

Regular Session, 2013

HOUSE BILL NO. 312

BY REPRESENTATIVE LORUSSO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MILITARY AFFAIRS: Provides with respect to time limitations for the renewal of licenses under the Military Service Relief Act

1 AN ACT

2 To amend and reenact R.S. 29:418, to enact R.S. 37:3652, and to repeal R.S. 29:419, relative
3 to licensing of military servicemembers and their spouses; to increase the length of
4 time a servicemember has to renew a government-issued or professional license after
5 return from duty; to increase the length of time a servicemember or spouse has to
6 renew a professional license; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 29:418 is hereby amended and reenacted to read as follows:

9 §418. License validity; renewals; suspension of fees

10 The payment of any reinstatement or licensing fee or the application for
11 renewal of any license imposed by the state or any public or governmental entity
12 which the person who performs service in the uniformed services, as provided in 10
13 U.S.C. 101, or the National Guard, as provided in 10 U.S.C. 311, validly holds at the
14 time he enters service in the uniformed services shall be suspended until ~~ninety one~~
15 hundred eighty days after his release from service in the uniformed services or
16 discharge from hospitalization incidental to his service in the uniformed services,
17 provided that the person complies with all of the licensing requirements including
18 the payment of fees before the expiration of ~~ninety one hundred eighty~~ hundred eighty days after his
19 release from service in the uniformed services or discharge from hospitalization
20 incidental to his service in the uniformed services. Any license covered by this

1 Section which the person validly held at the time he entered service in the uniformed
2 services shall remain in force and effect until ~~ninety~~ one hundred eighty days after
3 his release from service in the uniformed services, provided that the licensing
4 requirements are complied with, including the payment of any licensing and renewal
5 fees owed.

6 Section 2. R.S. 37:3652 is hereby enacted to read as follows:

7 §3652. Professional and occupational licenses; renewal fees waived; educational
8 requirements

9 A. A person who is performing or has performed service in the uniformed
10 services, as provided in 10 U.S.C. 101, or the National Guard, as provided in 10
11 U.S.C. 311, or a military spouse who has relocated with their servicemember spouse
12 assigned or ordered to active duty outside the United States and its territories shall
13 be exempt from both of the following:

14 (1) The payment of any reinstatement or licensing renewal fee required by
15 any profession or occupation governed by this title or by any other provision of law
16 or ordinance during the servicemember's period of service in the uniformed services.

17 (2) Compliance with any continuing educational requirements applicable to
18 such license during the servicemember's period of service in the uniformed services.

19 B. An exemption provided pursuant to Subsection A of this Section shall not
20 apply to licensing or renewal fees or continuing educational requirements applicable
21 to such license for the year in which the servicemember is released or discharged
22 from active duty.

23 C. Any applicable license shall continue in force and effect, provided that
24 any applicable renewal fees are paid and any educational requirements are completed
25 within one hundred eighty days of the servicemember's release or discharge from
26 active duty.

27 D. For the purposes of this Section, "professional or occupational licensing
28 board" shall mean any state agency, board, commission, or substantially similar

1 entity, involved in the licensing, certification, or registration of any regulated
2 profession or occupation within the state of Louisiana.

3 E. The provisions of this Section shall not apply to any license issued and
4 regulated under the authority of the judicial branch of government.

5 Section 3. R.S. 29:419 is hereby repealed in its entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Lorusso

HB No. 312

Abstract: Provides a military servicemember 180 days from the day he is released from service to renew a government-issued license or a professional or occupational license. Provides certain military spouses 180 days from the day the military servicemember spouse is released from service to renew a professional or occupational license.

Present law suspends the payment of any governmental licensing renewal or reinstatement fees for a military servicemember, provided that any required renewal fee is paid within 90 days after the servicemember's release from service.

Proposed law retains present law but increases time limitation from 90 days to 180 days.

Proposed law exempts a servicemember and a military spouse who has relocated with their servicemember spouse who has been ordered to active duty outside of the U.S. from paying reinstatement and renewal fees for professional and occupational licenses and from completing continuing educational requirements during the period of time the servicemember is performing services in the uniformed services. Requires the servicemember and military spouse to pay reinstatement fees and licensing renewal fees and complete the continuing educational requirements for the professional and occupational license for the year in which the servicemember is released from duty, within 180 days of being released from duty.

(Amends R.S. 29:418; Adds R.S. 37:3652; Repeals R.S. 29:419)