

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB1863 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Ann Coody

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

PROPOSED COMMITTEE
SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 1863

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

and

Coody of the House

PROPOSED COMMITTEE SUBSTITUTE

[occupations - creating Post-Military Service
Occupation, Education and Credentialing Act -
codification -

effective date]

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".

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

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

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

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

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

18 A. In addition to any other power, duty or function authorized
19 for institutions of higher education or career and technology
20 centers, each governing board shall adopt, not later than January 1,
21 2013, a policy authorizing the institution or career and technology
22 center under the board's supervision and management to award
23 educational credits to a student enrolled in the institution or
24 career and technology center who is also honorably discharged from

1 the Armed Forces of the United States within three (3) years of
2 initial enrollment, for courses that are part of the student's
3 military training or service and that meet the standards of the
4 American Council on Education (ACE) or equivalent standards for
5 awarding academic credit if the award of educational credit is based
6 upon the institution's or technical career center's admission
7 standards and its role, scope and mission.

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

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

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

1 satisfying the qualifications for issuance of the requested license
2 or certification or approval for license examination in this state.

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

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

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

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

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

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

23 3. Whose spouse is subject to a military transfer to this
24 state; and

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

3 C. The procedures to expedite licensure or certification shall
4 include:

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

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

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

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

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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