
HOUSE BILL 1009

State of Washington

68th Legislature

2023 Regular Session

By Representatives Leavitt and Barkis

Prefiled 12/06/22.

1 AN ACT Relating to military spouse employment; amending RCW
2 18.340.020 and 73.04.150; adding new sections to chapter 18.340 RCW;
3 adding a new section to chapter 28A.410 RCW; adding a new section to
4 chapter 43.60A RCW; adding a new section to chapter 38.42 RCW; and
5 creating new sections.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** This act may be known and cited as the
8 military spouse employment act.

9 NEW SECTION. **Sec. 2.** The legislature finds that the lives of
10 military spouses are dominated by frequent deployments and
11 relocations, and one-third of military families move each year. Many
12 military families depend on two incomes, and military spouses tend to
13 be better educated than the civilian population, with approximately
14 34 to 50 percent working in fields that require a professional
15 license. The length of time to credential after a move is a
16 significant employment barrier, with one study finding 20 percent of
17 military spouses waited at least 10 months for a license after moving
18 to a new state. This wait contributes to higher rates of unemployment
19 or underemployment for military spouses when compared to their
20 civilian counterparts. Given the fiscal and economic constraints of

1 military families and the readiness considerations of the department
2 of defense, the legislature intends to help alleviate the career
3 turmoil military spouses face while serving in our state.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.340
5 RCW to read as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1) "Authority" means any agency, board, commission, or other
9 authority for issuance of a license, certificate, registration, or
10 permit under this title. "Authority" does not include the department
11 of labor and industries.

12 (2) "License" means a license, certificate, registration, or
13 permit to perform professional services.

14 **Sec. 4.** RCW 18.340.020 and 2011 2nd sp.s. c 5 s 2 are each
15 amended to read as follows:

16 (1) ~~((For the purposes of this section, "authority" means any
17 board, commission, or other authority for issuance of a license,
18 certificate, registration, or permit under this title.~~

19 ~~(2) To the extent resources are available:~~

20 ~~(a))~~ Each authority shall establish procedures to expedite the
21 issuance of a license ~~(, certificate, registration, or permit to
22 perform professional services)~~ regulated by each such authority to a
23 person:

24 ~~((i))~~ (a) Who is ~~((certified or))~~ licensed, certified, or
25 registered, or has a permit in another state to perform professional
26 services in that state; and

27 ~~((ii))~~ (b) Whose spouse is the subject of a military transfer
28 to Washington ~~(; and~~

29 ~~(iii) Who left employment in the other state to accompany the
30 person's spouse to Washington))~~.

31 ~~((b))~~ (2) The procedure must include a process for issuing the
32 person a license ~~(, certificate, registration, or permit, if, in the
33 opinion of the authority, the requirements for licensure,
34 certification, registration, or obtaining a permit of such other
35 state are substantially equivalent to that required in Washington))~~
36 within 30 days of submitting a completed application.

37 ~~((e))~~ (3) Each authority in this title shall develop a method
38 and adopt rules to authorize a person who meets the criteria in

1 ((~~(a)(i) through (iii) of~~)) this ((~~subsection~~)) section to perform
2 services regulated by the authority in Washington by issuing the
3 person a temporary license(~~(, certificate, registration, or permit)~~)
4 within 30 days of submitting a completed application. The license may
5 be issued for a limited period of time of no less than 180 days to
6 allow the person to perform services regulated by the authority while
7 completing any specific additional requirements in Washington that
8 are not related to training or practice standards of the profession
9 that were not required in the other state in which the person is
10 licensed, certified, or registered, or has a permit. Nothing in this
11 section requires the authority to issue a ((~~temporary~~)) license(~~(, certificate, registration, or permit)~~) if the standards of the other
12 state are substantially unequal to Washington standards.

14 ((~~(d)~~)) (4) An applicant must state in the application that ((~~he~~
15 ~~or she~~)) the applicant:

16 ((~~(i)~~)) (a) Has requested verification from the other state or
17 states that the person is currently licensed, certified, registered,
18 or has a permit; and

19 ((~~(ii)~~)) (b) Is not subject to any pending investigation,
20 charges, or disciplinary action by the regulatory body of the other
21 state or states.

