

1 SB141
2 216603-2
3 By Senator Butler
4 RFD: Veterans and Military Affairs
5 First Read: 01-FEB-22

1 SB141

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4 ENROLLED, An Act,

5 Relating to military spouses; to amend Section
6 31-1-6, Code of Alabama 1975, to revise requirements for
7 occupational licensing boards to adopt rules that provide for
8 reciprocal occupational licenses for military spouses under
9 certain circumstances.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

13 "§31-1-6.

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

16 "(b) Except as provided in subsection (h), and
17 notwithstanding other provisions of law, this section shall
18 apply to any board, agency, commission, or other entity
19 providing professional licenses or certificates, or both, for
20 the purpose of employment in the State of Alabama. On or
21 before January 1, ~~2019~~ 2023, each board, ~~commission, or~~ agency
22 , or commission providing professional licenses or
23 certificates, or both, shall ~~promulgate~~ adopt rules in
24 conformity with this section for the purpose of implementing

1 its requirements. The rules shall provide a method of
2 accomplishing both of the following:

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

9 "(2) A procedure for authorizing an eligible
10 individual to perform professional services regulated by the
11 board, agency, or commission in this state pursuant to a
12 temporary permit, effective for at least ~~180~~ 360 days, while
13 ~~the eligible individual completes the specific requirements of~~
14 ~~the~~ board, agency, or commission deliberates the application
15 to obtain a license or certificate in this state, ~~that were~~
16 ~~not required in the original issuing state~~ as provided in
17 subsection (d).

18 "(c) For the purposes of this section, an eligible
19 individual is any individual who satisfies all of the
20 following:

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

22 "a. An ~~an~~ active duty, reserve, or transitioning
23 member of the United States Armed Forces, including the
24 National Guard, or a surviving spouse of a service member who,
25 at the time of his or her death, was serving on active duty,

1 who is relocated to and stationed in the State of Alabama
2 under official military orders. For the purposes of this
3 section, a transitioning service member is a member of the
4 United States Armed Forces, including the National Guard, on
5 active duty status or on separation leave who is within 24
6 months of retirement.

7 "b. An individual currently employed by the United
8 States Department of Justice or any of its encompassed
9 offices, agencies, institutes, and bureaus, including, but not
10 limited to, the Federal Bureau of Investigation (FBI), the
11 U.S. Attorney's Office, the Bureau of Alcohol, Tobacco,
12 Firearms, and Explosives (ATF), the Drug Enforcement
13 Administration (DEA), and the United States Marshall Service
14 (USMS), who is relocated to Alabama by order of their
15 employer.

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

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

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

1 "(d) Any eligible individual under subsection (c)
2 who possesses a valid license or certificate, in good
3 standing, in another state, district, or territory of the
4 United States, or in any branch of the United States Armed
5 Forces, including the National Guard, ~~with licensing or~~
6 ~~certification requirements greater than or substantially~~
7 ~~similar to the licensing or certification requirements of~~
8 that is substantially similar to the license issued by the
9 appropriate board, ~~commission, or agency~~ , or commission in
10 the State of Alabama shall be approved to continue work in his
11 or her profession upon relocation to the State of Alabama for
12 such time as normally allotted with receipt of a license or
13 certificate from the appropriate board, ~~commission, or agency~~
14 , or commission. Upon completion of an application ~~that~~
15 ~~documents compliance with the receiving agency's requirements~~
16 ~~for a certificate or license,~~ an authorized board, ~~commission,~~
17 ~~or agency~~ , or commission shall expedite the application
18 according to statute, ~~promulgated~~ adopted rules, or if
19 applicable, at the next scheduled licensure proceeding for an
20 eligible individual under subsection (c).

21 "(e) Any board, ~~commission, or agency~~ , or
22 commission in the State of Alabama may establish reciprocity
23 with other states for military spouse professional licensing
24 and certification.

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

7 "(g) Any board, agency, commission, or other entity
8 providing professional licenses or certificates, or both, for
9 the purpose of employment in the state, shall waive the
10 initial licensing fee for the eligible individual upon
11 application by the eligible individual in a manner prescribed
12 by the board, agency, commission, or other entity. The board,
13 agency, commission, or other entity shall process an
14 application for a fee waiver within 30 days after receiving
15 the application.

16 "(h) This section does not apply to the practice of
17 law or the regulation of attorneys, any license or
18 registration issued by the Securities Commission under the
19 Alabama Securities Act, any certification issued by the
20 Alabama Peace Officers' Standards and Training Commission, or
21 the practice of any profession regulated by the Alabama State
22 Board of Pharmacy, Board of Optometry, Board of Dental
23 Examiners, State Board of Chiropractic Examiners, Alabama
24 Liquefied Petroleum Gas Board, or State Board of Medical
25 Examiners."

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB141

Senate 15-FEB-22

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,
Secretary.

House of Representatives
Amended and passed 24-FEB-22

Senate concurred in House amendment 24-FEB-22

By: Senator Butler