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SECOND SUBSTITUTE HOUSE BILL 1009

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AS AMENDED BY THE SENATE

Passed Legislature - 2023 Regular Session

**State of Washington                      68th Legislature                      2023 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Leavitt, Barkis, Ryu, Paul, Donaghy, Slatter, Simmons, Low, Volz, Schmidt, Christian, Lekanoff, Griffey, Doglio, Robertson, Orwall, Caldier, Reeves, Bronoske, Bergquist, Shavers, Riccelli, and Ormsby)

READ FIRST TIME 02/06/23.

1            AN ACT Relating to military spouse employment; amending RCW  
2 18.340.020 and 73.04.150; adding new sections to chapter 18.340 RCW;  
3 adding a new section to chapter 28A.410 RCW; adding a new section to  
4 chapter 43.60A RCW; adding a new section to chapter 38.42 RCW;  
5 creating new sections; and providing an effective date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7            NEW SECTION.    **Sec. 1.**    This act may be known and cited as the  
8 military spouse employment act.

9            NEW SECTION.    **Sec. 2.**    The legislature finds that the lives of  
10 military spouses are dominated by frequent deployments and  
11 relocations, and one-third of military families move each year. Many  
12 military families depend on two incomes, and military spouses tend to  
13 be better educated than the civilian population, with approximately  
14 34 to 50 percent working in fields that require a professional  
15 license. The length of time to credential after a move is a  
16 significant employment barrier, with one study finding 20 percent of  
17 military spouses waited at least 10 months for a license after moving  
18 to a new state. This wait contributes to higher rates of unemployment  
19 or underemployment for military spouses when compared to their  
20 civilian counterparts. Given the fiscal and economic constraints of

1 military families and the readiness considerations of the department  
2 of defense, the legislature intends to help alleviate the career  
3 turmoil military spouses face while serving in our state.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.340  
5 RCW to read as follows:

6 The definitions in this section apply throughout this chapter  
7 unless the context clearly requires otherwise.

8 (1) "Authority" means any agency, board, commission, or other  
9 authority for issuance of a license, certificate, registration, or  
10 permit under this title. "Authority" does not include the department  
11 of labor and industries, or the department of financial institutions  
12 with respect to escrow agent licensure under chapter 18.44 RCW.

13 (2) "License" means a license, certificate, registration, or  
14 permit to perform professional services.

15 **Sec. 4.** RCW 18.340.020 and 2011 2nd sp.s. c 5 s 2 are each  
16 amended to read as follows:

17 (1) ~~((For the purposes of this section, "authority" means any~~  
18 ~~board, commission, or other authority for issuance of a license,~~  
19 ~~certificate, registration, or permit under this title.~~

20 ~~(2) To the extent resources are available:))~~

21 (a) Each authority shall establish procedures to expedite the  
22 issuance of a license ~~(, certificate, registration, or permit to~~  
23 ~~perform professional services))~~ regulated by each such authority to a  
24 person:

25 (i) Who is ~~((certified or))~~ licensed, certified, or registered,  
26 or has a permit in another state to perform professional services in  
27 that state; and

28 (ii) Whose spouse is the subject of a military transfer to  
29 Washington ~~((; and~~

30 ~~(iii) Who left employment in the other state to accompany the~~  
31 ~~person's spouse to Washington))~~.

32 (b) The procedure must include a process for issuing the person a  
33 license ~~(, certificate, registration, or permit, if, in the opinion~~  
34 ~~of the authority, the requirements for licensure, certification,~~  
35 ~~registration, or obtaining a permit of such other state are~~  
36 ~~substantially equivalent to that required in Washington))~~ within 30  
37 days of receiving a completed application. A completed application  
38 means that the authority has received all supporting materials,

1 related application fees, fingerprints, and required documentation  
2 associated with a criminal background check.

3 ~~((e))~~ (2) Each authority in this title shall develop a method  
4 and adopt rules to authorize a person who meets the criteria in  
5 ~~((a)(i) through (iii) of)~~ this ~~((subsection))~~ section to perform  
6 services regulated by the authority in Washington by issuing the  
7 person a temporary license~~(, certificate, registration, or permit)~~  
8 within 30 days of receiving a completed application. A completed  
9 application means that the authority has received a copy of the  
10 certificate issued by the other state for a certificated education  
11 professional, related application fees, fingerprints, and required  
12 documentation associated with a criminal background check. The  
13 license may be issued for a limited period of time of no less than  
14 180 days to allow the person to perform services regulated by the  
15 authority while completing any specific additional requirements in  
16 Washington that are not related to training or practice standards of  
17 the profession that were not required in the other state in which the  
18 person is licensed, certified, or registered, or has a permit.

