

Senate Bill 285 - Prefile

By: Senator Thompson of the 14th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and  
2 businesses, so as to provide for military spouses licensed in other states to practice certain  
3 professions and occupations without being required to obtain a license to practice in this  
4 state; to provide for definitions; to provide for conforming amendments; to provide for  
5 related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,  
9 is amended by revising Code Section 43-1-34, relating to military spouses and veterans  
10 licensure, as follows:

11 "43-1-34.

12 (a) As used in this Code section, the term:

13 (1) 'License' means a document, permit, certificate of registration, or other authorization  
14 issued by or on behalf of a professional licensing board or other board that is required  
15 under this title for a person to engage in a profession, business, or trade.

16 (2) 'Military' means the United States armed forces, including the National Guard.

17 ~~(3) 'Military spouse' means a spouse of a service member or transitioning service~~  
18 ~~member.~~

19 ~~(4)~~(3) 'Other board' means a board created pursuant to this title that is not a professional  
20 licensing board.

21 ~~(5)~~(4) 'Service member' means an active or reserve member of the armed forces,  
22 including the National Guard.

23 ~~(6)~~(5) 'Transitioning service member' means a member of the military on active duty  
24 status or on separation leave who is within 24 months of retirement or 12 months of  
25 separation.

26 (b) No later than July 1, 2017, each professional licensing board and other board shall  
 27 adopt rules and regulations implementing a process by which ~~military spouses and~~  
 28 transitioning service members may qualify for temporary licenses, licenses by  
 29 endorsement, expedited licenses, or a combination thereof for each profession, business,  
 30 or trade for which a license is issued. Such process may include the issuance of a license  
 31 to an applicant based upon such applicant:

32 (1) Holding a license from another state for which the training, experience, and testing  
 33 substantially meet or exceed the requirements under this state to obtain a license; and

34 (2) Obtaining a specialty, certification, training, or experience in the military while a  
 35 service member which substantially meets or exceeds the requirements to obtain a license  
 36 in this state.

37 (c) Any professional licensing board or other board created after June 30, 2016, shall adopt  
 38 within one year of its creation the rules and regulations required by subsection (b) of this  
 39 Code section."

## 40 SECTION 2.

41 Said title is amended by adding a new Code section to read as follows:

42 "43-1-34.1.

43 (a) As used in this Code section, the term:

44 (1) 'License' means a document, permit, certificate of registration, or other authorization  
 45 issued by or on behalf of a professional licensing board or other board that is required  
 46 under this title for a person to engage in a profession, business, or trade.

47 (2) 'Military' means the United States armed forces, including the National Guard.

48 (3) 'Other board' means a board created pursuant to this title that is not a professional  
 49 licensing board.

50 (4) 'Service member' means an active or reserve member of the armed forces, including  
 51 the National Guard.

52 (5) 'State' means a state of the United States, the District of Columbia, Puerto Rico, the  
 53 United States Virgin Islands, or any territory or insular possession subject to the  
 54 jurisdiction of the United States.

55 (6) 'Transitioning service member' means a member of the military on active duty status  
 56 or on separation leave who is within 24 months of retirement or 12 months of separation.

57 (b) Notwithstanding any other provisions of law, an individual shall not be required to be  
 58 licensed in this state to practice an occupation or profession regulated by a professional  
 59 licensing board or other board provided that such individual:

60 (1) Is a spouse of a service member or transitioning service member stationed within this  
 61 state;

- 62 (2) Holds a current license to practice such occupation or profession issued by another  
 63 state; and  
 64 (3) Is in good standing in such other state."

65 **SECTION 3.**

66 Said title is further amended by revising subsection (g) of Code Section 43-10-8, relating to  
 67 certificate of registration required for barbers and cosmetologists, as follows:

68 "(g)(1) Notwithstanding any other provisions of this chapter, any current or discharged  
 69 member of the military ~~or any spouse of a current or discharged member of the military~~  
 70 may apply to the board for the immediate issuance of a certificate of registration issued  
 71 pursuant to this chapter, provided that such individual holds a license or certification from  
 72 another state for which the training, experience, and testing substantially meet or exceed  
 73 the requirements in this state to obtain the certificate of registration for which such  
 74 individual is applying.

75 (2) As used in this ~~paragraph~~ subsection, the term:

76 (A) 'Discharge' means an honorable discharge or a general discharge from active  
 77 military service. The term 'discharge' shall not mean a discharge under other than  
 78 honorable conditions, a bad conduct discharge, or a dishonorable discharge.

79 (B) 'Military' means any regular or reserve component of the United States armed  
 80 forces, the Georgia Army National Guard, or the Georgia Air National Guard."

