

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas *As Engrossed: H3/10/15*

2 90th General Assembly

# A Bill

3 Regular Session, 2015

HOUSE BILL 1723

4

5 By: Representatives Scott, Richmond, E. Armstrong, Baine, Ballinger, Baltz, Bentley, Boyd, Bragg,  
6 Branscum, Brown, Collins, Cozart, Davis, Deffenbaugh, Della Rosa, Dotson, C. Douglas, D. Douglas,  
7 Drown, Eaves, Farrer, K. Ferguson, C. Fite, L. Fite, V. Flowers, Gossage, M. Gray, Harris, K. Hendren,  
8 Hickerson, Hillman, G. Hodges, M. Hodges, Jean, Johnson, Leding, Lemons, Lowery, Lundstrum, Magie,  
9 J. Mayberry, McElroy, G. McGill, McNair, D. Meeks, S. Meeks, Miller, Neal, Petty, Pitsch, Ratliff,  
10 Rushing, Shepherd, Speaks, Sturch, Vines, Walker, Wallace, D. Whitaker, Womack, Wright

11 By: Senator J. Hutchinson

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## For An Act To Be Entitled

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AN ACT TO AMEND ARKANSAS LAW CONCERNING THE  
15 LICENSURE, CERTIFICATION, OR PERMITTING OF ACTIVE  
16 DUTY SERVICE MEMBERS, RETURNING MILITARY VETERANS,  
17 AND SPOUSES; TO DECLARE AN EMERGENCY; AND FOR OTHER  
18 PURPOSES.

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## Subtitle

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TO AMEND ARKANSAS LAW CONCERNING THE  
23 LICENSURE, CERTIFICATION, OR PERMITTING  
24 OF ACTIVE DUTY SERVICE MEMBERS, RETURNING  
25 MILITARY VETERANS, AND SPOUSES; AND TO  
26 DECLARE AN EMERGENCY.

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29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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31 SECTION 1. Arkansas Code § 17-1-106 is amended to read as follows:

32 17-1-106. ~~Temporary licensure~~ Licensure, certification, or permitting  
33 of ~~spouses of~~ active duty service members, returning military veterans, and  
34 spouses.

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(a) As used in this section, "returning military veteran" means a former member of the United States Armed Forces who was discharged from



1 active duty under circumstances other than dishonorable.

2 ~~(a)(b)~~ A state board or commission that issues licenses, certificates,  
3 or permits required to enable the holder to lawfully engage in a profession,  
4 trade, or employment in this state ~~shall allow the spouse of an active duty~~  
5 ~~military service member stationed in this state~~ the following individuals to  
6 secure employment with a temporary license, certificate, or permit while  
7 completing the application process for full licensure or certification or  
8 permitting if the ~~applicant~~ individual is the holder in good standing of a  
9 substantially equivalent license, certificate, or permit issued by another  
10 state:

11 (1) An active duty military service member stationed in the  
12 State of Arkansas;

13 (2) A returning military veteran applying within one (1) year of  
14 his or her discharge from active duty; or

15 (3) The spouse of a person under subdivisions (b)(1) and (b)(2)  
16 of this section.

17 ~~(b)(c)~~ A state board or commission *shall* expedite the process and  
18 procedures for full licensure, certification, or permitting for ~~spouses of~~  
19 ~~active duty military service members stationed in this state~~ the following  
20 individuals:

21 (1) An active duty military service member stationed in the  
22 State of Arkansas;

23 (2) A returning military veteran applying within one (1) year of  
24 his or her discharge from active duty; or

25 (3) The spouse of a person under subdivisions (c)(1) and (c)(2)  
26 of this section.

27 (d) When considering an application for full licensure, certification,  
28 or permitting for an active duty military service member stationed in the  
29 State of Arkansas or a returning military veteran applying within one (1)  
30 year of his or her discharge from active duty, a state board or commission:

31 (1) Shall consider whether or not the applicant's military  
32 training and experience in the area of licensure, certification, or  
33 permitting is substantially similar to experience or education required for  
34 licensure, certification, or permitting; and

35 (2) Shall accept the applicant's military training and  
36 experience in the area of licensure, certification, or permitting in lieu of

1 experience or education required for licensure, certification, or permitting  
2 if the state board or commission determines the military training and  
3 experience is a satisfactory substitute for the experience or education  
4 required for licensure, certification, or permitting.

5 (e) A license, certificate, or permit required to enable the holder to  
6 lawfully engage in a profession, trade, or employment in this state held by  
7 an active duty military service member deployed outside the State of Arkansas  
8 or his or her spouse shall not expire until one hundred eighty (180) days  
9 following the active duty military service member's or spouse's return from  
10 active deployment.

11 (f)(1) A state board or commission shall allow a full or partial  
12 exemption from continuing education required as part of licensure,  
13 certification, or permitting for a profession, trade, or employment in this  
14 state for the following individuals:

15 (A) An active duty military service member deployed  
16 outside of the State of Arkansas;

17 (B) A returning military veteran within one (1) year of  
18 his or her discharge from active duty; or

19 (C) The spouse of a person under subdivisions (f)(1) and  
20 (f)(2) of this section.

21 (2) A state board or commission allowing a full or partial  
22 exemption from continuing education required under subdivision (f)(1) of this  
23 section may require evidence of completion of continuing education before  
24 issuing the individual a subsequent license, certificate, or permit or  
25 authorizing the renewal of a license, certificate, or permit.

26 ~~(e)(g)~~ All state boards and commissions may promulgate rules necessary  
27 to carry out the provisions of subsections (a) and (b) of this section.

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29 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
30 General Assembly of the State of Arkansas that current laws and  
31 administrative rules regarding the issuance of licenses, certificates, and  
32 permits required to enable the holder to lawfully engage in a profession  
33 constitute a hardship on active duty service members, returning military  
34 veterans, and their spouses; and that this act is immediately necessary to  
35 remedy these hardships and assist active duty service members, returning  
36 military veterans, and their spouses in obtaining the necessary credentials

1 to engage in their chosen profession. Therefore, an emergency is declared to  
2 exist, and this act being immediately necessary for the preservation of the  
3 public peace, health, and safety shall become effective on:

4 (1) The date of its approval by the Governor;

5 (2) If the bill is neither approved nor vetoed by the Governor,  
6 the expiration of the period of time during which the Governor may veto the  
7 bill; or

8 (3) If the bill is vetoed by the Governor and the veto is  
9 overridden, the date the last house overrides the veto.

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11 */s/Scott*  
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