisfies all of the
12 following:

13 "(1) Is the spouse of any of the following:

14 "a. An an active duty, reserve, or transitioning
15 member of the United States Armed Forces, including the
16 National Guard, or a surviving spouse of a service member who,
17 at the time of his or her death, was serving on active duty,
18 who is relocated to and stationed in the State of Alabama
19 under official military orders. For the purposes of this
20 section, a transitioning service member is a member of the
21 United States Armed Forces, including the National Guard, on
22 active duty status or on separation leave who is within 24
23 months of retirement.

24 "b. An individual currently employed by the United
25 States Department of Justice or any of its encompassed
26 offices, agencies, institutes, and bureaus, including, but not
27 limited to, the Federal Bureau of Investigation (FBI), the

1 U.S. Attorney's Office, the Bureau of Alcohol, Tobacco, and
2 Firearms (AFT), the Drug Enforcement Administration (DEA), and
3 the United States Marshall Service (USMS), who is relocated to
4 Alabama by order of their employer.

5 "c. An individual currently employed at the National
6 Aeronautics and Space Administration who is relocated to
7 Alabama by order of their employer.

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

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

14 "(d) Any eligible individual under subsection (c)
15 who possesses a valid license or certificate, in good
16 standing, in another state, district, or territory of the
17 United States, or in any branch of the United States Armed
18 Forces, including the National Guard, ~~with licensing or~~
19 ~~certification requirements greater than or substantially~~
20 ~~similar to the licensing or certification requirements of~~
21 that is substantially similar to the license issued by the
22 appropriate board, ~~commission, or~~ , or commission agency in
23 the State of Alabama shall be approved to continue work in his
24 or her profession upon relocation to the State of Alabama for
25 such time as normally allotted with receipt of a license or
26 certificate from the appropriate board, ~~commission, or~~ , or
27 commission agency. Upon completion of an application ~~that~~

1 ~~documents compliance with the receiving agency's requirements~~
2 ~~for a certificate or license, an authorized board, commission,~~
3 ~~or , or commission~~ agency shall expedite the application
4 according to statute, ~~promulgated~~ adopted rules, or if
5 applicable, at the next scheduled licensure proceeding for an
6 eligible individual under subsection (c).

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

11 "(f) Any board, agency, commission, or other entity
12 providing professional licenses or certificates, or both, for
13 the purpose of employment in this state, that is created after
14 April 6, 2018, shall adopt the rules required by this section
15 within one year after the date of its initial organizational
16 meeting.

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

26 "(h) This section does not apply to the practice of
27 law or the regulation of attorneys, any license or

1 registration issued by the Securities Commission under the
2 Alabama Securities Act, any certification issued by the
3 Alabama Peace Officers' Standards and Training Commission, or
4 the practice of any profession regulated by the ~~Alabama State~~
5 ~~Board of Pharmacy, Board of Dental Examiners, State Board of~~
6 ~~Chiropractic Examiners,~~ Alabama Liquefied Petroleum Gas Board,
7 ~~or State Board of Medical Examiners."~~

8 Section 2. This act shall become effective on the
9 first day of the third month following its passage and
10 approval by the Governor, or its otherwise becoming law.