19 (3) Nothing in this section requires the authority to issue a  
20 ~~((temporary))~~ license~~(, certificate, registration, or permit)~~ if  
21 the standards of the other state are substantially unequal to  
22 Washington standards.

23 ~~((d))~~ (4) An applicant must state in the application that ~~((he~~  
24 ~~or she))~~ the applicant:

25 ~~((i))~~ (a) Has requested verification from the other state or  
26 states that the person is currently licensed, certified, registered,  
27 or has a permit; and

28 ~~((ii))~~ (b) Is not subject to any pending investigation,  
29 charges, or disciplinary action by the regulatory body of the other  
30 state or states.

31 ~~((e))~~ (5) If the authority finds reasonable cause to believe  
32 that an applicant falsely affirmed or stated either of the  
33 requirements under ~~((d)(i) or (ii) of this))~~ subsection (4)(a) or  
34 (b) of this section, the authority may summarily suspend the  
35 license~~(, certificate, registration, or permit)~~ pending an  
36 investigation or further action to discipline or revoke the  
37 license~~(, certificate, registration, or permit)~~.

38 NEW SECTION. Sec. 5. A new section is added to chapter 18.340  
39 RCW to read as follows:

1 (1) Each authority must identify a contact or coordinator within  
2 the authority to assist military spouse applicants and licensees.

3 (2) Each authority must provide training to each board or  
4 commission member on the culture of military spouses, the military  
5 spouse experience, and issues related to military spouse career  
6 paths. Board or commission members appointed on or before October 1,  
7 2023, must complete the training by January 1, 2024. Board or  
8 commission members appointed after October 1, 2023, must complete the  
9 training within 90 days after appointment. The department of veterans  
10 affairs shall create an internet-based training that may be used by  
11 each authority to satisfy this requirement.

12 (3) Each authority is encouraged to:

13 (a) Appoint a military spouse to serve on its licensing board or  
14 commission;

15 (b) Conduct a review of the authority's licensing application  
16 process for military spouses and identify barriers to military spouse  
17 employment; and

18 (c) Review licensing fees and related expenses and identify  
19 possible ways to reduce costs for military spouses.

20 NEW SECTION. **Sec. 6.** A new section is added to chapter 18.340  
21 RCW to read as follows:

22 (1) The employment security department, the department of health,  
23 the department of licensing, and the department of veterans affairs  
24 shall each maintain a military spouse assistance web page containing,  
25 at a minimum:

26 (a) Each authority's rules and procedures, including any required  
27 fees, related to the licensing of military spouses;

28 (b) Contact information for each authority's military spouse  
29 contact or coordinator; and

30 (c) Links to the military spouse assistance web pages of other  
31 agencies.

32 (2) A direct link to the agency's military spouse assistance web  
33 page must be displayed on the agency's home page.

34 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.410  
35 RCW to read as follows:

36 The agency responsible for educator certification shall, as set  
37 forth in chapter 18.340 RCW:

1 (1) Adopt rules for expedited professional certification for  
2 military spouses;

3 (2) Identify a contact or coordinator to assist military spouse  
4 applicants and licensees;

5 (3) Provide training to each board member on the culture of  
6 military spouses, the military spouse experience, and issues related  
7 to military spouse career paths; and

8 (4) Maintain a military spouse assistance web page.

9 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.60A  
10 RCW to read as follows:

11 (1) The department, the employment security department, and the  
12 department of commerce shall consult local chambers of commerce,  
13 associate development organizations, and businesses to initiate a  
14 demonstration campaign to increase military spouse employment. This  
15 campaign may include partnerships with chambers of commerce that  
16 result in business owners sharing, with the local chamber of  
17 commerce, information on the number of military spouses employed and  
18 the local chambers of commerce providing this information to the  
19 department.

20 (2) Participants in the campaign are encouraged to work with the  
21 Washington state military transition council and county veterans'  
22 advisory boards under RCW 73.08.035.

23 (3) Funding for the campaign shall be established from existing  
24 resources.

25 (4) For the purposes of this section, "military spouse" means any  
26 person married or previously married to a military service member,  
27 irrespective of the length of the marriage, during the military  
28 service member's service in any branch of the United States armed  
29 forces as an active duty service member, reservist, or national guard  
30 member.

31 NEW SECTION. **Sec. 9.** A new section is added to chapter 38.42  
32 RCW to read as follows:

33 (1) The spouse of a service member may terminate an employment  
34 contract without penalty at any time after the service member  
35 receives military service orders for a permanent change of station  
36 if:

37 (a) The spouse provides written notice, including email, to the  
38 employer of the termination under this section; and

1 (b) The spouse provides written proof to the employer of the  
2 official orders showing that the service member has received military  
3 orders for a permanent change of station.

