

Stricken language would be deleted from and underlined language would be added to present law.
Act 848 of the Regular Session

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/10/15
A Bill

HOUSE BILL 1723

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

For An Act To Be Entitled

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

Subtitle

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

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

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

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

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



active duty under circumstances other than dishonorable.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

/s/Scott

APPROVED: 03/31/2015