

1 HB388
2 191227-4
3 By Representative McClammy
4 RFD: Military and Veterans Affairs
5 First Read: 08-FEB-18

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2 ENROLLED, An Act,

3 To amend Section 31-1-6, Code of Alabama 1975,
4 relating to the issuance of professional licenses and
5 certificates to the spouses of active duty military personnel;
6 to name the section the Military Family Jobs Opportunity Act;
7 to require the adoption of rules to implement the issuance of
8 and acknowledgement of professional licenses and certificates
9 obtained in other jurisdictions by the spouses of active duty
10 military personnel, if the issuing state has licensing
11 criteria that is greater than or substantially similar to that
12 of Alabama; to provide for the issuance of temporary licenses
13 and certificates under certain circumstances; and to
14 specifically exclude from the act any license or registration
15 issued by the Securities Commission under the Alabama
16 Securities Act, any certification issued by the Alabama Peace
17 Officers' Standards and Training Commission, and the practice
18 of any profession regulated by the Alabama State Board of
19 Pharmacy, Board of Dental Examiners, State Board of
20 Chiropractic Examiners, Alabama Liquefied Petroleum Gas Board,
21 and State Board of Medical Examiners.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Section 31-1-6 of the Code of Alabama
24 1975, is amended to read as follows:

25 "§31-1-6.

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

3 "~~(a)~~(b) Except as provided in subsection ~~(e)~~ (h),
4 and notwithstanding other provisions of law, this section
5 shall apply to any board, agency, commission, or other entity
6 providing professional licenses or certificates, or both, for
7 the purpose of employment in the State of Alabama. ~~Each~~ On or
8 before January 1, 2019, each board, commission, or agency
9 providing professional licenses or certificates, or both, ~~may~~
10 shall promulgate rules in conformity with this section for the
11 purpose of implementing its requirements. The rules shall
12 provide a method of accomplishing both of the following:

13 "(1) The issuance of a license or certificate to an
14 eligible individual if the requirements for certification or
15 licensure of the original issuing state or governing body are
16 substantially equivalent to that required in the state, as
17 provided in subsection (d).

18 "(2) A procedure for authorizing an eligible
19 individual to perform professional services regulated by the
20 board, agency, or commission in this state pursuant to a
21 temporary permit, effective for at least 180 days, while the
22 eligible individual completes the specific requirements of the
23 board, agency, or commission to obtain a license or
24 certificate in this state that were not required in the
25 original issuing state.

1 ~~"(b)(c) Except as provided in subsection (e), and~~
2 ~~notwithstanding other provisions of law, this section shall~~
3 ~~apply to individuals who~~ For the purposes of this section, an
4 eligible individual is any individual who satisfies all of the
5 following:

6 ~~"(1) Are married to and living with~~ Is the spouse of
7 an active duty ~~reserve, or transitioning~~ member of the United
8 States Armed Forces, including the National Guard, or a
9 surviving spouse of a service member who, at the time of his
10 or her death, was serving on active duty, ~~who is relocated to~~
11 ~~and stationed in the State of Alabama under official military~~
12 ~~orders.~~ For the purposes of this section, a transitioning
13 service member is a member of the United States Armed Forces,
14 including the National Guard, on active duty status or on
15 separation leave who is within 24 months of retirement.

16 ~~"(2) Have~~ Has ~~not committed or participated in an~~
17 ~~act that would constitute grounds for refusal, suspension, or~~
18 ~~revocation of a professional license or certificate.~~

19 ~~"(3) Have~~ Has ~~not been disciplined by an authorized~~
20 ~~entity or are~~ under investigation, in any jurisdiction, in
21 relation to a professional license or certificate.

22 ~~"(4) Pay any required fee and submit to any required~~
23 ~~criminal or other background check by an authorized board,~~
24 ~~commission, or agency in the State of Alabama.~~

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

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

22 "(f) Any board, agency, commission, or other entity
23 providing professional licenses or certificates, or both, for
24 the purpose of employment in this state, that is created after
25 the effective date of the act adding this amendatory language,

1 shall adopt the rules required by this section within one year
2 after the date of its initial organizational meeting.

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

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

21 Section 2. This act shall become effective
22 immediately following its passage and approval by the
23 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 27-FEB-18, as amended.

Jeff Woodard
Clerk

Senate	22-MAR-18	Amended and Passed
House	28-MAR-18	Concurred in Senate Amendment