

ACT No. 5

Regular Session, 2013

HOUSE BILL NO. 312

BY REPRESENTATIVE LORUSSO AND SENATORS GARY SMITH AND
WALSWORTH

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

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AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

§418. License validity; renewals; suspension of fees

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

1 requirements are complied with, including the payment of any licensing and renewal
 2 fees owed.

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

4 §3652. Professional and occupational licenses; renewal fees waived; educational
 5 requirements

6 A. A person who is performing or has performed service in the uniformed
 7 services, as provided in 10 U.S.C. 101, or the National Guard, as provided in 10
 8 U.S.C. 311, or a military spouse who has relocated with their servicemember spouse
 9 assigned or ordered to active duty outside the United States and its territories and
 10 who has provided evidence of deployment or relocation to the professional or
 11 occupational licensing board prior to expiration of their license may be exempt from
 12 both of the following:

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

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

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

22 C. Any applicable license that is not subject to minimum licensing standards
 23 set forth in federal law or regulation 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. For occupational licenses or registrations which are subject to minimum
 27 standards set forth by federal law or regulation, the professional or occupational
 28 licensing board may take any such action that may be available to maintain such
 29 licenses in an inactive or dormant status so that the servicemember or spouse may

1 resume the licensed activity promptly upon satisfying applicable minimums
2 standards.

3 D. For the purposes of this Section, "professional or occupational licensing
4 board" shall mean any state agency, board, commission, or substantially similar
5 entity, involved in the licensing, certification, or registration of any regulated
6 profession or occupation within the state of Louisiana.

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

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____