

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 1863

By: Russell, Brecheen,
Stanislowski, David,
Ivester, Simpson and
Johnson (Constance) of the
Senate

5 and

6 Coody of the House

9 (occupations - creating Post-Military Service

10 Occupation Education and Credentialing Act -

11 codification -

12 effective date)

15 AUTHORS: Add the following House Coauthors: Wesselhoft, Bennett,
16 Inman, Hardin, Roberts (Dustin), Sherrer, Kern and Walker

17 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
entire bill and insert

19 "An Act relating to professional licenses; creating
20 the Post-Military Service Occupation, Education and
21 Credentialing Act; providing short title; making
22 certain legislative findings; recognizing certain
23 education, training and experience of military
24 members and their spouses; authorizing certain
institutions of higher education to apply certain
academic credits for certain students; limiting
application of certain academic credits to certain
period after military discharge; authorizing certain
boards to adopt certain policies by certain time for

1 educational credits; providing for institutions to
2 promulgate rules by certain time; authorizing
3 acceptance of military education, training and
4 experience for occupational licenses; providing for
5 certain training and experience to be applied most
6 favorably to license qualifications; directing
7 certain agencies to promulgate rules; authorizing
8 agencies to expedite licenses for military spouses;
9 limiting who is qualified for expedited procedures;
10 providing for certain procedures to expedite certain
11 licensure; stating qualifications for expedited
12 license; authorizing certain procedures; allowing
13 for automatic extension of license for active-duty
14 military members; stating criteria for automatic
15 extension; authorizing renewal of license without
16 meeting certain requirements for certain military
17 members; allowing extension during active duty;
18 limiting extension period to certain time after
19 discharge from active duty; construing authority for
20 licensure; prohibiting automatic licensure without
21 certain verifications and qualifications; providing
22 for codification; and providing an effective date.
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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 4100 of Title 59, unless there
is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Post-Military
Service Occupation, Education and Credentialing Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 4100.1 of Title 59, unless there
is created a duplication in numbering, reads as follows:

1 The Legislature finds that military service members after
2 separating from military service are frequently delayed in getting
3 post-military employment even though the service member may have
4 applicable military education, training, and experience which could
5 qualify for an occupational license or certification, or which could
6 provide academic credit toward college, university or technical
7 degree requirements. The Legislature finds it is advantageous to
8 the state to create occupational and educational opportunities for
9 post-military service members who are honorably discharged and
10 spouses of active-duty service members who must leave work in
11 another state to accompany their service member on transfer and
12 assignment for military duty in this state. The Legislature
13 additionally finds that the spouse of an active-duty service member
14 assigned for duty in this state who possesses a valid professional
15 license or certification with current experience in another state
16 should be allowed to apply for the same professional license or
17 certification in this state and such application should be expedited
18 for better employment opportunities and based upon the person having
19 substantially equivalent education, training and experience for
20 licensure in this state.

21 SECTION 3. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 4100.2 of Title 59, unless there
23 is created a duplication in numbering, reads as follows:

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1 The Legislature hereby authorizes the public and private
2 institutions of higher education and the career and technology
3 centers in this state to utilize the Guide to the Evaluation of
4 Educational Experiences in the Armed Services, published by the
5 American Council on Education (ACE), to compare and apply academic
6 credit for education, training and experience received through
7 military duty or service which is applicable to the selected program
8 of study for an honorably discharged military service member who
9 becomes a student at an institution of higher education or career
10 and technology center within three (3) years after separation from
11 military service.

12 SECTION 4. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 4100.3 of Title 59, unless there
14 is created a duplication in numbering, reads as follows:

15 A. In addition to any other power, duty or function authorized
16 for institutions of higher education or career and technology
17 centers, each governing board shall adopt, not later than January 1,
18 2013, a policy authorizing the institution or career and technology
19 center under the board's supervision and management to award
20 educational credits to a student enrolled in the institution or
21 career and technology center who is also honorably discharged from
22 the Armed Forces of the United States within three (3) years of
23 initial enrollment, for courses that are part of the student's
24 military training or service and that meet the standards of the

1 American Council on Education (ACE) or equivalent standards for
2 awarding academic credit if the award of educational credit is based
3 upon the institution's or technical career center's admission
4 standards and its role, scope and mission.

5 B. Each governing board shall adopt necessary rules and
6 procedures to implement the provisions of this section effective
7 beginning with the 2013-2014 academic year, and continuing
8 thereafter.