22 ((~~(e)~~)) (5) If the authority finds reasonable cause to believe
23 that an applicant falsely affirmed or stated either of the
24 requirements under ((~~(d)(i) or (ii) of this~~)) subsection (4)(a) or
25 (b) of this section, the authority may summarily suspend the
26 license(~~(, certificate, registration, or permit)~~) pending an
27 investigation or further action to discipline or revoke the
28 license(~~(, certificate, registration, or permit)~~).

29 NEW SECTION. Sec. 5. A new section is added to chapter 18.340
30 RCW to read as follows:

31 (1) Each authority must identify a contact or coordinator within
32 the authority to assist military spouse applicants and licensees.

33 (2) Each authority must provide training to each board or
34 commission member on the culture of military spouses, the military
35 spouse experience, and issues related to military spouse career
36 paths. Board or commission members appointed on or before October 1,
37 2023, must complete the training by January 1, 2024. Board or
38 commission members appointed after October 1, 2023, must complete the
39 training within 90 days after appointment. The department of veterans

1 affairs shall create an internet-based training that may be used by
2 each authority to satisfy this requirement.

3 (3) Each authority is encouraged to:

4 (a) Appoint a military spouse to serve on its licensing board or
5 commission;

6 (b) Conduct a review of the authority's licensing application
7 process for military spouses and identify barriers to military spouse
8 employment; and

9 (c) Review licensing fees and related expenses and identify
10 possible ways to reduce costs for military spouses.

11 NEW SECTION. **Sec. 6.** A new section is added to chapter 18.340
12 RCW to read as follows:

13 (1) The employment security department, the department of health,
14 the department of licensing, and the department of veterans affairs
15 shall each maintain a military spouse assistance web page containing,
16 at a minimum:

17 (a) Each authority's rules and procedures, including any required
18 fees, related to the licensing of military spouses;

19 (b) Contact information for each authority's military spouse
20 contact or coordinator; and

21 (c) Links to the military spouse assistance web pages of other
22 agencies.

23 (2) A direct link to the agency's military spouse assistance web
24 page must be displayed on the agency's home page.

25 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.410
26 RCW to read as follows:

27 The agency responsible for educator certification shall, as set
28 forth in chapter 18.340 RCW:

29 (1) Adopt rules for expedited professional certification for
30 military spouses;

31 (2) Identify a contact or coordinator to assist military spouse
32 applicants and licensees;

33 (3) Provide training to each board member on the culture of
34 military spouses, the military spouse experience, and issues related
35 to military spouse career paths; and

36 (4) Maintain a military spouse assistance web page.

1 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.60A
2 RCW to read as follows:

3 (1) The department, the employment security department, and the
4 department of commerce shall consult local chambers of commerce,
5 associate development organizations, and businesses to initiate a
6 demonstration campaign to increase military spouse employment. This
7 campaign may include partnerships with chambers of commerce that
8 result in business owners sharing, with the local chamber of
9 commerce, information on the number of military spouses employed and
10 the local chambers of commerce providing this information to the
11 department.

12 (2) Participants in the campaign are encouraged to work with the
13 Washington state military transition council and county veterans'
14 advisory boards under RCW 73.08.035.

15 (3) Funding for the campaign shall be established from existing
16 resources.

17 (4) For the purposes of this section, "military spouse" means any
18 person married or previously married to a military service member,
19 irrespective of the length of the marriage, during the military
20 service member's service in any branch of the United States armed
21 forces as an active duty service member, reservist, or national guard
22 member.

23 NEW SECTION. **Sec. 9.** A new section is added to chapter 38.42
24 RCW to read as follows:

25 (1) The spouse of a service member may terminate an employment
26 contract without penalty at any time after the service member
27 receives military service orders for a permanent change of station
28 if:

29 (a) The spouse provides written notice, including email, to the
30 employer of the termination under this section; and

31 (b) The spouse provides written proof to the employer of the
32 official orders showing that the service member has received military
33 orders for a permanent change of station.

34 (2) Termination of an employment contract under this section is
35 effective on the day notice is given under subsection (1) of this
36 section or on a date mutually agreed to by the parties to the
37 employment contract.

