

By: Senator(s) Parker, Younger, Moran,
Massey

To: Veterans and Military
Affairs

SENATE BILL NO. 2452
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 73-50-1, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT AN OCCUPATIONAL LICENSING BOARD ISSUING A LICENSE,
3 CERTIFICATION OR REGISTRATION TO A MILITARY SPOUSE SHALL APPROVE
4 OR DENY THE APPLICATION WITHIN A CERTAIN AMOUNT OF TIME IF THE
5 SPOUSE'S ORDERS ARE IN MISSISSIPPI FOR 36 MONTHS OR LESS; TO
6 REQUIRE OCCUPATIONAL LICENSING BOARDS TO ADOPT RULES NECESSARY TO
7 IMPLEMENT THIS SECTION BY A CERTAIN DATE; AND FOR RELATED
8 PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 **SECTION 1.** Section 73-50-1, Mississippi Code of 1972, is
11 amended as follows:

12 73-50-1. (1) As used in this section, the term:

13 (a) "License" means any license (other than a privilege
14 license), certificate or other evidence of qualification that an
15 individual is required to obtain before he or she may engage in or
16 represent himself or herself to be a member of a particular
17 profession or occupation.

18 (b) "Occupational licensing board" means any state
19 board, commission, department or other agency in Mississippi that
20 is established for the primary purpose of regulating the entry of
21 persons into, and/or the conduct of persons within, a particular



22 profession or occupation, and which is authorized to issue
23 licenses. For the purposes of this section, the State Department
24 of Education shall be considered an occupational licensing board
25 when issuing teacher licenses under Section 37-3-2.

26 (2) Notwithstanding any other provision of law, an
27 occupational licensing board shall issue a license, certification
28 or registration to a military-trained applicant to allow the
29 applicant to lawfully practice the applicant's occupation in
30 Mississippi if, upon application to an occupational licensing
31 board, the applicant satisfies the following conditions:

32 (a) Has been awarded a military occupational specialty
33 and has done all of the following at a level that is substantially
34 equivalent to or exceeds the requirements for licensure,
35 certification or registration of the occupational licensing board
36 from which the applicant is seeking licensure, certification or
37 registration in this state: completed a military program of
38 training, completed testing or equivalent training and experience
39 as determined by the board, and performed in the occupational
40 specialty.

41 (b) Has engaged in the active practice of the
42 occupation for which the person is seeking a license,
43 certification or permit from the occupational licensing board in
44 this state for at least two (2) of the five (5) years preceding
45 the date of the application under this section.



46 (c) Has not committed any act in any jurisdiction that
47 would have constituted grounds for refusal, suspension or
48 revocation of a license to practice that occupation in this state
49 at the time the act was committed.

50 (d) Pays any fees required by the occupational
51 licensing board for which the applicant is seeking licensure,
52 certification or registration in this state.

53 (3) Notwithstanding any other provision of law, an
54 occupational licensing board shall issue a license, certification
55 or registration to a military spouse to allow the military spouse
56 to lawfully practice the military spouse's occupation in
57 Mississippi if, upon application to an occupational licensing
58 board, the military spouse satisfies the following conditions:

59 (a) Holds a current license, certification or
60 registration from another jurisdiction, and that jurisdiction's
61 requirements for licensure, certification or registration are
62 substantially equivalent to or exceed the requirements for
63 licensure, certification or registration of the occupational
64 licensing board for which the applicant is seeking licensure,
65 certification or registration in this state.

66 (b) Can demonstrate competency in the occupation
67 through methods as determined by the board, such as having
68 completed continuing education units or having had recent
69 experience for at least two (2) of the five (5) years preceding
70 the date of the application under this section.



71 (c) Has not committed any act in any jurisdiction that
72 would have constituted grounds for refusal, suspension or
73 revocation of a license to practice that occupation in this state
74 at the time the act was committed.

75 (d) Is in good standing and has not been disciplined by
76 the agency that had jurisdiction to issue the license,
77 certification or permit.

78 (e) Pays any fees required by the occupational
79 licensing board for which the applicant is seeking licensure,
80 certification or registration in this state.

81 (4) An occupational licensing board issuing a license,
82 certification or registration to a military spouse pursuant to
83 subsection (3) of this section shall issue or deny the license,
84 certification or registration within four (4) months of the
85 military spouse's application if the spouse's orders are in
86 Mississippi for thirty-six (36) months or less.

87 (* * *5) All relevant experience of a military service
88 member in the discharge of official duties or, for a military
89 spouse, all relevant experience, including full-time and part-time
90 experience, regardless of whether in a paid or volunteer capacity,
91 shall be credited in the calculation of years of practice in an
92 occupation as required under subsection (2) or (3) of this
93 section.

94 (* * *6) A nonresident licensed, certified or registered
95 under this section shall be entitled to the same rights and



96 subject to the same obligations as required of a resident
97 licensed, certified or registered by an occupational licensing
98 board in this state.

99 (* * *7) An occupational licensing board may issue a
100 temporary practice permit to a military-trained applicant or
101 military spouse licensed, certified or registered in another
102 jurisdiction while the military-trained applicant or military
103 spouse is satisfying the requirements for licensure under
104 subsection (2) or (3) of this section if that jurisdiction has
105 licensure, certification or registration standards substantially
106 equivalent to the standards for licensure, certification or
107 registration of an occupational licensing board in this state.
108 The military-trained applicant or military spouse may practice
109 under the temporary permit until a license, certification or
110 registration is granted or until a notice to deny a license,
111 certification or registration is issued in accordance with rules
112 adopted by the occupational licensing board.

113 (* * *8) An occupational licensing board * * * shall adopt
114 rules necessary to implement this section by January 1, 2020.

115 (* * *9) Nothing in this section shall be construed to
116 prohibit a military-trained applicant or military spouse from
117 proceeding under the existing licensure, certification or
118 registration requirements established by an occupational licensing
119 board in this state.



120 (* * *10) Nothing in this section shall be construed to
121 apply to the practice of law as regulated under Section 73-3-1 et
122 seq.

123 (11) An occupational licensing board issuing a license,
124 certification or registration pursuant to this chapter is
125 encouraged to reduce the fees required by the occupational
126 licensing board for which the applicant is seeking licensure,
127 certification or registration in this state.

128 **SECTION 2.** This act shall take effect and be in force from
129 and after its passage.

