

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

SYNOPSIS: Under existing law, occupational licensing boards are required to adopt rules to provide for licensure or certification of spouses of military personnel if the applicant possesses a license or certificate from another state that is substantially equivalent to Alabama's licensure requirements.

This bill would revise the date by which rules must be adopted and would extend the timeframe for which a temporary permit to practice is effective for a military spouse.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to military spouses; to amend Section 31-1-6, Code of Alabama 1975, to revise requirements for occupational licensing boards to adopt rules that provide for

1 reciprocal occupational licenses for military spouses under  
2 certain circumstances.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

6 "§31-1-6.

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

9 "(b) Except as provided in subsection (h), and  
10 notwithstanding other provisions of law, this section shall  
11 apply to any board, agency, commission, or other entity  
12 providing professional licenses or certificates, or both, for  
13 the purpose of employment in the State of Alabama. On or  
14 before January 1, ~~2019~~ 2023, each board, ~~commission, or~~ agency  
15 , or commission providing professional licenses or  
16 certificates, or both, shall ~~promulgate~~ adopt rules in  
17 conformity with this section for the purpose of implementing  
18 its requirements. The rules shall provide a method of  
19 accomplishing both of the following:

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

26 "(2) A procedure for authorizing an eligible  
27 individual to perform professional services regulated by the

1 board, agency, or commission in this state pursuant to a  
2 temporary permit, effective for at least ~~180~~ 360 days, while  
3 ~~the eligible individual completes the specific requirements of~~  
4 ~~the~~ board, agency, or commission deliberates the application  
5 to obtain a license or certificate in this state, ~~that were~~  
6 ~~not required in the original issuing state~~ as provided in  
7 subsection (d).

8 "(c) For the purposes of this section, an eligible  
9 individual is any individual who satisfies all of the  
10 following:

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

12 "a. An ~~an~~ active duty, reserve, or transitioning  
13 member of the United States Armed Forces, including the  
14 National Guard, or a surviving spouse of a service member who,  
15 at the time of his or her death, was serving on active duty,  
16 who is relocated to and stationed in the State of Alabama  
17 under official military orders. For the purposes of this  
18 section, a transitioning service member is a member of the  
19 United States Armed Forces, including the National Guard, on  
20 active duty status or on separation leave who is within 24  
21 months of retirement.

22 "b. An individual currently employed by the United  
23 States Department of Justice or any of its encompassed  
24 offices, agencies, institutes, and bureaus, including, but not  
25 limited to, the Federal Bureau of Investigation (FBI), the  
26 U.S. Attorney's Office, the Bureau of Alcohol, Tobacco,  
27 Firearms, and Explosives (ATF), the Drug Enforcement

1 Administration (DEA), and the United States Marshall Service  
2 (USMS), who is relocated to Alabama by order of their  
3 employer.

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

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

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

13 "(d) Any eligible individual under subsection (c)  
14 who possesses a valid license or certificate, in good  
15 standing, in another state, district, or territory of the  
16 United States, or in any branch of the United States Armed  
17 Forces, including the National Guard, ~~with licensing or~~  
18 ~~certification requirements greater than or substantially~~  
19 ~~similar to the licensing or certification requirements of~~  
20 that is substantially similar to the license issued by the  
21 appropriate board, ~~commission, or~~ agency , or commission in  
22 the State of Alabama shall be approved to continue work in his  
23 or her profession upon relocation to the State of Alabama for  
24 such time as normally allotted with receipt of a license or  
25 certificate from the appropriate board, ~~commission, or~~ agency  
26 , or commission. Upon completion of an application ~~that~~  
27 ~~documents compliance with the receiving agency's requirements~~

1 ~~for a certificate or license~~, an authorized board, ~~commission,~~  
2 ~~or agency~~ , or commission shall expedite the application  
3 according to statute, ~~promulgated~~ adopted rules, or if  
4 applicable, at the next scheduled licensure proceeding for an  
5 eligible individual under subsection (c).

6 "(e) Any board, ~~commission, or agency~~ , or  
7 commission in the State of Alabama may establish reciprocity  
8 with other states for military spouse professional licensing  
9 and certification.

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

16 "(g) Any board, agency, commission, or other entity  
17 providing professional licenses or certificates, or both, for  
18 the purpose of employment in the state, shall waive the  
19 initial licensing fee for the eligible individual upon  
20 application by the eligible individual in a manner prescribed  
21 by the board, agency, commission, or other entity. The board,  
22 agency, commission, or other entity shall process an  
23 application for a fee waiver within 30 days after receiving  
24 the application.

25 "(h) This section does not apply to the practice of  
26 law or the regulation of attorneys, any license or  
27 registration issued by the Securities Commission under the

1 Alabama Securities Act, any certification issued by the  
2 Alabama Peace Officers' Standards and Training Commission, or  
3 the practice of any profession regulated by the Alabama State  
4 Board of Pharmacy, Board of Dental Examiners, State Board of  
5 Chiropractic Examiners, Alabama Liquefied Petroleum Gas Board,  
6 or State Board of Medical Examiners."

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