4 (2) Termination of an employment contract under this section is  
5 effective on the day notice is given under subsection (1) of this  
6 section or on a date mutually agreed to by the parties to the  
7 employment contract.

8 (3) An employer may not impose any penalty for termination of an  
9 employment contract under this section.

10 (4) For purposes of this section:

11 (a) "Employment contract" means a contract that establishes the  
12 terms of employment or other professional relationship with the  
13 spouse of a service member. "Employment contract" does not include an  
14 independent contractor agreement.

15 (b) "Penalty" means any fee or cost or liability for breach of  
16 contract or any other adverse consequence imposed by the employer.  
17 "Penalty" does not include any requirements established by state or  
18 federal law.

19 (5) This section applies prospectively only and not  
20 retroactively. It applies only to employment contracts entered into  
21 on or after the effective date of this section.

22 (6) Nothing in this section shall be construed as altering the  
23 terms, conditions, or practices contained in any collective  
24 bargaining agreement in effect on the effective date of this section  
25 until the expiration date of such agreement.

26 **Sec. 10.** RCW 73.04.150 and 2017 c 184 s 1 are each amended to  
27 read as follows:

28 (1) There is hereby created a joint committee on veterans' and  
29 military affairs. The committee shall consist of: (a) Eight members  
30 of the senate appointed by the president of the senate, four of whom  
31 shall be members of the majority party and four of whom shall be  
32 members of the minority party; and (b) eight members of the house of  
33 representatives appointed by the speaker, four of whom shall be  
34 members of the majority party and four of whom shall be members of  
35 the minority party. Members of the committee shall be appointed  
36 before the close of the 2005 legislative session, and before the  
37 close of each regular session during an odd-numbered year thereafter.

38 (2) Each member's term of office shall run from the close of the  
39 session in which he or she was appointed until the close of the next

1 regular session held in an odd-numbered year. If a successor is not  
2 appointed during a session, the member's term shall continue until  
3 the member is reappointed or a successor is appointed. The term of  
4 office for a committee member who does not continue as a member of  
5 the senate or house of representatives shall cease upon the convening  
6 of the next session of the legislature during an odd-numbered year  
7 after the member's appointment, or upon the member's resignation,  
8 whichever is earlier. Vacancies on the committee shall be filled by  
9 appointment in the same manner as described in subsection (1) of this  
10 section. All such vacancies shall be filled from the same political  
11 party and from the same house as the member whose seat was vacated.

12 (3) The committee shall establish an executive committee of four  
13 members, two of whom are members of the senate and two of whom are  
14 members of the house of representatives. The executive committee  
15 shall appoint one cochair from the two executive committee members  
16 who are senators and one cochair from the two executive committee  
17 members who are representatives. The two cochairs shall be from  
18 different political parties and their terms of office shall run from  
19 the close of the session in which they are appointed until the close  
20 of the next regular session in an odd-numbered year. The executive  
21 committee is responsible for performing all general administrative  
22 and personnel duties assigned to it in the rules and procedures  
23 adopted by the joint committee, as well as other duties delegated to  
24 it by the joint committee.

25 (4) The joint committee on veterans' and military affairs has the  
26 following powers and duties:

27 (a) To study veterans' issues, active military forces issues, and  
28 national guard and reserve component issues, and make recommendations  
29 to the legislature; and

30 (b) To study structure and administration of the department of  
31 veterans affairs and the military department, and make  
32 recommendations to the legislature.

33 (5) The joint committee shall adopt rules and procedures for its  
34 orderly operation. The joint committee may create subcommittees to  
35 perform duties under this section.

36 (6) The regulating authorities for the department of licensing  
37 ~~((and)),~~ the department of health, and the professional educator  
38 standards board shall file reports to the legislature ~~((biennially~~  
39 ~~and the Washington state military transition council))~~ annually  
40 beginning January 1, ~~((2018))~~ 2024, and appear annually before the

1 joint committee on veterans' and military affairs, to provide updates  
2 on progress in their efforts to implement the requirements of chapter  
3 18.340 RCW, chapter 32, Laws of 2011, ((and)) chapter 351, Laws of  
4 2011 (~~(. By January 1, 2018, the department of labor and industries  
5 and the professional educator standards board must each submit a  
6 report to the legislature, including an assessment on how its  
7 licensing, certification, and apprenticeship programs apply training  
8 and experience acquired by military members and their spouses outside  
9 of Washington, and recommendations about whether such programs should  
10 be included in the reporting schedule within this subsection)), and  
11 section 6 of this act.~~

12 NEW SECTION. **Sec. 11.** Section 4 of this act takes effect  
13 October 1, 2023.

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