9 SECTION 5. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 4100.4 of Title 59, unless there
11 is created a duplication in numbering, reads as follows:

12 A. Every administrative body, state agency director or official
13 with authority over any occupational or professional license or
14 certification, and each of the respective examining and licensing
15 boards, shall, upon presentation of satisfactory evidence of
16 equivalent education, training and experience by an applicant for
17 certification or licensure, accept the education, training, and
18 experience completed by the individual as a member of the Armed
19 Forces or Reserves of the United States, National Guard of any
20 state, the Military Reserves of any state, or the Naval Militias of
21 any state, and apply it in the manner most favorable toward
22 satisfying the qualifications for issuance of the requested license
23 or certification or approval for license examination in this state.

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1 B. Each agency director or official, and each examining and
2 licensing board, shall promulgate rules to implement the provisions
3 of this section.

4 SECTION 6. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 4100.5 of Title 59, unless there
6 is created a duplication in numbering, reads as follows:

7 A. Every agency, board or commission shall establish a
8 procedure to expedite endorsement of licenses or certifications for
9 military spouse applicants; provided, the military service member is
10 on active duty within this state or claims permanent residency in
11 this state for the six (6) months prior to assignment to active duty
12 or during the period of active duty.

13 B. Notwithstanding any other law to the contrary, each board
14 shall establish a procedure to expedite the issuance of a license,
15 certification or permit to perform professional services regulated
16 by each such board to a person:

17 1. Who is certified or licensed in another state to perform
18 professional services in a state other than the State of Oklahoma;

19 2. Whose spouse is an active-duty member of the Armed Forces of
20 the United States;

21 3. Whose spouse is subject to a military transfer to this
22 state; and

23 4. Who left employment in another state to accompany the
24 person's spouse to this state.

1 C. The procedures to expedite licensure or certification shall
2 include:

3 1. Issuing the person a license, certificate or permit, if, in
4 the opinion of the board, the requirements for certification or
5 licensure of the other state are substantially equivalent to those
6 required by this state; or

7 2. Developing a method to authorize the person to perform
8 professional services regulated by the board in this state by
9 issuing the person a temporary permit for a limited period of time
10 to allow the person to perform professional services while
11 completing any specific requirements in this state that were not
12 required in the state in which the person was licensed or certified.

13 SECTION 7. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 4100.6 of Title 59, unless there
15 is created a duplication in numbering, reads as follows:

16 A. Every agency, board or commission in this state with
17 authority to issue and regulate professional licenses or
18 certifications is authorized to provide for the automatic extension
19 of such professional license or certification for active-duty
20 military service members and to provide a reasonable period of time
21 after military service to activate the license or certification for
22 employment purposes.

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1 B. Notwithstanding any other statutes to the contrary, any
2 member of the Armed Forces of the United States on active duty who
3 at the time of activation was:

4 1. A member in good standing with any administrative body of
5 the state; and

6 2. Duly licensed or certified to engage in his or her
7 profession or vocation in this state,
8 may be kept in good standing by the administrative body with which
9 he or she is licensed or certified.

10 C. While a licensee or certificate holder is deployed on active
11 duty as a member of the Armed Forces of the United States, the
12 license or certificate referenced in subsection B of this section
13 may be renewed without:

14 1. The payment of dues or fees; and

15 2. Obtaining continuing education credits when:

16 a. circumstances associated with military duty prevent
17 obtaining training and a waiver request has been
18 submitted to the appropriate administrative body,

19 b. the active-duty military member performs the licensed
20 or certified occupation as part of his or her military
21 duties as annotated in Defense Department Form 214 (DD
22 214), or

23 c. performing any other act typically required for the
24 renewal of the license or certificate.

1 D. The license or certificate issued pursuant to the provisions
2 of this section may be continued as long as the licensee or
3 certificate holder is a member of the Armed Forces of the United
4 States on active duty and for a period of at least one (1) year
5 after discharge from active duty.

6 SECTION 8. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 4100.7 of Title 59, unless there
8 is created a duplication in numbering, reads as follows:

9 Nothing in the Post-Military Service Occupation, Education and
10 Credentialing Act shall be construed to require the issuance of any
11 license or certificate to an applicant who does not otherwise meet
12 the stated eligibility standards, criteria, qualifications or
13 requirements for licensure or certification, nor shall the
14 provisions be construed to automatically allow issuance of any
15 license or certificate without testing or examination, without
16 proper consideration by the licensing and examination board, or
17 without proper verification that the applicant is not subject to
18 pending criminal charges or disciplinary actions, has not been
19 convicted of any offense prohibiting licensure or certification, and
20 has no other impairment which would prohibit licensure or
21 certification in this state.

22 SECTION 9. This act shall become effective November 1, 2012.”
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