

1 HB338  
2 149149-4  
3 By Representatives Lee, McMillan, Hubbard (M), Chesteen,  
4 Boothe, Grimsley, Clouse, Collins, Greer, Nordgren,  
5 Sanderford, Carns, Sessions, Patterson, Buttram, Gaston,  
6 Fincher, Johnson (K) and Beckman  
7 RFD: Boards, Agencies and Commissions  
8 First Read: 21-FEB-13

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ENROLLED, An Act,

To facilitate the ability of discharged military service members receiving licensure and academic credit for military education, training, and experience; and to provide that a license of a service member shall remain in good standing, with certain exemptions, while the member is deployed, and for a certain period of time.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Legislative Findings.

The Legislature recognizes the importance of active military personnel, veterans, and military facilities to the well-being, safety, and economic development of the State of Alabama. The Legislature further recognizes and finds that discharged service members leave the military with documented training and experience that can prepare them for civilian employment; however, this documentation is not always able to result in qualifying them for licenses required for their occupation or providing them with academic credit. By providing for expedited licensure and increased academic credit recognition for a service member's military training and experience, the state can help promote the employment of veterans.

Section 2. Occupational Licenses Based on Military Education, Training, or Service.

1           Each of the examining boards, licensing boards, and  
2 departments described in Chapters 1 through 43 of Title 34 of  
3 the Code of Alabama 1975, as amended, shall, upon presentation  
4 of satisfactory evidence by an applicant for certification or  
5 licensure, accept education, training, or service completed by  
6 an individual as a member of the Armed Forces or reserves of  
7 the United States, the National Guard of any state, the  
8 military reserves of any state, or the naval militia of any  
9 state toward the qualifications to receive the license or  
10 certification. Each such board and department shall promulgate  
11 rules to implement this section.

12           Section 3. Academic Credits Based on Military  
13 Education, Training, or Service.

14           Each board of a state public educational  
15 institution, community college, or technical school shall  
16 adopt, by December 31, 2013, a policy requiring each  
17 institution under the board's supervision and management to  
18 award educational credits to a student, who is also a veteran,  
19 enrolled in the institution for courses that are part of the  
20 student's military training or service and that meet the  
21 standards of the American Council on Education or equivalent  
22 standards for awarding academic credit if the award of  
23 education credit is based upon the institution's admission  
24 standards and its role, scope, and mission. Each board shall  
25 adopt necessary rules, regulations, and procedures to

1 implement the provisions of this section, effective beginning  
2 with the 2014-2015 academic year and continuing thereafter.

3 Section 4. Extension of Licensing for Military  
4 Service Members.

5 (a) Notwithstanding any other statute to the  
6 contrary, except as provided in subsection (c) of this  
7 section, any member of the Armed Forces of the United States  
8 ~~shall be kept in good standing by the administrative or~~  
9 ~~licensing body with which he or she is licensed or certified~~  
10 ~~while on active duty if, at the time of activation, either of~~  
11 ~~the following applies:~~

12 ~~(1) The member was in good standing and with any~~  
13 ~~administrative or licensing body of the state.~~

14 ~~(2) The member was duly licensed or certified to~~  
15 ~~engage in his or her profession or vocation in Alabama.~~

16 shall be left in good standing until, at a minimum,  
17 December 31, of the first year following the end of his or her  
18 deployment, by the administrative or licensing body with which  
19 he or she is licensed or certified, while deployed, if at the  
20 time of deployment, the member was in good standing with the  
21 branch of the armed services and with the administrative  
22 licensing body.

23 (b) While a licensee or certificate holder is ~~an~~  
24 ~~active-duty~~ deployed as a member of the Armed Forces of the

1 United States, the license or certificate referenced in  
2 subdivision (1) shall be renewed without:

3 (1) The payment of dues or fees;

4 (2) Obtaining continuing education credits when:

5 a. Circumstances associated with military duty  
6 prevent obtaining training and a waiver request has been  
7 submitted to the appropriate administrative body; or

8 b. The ~~active duty~~ military member performs the  
9 licensed or certified occupation as part of his or her  
10 military duties as annotated in Defense Department form 214  
11 (DD214); or

12 (3) Performing any other act typically required for  
13 the renewal of the license or certificate.

14 (c) Notwithstanding subsections (a) and (b), the  
15 licensing board, in its discretion, may require that the  
16 licensee receive additional credits within the year following  
17 the end of the deployment.

18 (d) Licensees of the Alabama State Bar are regulated  
19 by the Alabama Supreme Court and are therefore exempt from  
20 this section. The court may provide waivers and exemptions for  
21 active duty and deployed military members.

22 ~~(c) The license or certificate issued under this~~  
23 ~~section shall be continued as long as the licensee or~~  
24 ~~certificate holder is a member of the Armed Forces of the~~

1 ~~United States on active duty and for a period of at least six~~  
2 ~~months after discharge from active duty.~~

3           Section 5. Nothing in this act shall be construed to  
4 infringe on the ability or decision of a public institution of  
5 higher education to determine the number of credits accepted  
6 by the institution that may be counted toward graduation.

7           Section 6. If a court of competent jurisdiction  
8 adjudges invalid or unconstitutional any clause, sentence,  
9 paragraph, section, or part of this act, such judgment or  
10 decree shall not affect, impair, invalidate, or nullify the  
11 remainder of this act, but the effect of the decision shall be  
12 confined to the clause, sentence, paragraph, section, or part  
13 of this act adjudged to be invalid or unconstitutional.

14           Section 7. All laws or parts of laws which conflict  
15 with this act are repealed.

16           Section 8. This act shall become effective  
17 immediately following its passage and approval by the  
18 Governor, or its otherwise becoming law.