38 (3) An employer may not impose any penalty for termination of an
39 employment contract under this section.

1 (4) For purposes of this section:

2 (a) "Employment contract" means a contract that establishes the
3 terms of employment or other professional relationship with the
4 spouse of a service member. "Employment contract" does not include an
5 independent contractor agreement.

6 (b) "Penalty" means any fee or cost or liability for breach of
7 contract or any other adverse consequence imposed by the employer.

8 (5) This section applies prospectively only and not
9 retroactively. It applies only to employment contracts entered into
10 on or after the effective date of this section.

11 (6) Nothing in this section shall be construed as altering the
12 terms, conditions, or practices contained in any collective
13 bargaining agreement in effect on the effective date of this section
14 until the expiration date of such agreement.

15 **Sec. 10.** RCW 73.04.150 and 2017 c 184 s 1 are each amended to
16 read as follows:

17 (1) There is hereby created a joint committee on veterans' and
18 military affairs. The committee shall consist of: (a) Eight members
19 of the senate appointed by the president of the senate, four of whom
20 shall be members of the majority party and four of whom shall be
21 members of the minority party; and (b) eight members of the house of
22 representatives appointed by the speaker, four of whom shall be
23 members of the majority party and four of whom shall be members of
24 the minority party. Members of the committee shall be appointed
25 before the close of the 2005 legislative session, and before the
26 close of each regular session during an odd-numbered year thereafter.

27 (2) Each member's term of office shall run from the close of the
28 session in which he or she was appointed until the close of the next
29 regular session held in an odd-numbered year. If a successor is not
30 appointed during a session, the member's term shall continue until
31 the member is reappointed or a successor is appointed. The term of
32 office for a committee member who does not continue as a member of
33 the senate or house of representatives shall cease upon the convening
34 of the next session of the legislature during an odd-numbered year
35 after the member's appointment, or upon the member's resignation,
36 whichever is earlier. Vacancies on the committee shall be filled by
37 appointment in the same manner as described in subsection (1) of this
38 section. All such vacancies shall be filled from the same political
39 party and from the same house as the member whose seat was vacated.

1 (3) The committee shall establish an executive committee of four
2 members, two of whom are members of the senate and two of whom are
3 members of the house of representatives. The executive committee
4 shall appoint one cochair from the two executive committee members
5 who are senators and one cochair from the two executive committee
6 members who are representatives. The two cochairs shall be from
7 different political parties and their terms of office shall run from
8 the close of the session in which they are appointed until the close
9 of the next regular session in an odd-numbered year. The executive
10 committee is responsible for performing all general administrative
11 and personnel duties assigned to it in the rules and procedures
12 adopted by the joint committee, as well as other duties delegated to
13 it by the joint committee.

14 (4) The joint committee on veterans' and military affairs has the
15 following powers and duties:

16 (a) To study veterans' issues, active military forces issues, and
17 national guard and reserve component issues, and make recommendations
18 to the legislature; and

19 (b) To study structure and administration of the department of
20 veterans affairs and the military department, and make
21 recommendations to the legislature.

22 (5) The joint committee shall adopt rules and procedures for its
23 orderly operation. The joint committee may create subcommittees to
24 perform duties under this section.

25 (6) The regulating authorities for the department of licensing
26 ~~((and)), the department of health, and the professional educator~~
27 standards board shall file reports to the legislature ~~((biennially~~
28 ~~and the Washington state military transition council))~~ annually
29 beginning January 1, ~~((2018))~~ 2024, and appear annually before the
30 joint committee on veterans' and military affairs, to provide updates
31 on progress in their efforts to implement the requirements of chapter
32 18.340 RCW, chapter 32, Laws of 2011, ~~((and))~~ chapter 351, Laws of
33 2011 ~~((. By January 1, 2018, the department of labor and industries~~
34 ~~and the professional educator standards board must each submit a~~
35 ~~report to the legislature, including an assessment on how its~~
36 ~~licensing, certification, and apprenticeship programs apply training~~
37 ~~and experience acquired by military members and their spouses outside~~
38 ~~of Washington, and recommendations about whether such programs should~~

1 ~~be included in the reporting schedule within this subsection)~~, and
2 section 6 of this act.

--- END ---