81 **SECTION 4.**

82 Said title is further amended by revising Code Section 43-14-16, relating to limited reciprocal  
 83 licensing of military spouses as Electrical Contractors Class I, Journeyman Plumbers,  
 84 Conditioned Air Contractors Class I, or Utility Foremen, as follows:

85 "43-14-16.

86 ~~(a) As used in this Code section, the term 'military' means the armed forces of the United~~  
 87 ~~States or a reserve component of the armed forces of the United States, including the~~  
 88 ~~National Guard.~~

89 ~~(b) The spouse of any member of the military who resides in this state due to the~~  
 90 ~~assignment of the military spouse and who holds a license or certification from another~~  
 91 ~~state the training, experience, and testing for which substantially meet or exceed the~~  
 92 ~~Georgia requirements to obtain a license or certification as an Electrical Contractor Class~~  
 93 ~~I, Journeyman Plumber, Conditioned Air Contractor Class I, or Utility Foreman shall be~~  
 94 ~~entitled to apply to the licensing board for the immediate issuance of such a license or~~  
 95 ~~certification. In order to qualify under this subsection, an applicant shall make application~~  
 96 ~~not later than 180 days after his or her relocation to the State of Georgia. Such application~~

97 shall be in such form and shall require such documentation as the division director shall  
 98 determine. A committee composed of the division director, members of the Governor's  
 99 Office of Workforce Development, and members of the relevant divisions of the licensing  
 100 board representing the profession for which the applicant is seeking a license, with a  
 101 chairperson appointed by the Governor from among the membership of the committee,  
 102 shall determine whether the training, experience, and testing for obtaining a license in the  
 103 relevant foreign state substantially meet or exceed the requirements to obtain the  
 104 professional licenses provided in this state. If the applicant satisfies the requirements of  
 105 this Code section, the division director shall direct the appropriate division to issue the  
 106 appropriate license, and the division shall immediately issue such license; provided,  
 107 however, that the applicant shall satisfy all financial and insurance requirements for the  
 108 issuance of such license. This Code section shall only apply to the initial issuance of a  
 109 license. After the initial issuance of a license, the licensee shall be subject to any  
 110 provisions relating to the renewal of the license applicable to all licensees Reserved."

111 **SECTION 5.**

112 Said title is further amended by revising Code Section 43-41-19, relating to reciprocal  
 113 professional licensing of military spouses as residential and general contractors, as follows:  
 114 "43-41-19.

115 (a) ~~As used in this Code section, the term 'military' means the armed forces of the United~~  
 116 ~~States or a reserve component of the armed forces of the United States, including the~~  
 117 ~~National Guard.~~

118 (b) ~~The spouse of any member of the military who resides in this state due to the~~  
 119 ~~assignment of the military spouse and who holds a license or certification from another~~  
 120 ~~state the training, experience, and testing for which substantially meet or exceed the~~  
 121 ~~Georgia requirements to obtain a license or certification as a residential-light commercial~~  
 122 ~~contractor shall be entitled to apply to the licensing board for the immediate issuance of~~  
 123 ~~such a license. In order to qualify under this subsection, an applicant shall make~~  
 124 ~~application not later than 180 days after his or her relocation to the State of Georgia. Such~~  
 125 ~~application shall be in such form and shall require such documentation as the division~~  
 126 ~~director shall determine. A committee composed of the division director, members of the~~  
 127 ~~Governor's Office of Workforce Development, and members of the relevant divisions of~~  
 128 ~~the licensing board representing the profession for which the applicant is seeking a license,~~  
 129 ~~with a chairperson appointed by the Governor from among the membership of the~~  
 130 ~~committee, shall determine whether the training, experience, and testing for obtaining a~~  
 131 ~~license in the relevant foreign state substantially meet or exceed the requirements to obtain~~  
 132 ~~the professional licenses provided in this state. If the applicant satisfies the requirements~~

133 ~~of this Code section, the division director shall direct the appropriate division to issue the~~  
134 ~~license, and such division shall immediately issue such license; provided, however, that the~~  
135 ~~applicant shall satisfy all financial and insurance requirements for the issuance of such~~  
136 ~~license. This Code section shall only apply to the initial issuance of a license. After the~~  
137 ~~initial issuance of a license, the licensee shall be subject to any provisions relating to the~~  
138 ~~renewal of the license applicable to all licensees Reserved.~~"

139 **SECTION 6.**

140 Said title is further amended by revising subsection (a) of Code Section 43-50-42, relating  
141 to issuance and renewal of temporary license by State Board of Veterinary Medicine, as  
142 follows:

143 "(a) Pursuant to Code Section 43-1-34, the board may issue a temporary license to **military**  
144 ~~spouses and~~ transitioning service members."

145 **SECTION 7.**

146 All laws and parts of laws in conflict with this Act are repealed.