

SENATE FILE NO. SF0092

Professional licensing-military members.

Sponsored by: Senator(s) Hastert, Johnson and Martin and
Representative(s) Throne

A BILL

for

1 AN ACT relating to professions and occupations; providing
2 for issuance of professional licenses, certificates or
3 registration to members of the military or military spouses
4 as specified; providing for applicability and exceptions;
5 granting rulemaking authority; providing definitions; and
6 providing for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 33-1-116 is created to read:

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12 **33-1-116. Professional licensing for military.**

13

14 (a) Notwithstanding any other provision of this
15 title, an occupational licensing board shall issue a
16 license, certification or registration to a military
17 service member applicant to allow the applicant to lawfully

1 practice the applicant's occupation in this state if the
2 military service member applicant:

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4 (i) Has completed a military program of
5 training, been awarded a military occupational specialty
6 and performed in that specialty at a level that is
7 substantially equivalent to or exceeds the requirements for
8 licensure, certification or registration of the
9 occupational licensing board for which the military service
10 applicant is seeking licensure, certification or
11 registration in this state;

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13 (ii) Has engaged in the active practice of the
14 occupation for which the military service applicant is
15 seeking a license, certification or registration from the
16 occupational licensing board in this state for at least two
17 (2) of the five (5) years preceding the date of the
18 application under this subsection;

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20 (iii) Has not committed any act in any
21 jurisdiction that would have constituted grounds for
22 refusal, suspension or revocation of a license, certificate
23 or registration to practice that occupation in this state
24 at the time the act was committed;

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2 (iv) Completes an application and pays any fee
3 required by the occupational licensing board for which the
4 applicant is seeking licensure, certification or
5 registration in this state.

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7 (b) An occupational licensing board shall issue a
8 license, certification or registration to a military spouse
9 to allow the military spouse to lawfully practice the
10 spouse's occupation in this state if the military spouse:

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12 (i) Holds a current license, certificate or
13 registration from another jurisdiction and that
14 jurisdiction's requirements for licensure, certification or
15 registration are substantially equivalent to or exceed the
16 requirements for licensure, certification or registration
17 of the occupational licensing board for which the applicant
18 is seeking licensure, certification or registration in this
19 state;

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21 (ii) Demonstrates competency in the occupation
22 in a manner determined by the appropriate occupational
23 licensing board, such as having completed continuing
24 education units or having had relevant experience for at

1 least two (2) of the five (5) years preceding the date of
2 application under this subsection;

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4 (iii) Has not committed any act in any
5 jurisdiction that would have constituted grounds for
6 refusal, suspension or revocation of a license, certificate
7 or registration to practice that occupation in this state
8 at the time the act was committed;

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10 (iv) Is in good standing and has not been
11 disciplined by the agency that had jurisdiction to issue
12 the license, certificate or registration;

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14 (v) Completes an application and pays any fee
15 required by the occupational licensing board for which the
16 applicant is seeking licensure, certification or
17 registration in this state.

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19 (c) All relevant experience of a military service
20 applicant in the discharge of official duties or, for a
21 military spouse, all relevant experience, including full-
22 time and part-time experience, regardless of whether in a
23 paid or volunteer capacity, shall be credited in the

1 calculation of years of practice in an occupation as
2 required under subsection (a) or (b) of this section.

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4 (d) A nonresident who is licensed, certified or
5 registered under this section shall be entitled to the same
6 rights and subject to the same obligations as required of a
7 resident licensed, certified or registered by an
8 occupational licensing board in this state.

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10 (e) This section shall apply to all professions and
11 occupations for which licensure, certification or
12 registration is required under W.S. 21-2-802 or under title
13 33 of the Wyoming statutes except chapter 5, attorneys at
14 law, and chapter 26, physicians and surgeons.

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16 (f) An occupational licensing board may issue a
17 temporary practice permit to a military service applicant
18 or military spouse licensed, certified or registered in
19 another jurisdiction while the military service applicant
20 or military spouse is satisfying the requirements for
21 licensure under subsection (a) or (b) of this section if
22 that jurisdiction has licensure, certification or
23 registration standards substantially equivalent to the
24 standards for licensure, certification or registration of

1 an occupational licensing board in this state. The military
2 service applicant or military spouse may practice under the
3 temporary permit until a license, certification or
4 registration is granted or until a notice to deny a
5 license, certification or registration is issued in
6 accordance with rules adopted by the occupational licensing
7 board.

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9 (g) A professional or occupational licensing board
10 may adopt rules necessary to implement this section.

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12 (h) Nothing in this section shall be construed to
13 prohibit a military service applicant or military spouse
14 from proceeding under the existing licensure, certification
15 or registration requirements established by an occupational
16 licensing board in this state.

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18 (j) For purposes of this section:

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20 (i) "Military service member" mean a person
21 currently serving in a capacity described in W.S.
22 19-7-402(a)(i) through (iii) or who was honorably
23 discharged from such service within the immediately
24 preceding five (5) years;

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(ii) "Military spouse" means a person who was married to and living with a military service member during the member's active military service.

Section 2. This act is effective July 1, 2012.

(END)