

By: Senator(s) Younger, Hill

To: Veterans and Military
Affairs

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2117

1 AN ACT TO AMEND SECTION 73-50-1, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE OCCUPATIONAL LICENSING BOARDS ISSUING A LICENSE,
3 CERTIFICATION OR REGISTRATION TO A MILITARY SPOUSE TO ISSUE OR
4 DENY THE LICENSE, CERTIFICATION OR REGISTRATION WITHIN A CERTAIN
5 AMOUNT OF TIME OF THE APPLICATION; TO REQUIRE OCCUPATIONAL
6 LICENSING BOARDS TO ISSUE A TEMPORARY PRACTICE PERMIT TO A
7 MILITARY-TRAINED APPLICANT OR MILITARY SPOUSE LICENSED, CERTIFIED
8 OR REGISTERED IN ANOTHER JURISDICTION IF THE APPLICANT SUBMITS AN
9 AFFIDAVIT AFFIRMING THAT HE MEETS CERTAIN REQUIREMENTS AND IF THE
10 APPLICATION REQUIRES LONGER THAN TWO WEEKS TO PROCESS; AND FOR
11 RELATED PURPOSES.

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

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

15 73-50-1. (1) As used in this section, the term:

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

21 (b) "Military" means the Armed Forces or reserves of
22 the United States, including the Army, Navy, Marine Corps, Coast



23 Guard, Air Force, and the reserve components thereof, the National
24 Guard of any state, the military reserves of any state, or the
25 naval militia of any state.

26 (* * *c) "Occupational licensing board" means any
27 state board, commission, department or other agency in Mississippi
28 that is established for the primary purpose of regulating the
29 entry of persons into, and/or the conduct of persons within, a
30 particular profession or occupation, and which is authorized to
31 issue licenses. For the purposes of this section, the State
32 Department of Education shall be considered an occupational
33 licensing board when issuing teacher licenses under Section
34 37-3-2.

35 (2) Notwithstanding any other provision of law, an
36 occupational licensing board shall issue a license, certification
37 or registration to a military-trained applicant to allow the
38 applicant to lawfully practice the applicant's occupation in
39 Mississippi if, upon application to an occupational licensing
40 board, the applicant satisfies the following conditions:

41 (a) Has been awarded a military occupational specialty
42 and has done all of the following at a level that is substantially
43 equivalent to or exceeds the requirements for licensure,
44 certification or registration of the occupational licensing board
45 from which the applicant is seeking licensure, certification or
46 registration in this state: completed a military program of
47 training, completed testing or equivalent training and experience



48 as determined by the board, and performed in the occupational
49 specialty.

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

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

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

62 (3) Notwithstanding any other provision of law, an
63 occupational licensing board shall issue a license, certification
64 or registration to a military spouse to allow the military spouse
65 to lawfully practice the military spouse's occupation in
66 Mississippi if, upon application to an occupational licensing
67 board, the military spouse satisfies the following conditions:

68 (a) Holds a current license, certification or
69 registration from another jurisdiction, and that jurisdiction's
70 requirements for licensure, certification or registration are
71 substantially equivalent to or exceed the requirements for
72 licensure, certification or registration of the occupational



73 licensing board for which the applicant is seeking licensure,
74 certification or registration in this state.

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

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

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

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

90 (4) An occupational licensing board issuing a license,
91 certification or registration to a military spouse pursuant to
92 subsection (3) of this section shall issue or deny the license,
93 certification or registration within four (4) months of the
94 military spouse's application * * *.

95 (5) All relevant experience of a military service member in
96 the discharge of official duties or, for a military spouse, all
97 relevant experience, including full-time and part-time experience,



98 regardless of whether in a paid or volunteer capacity, shall be
99 credited in the calculation of years of practice in an occupation
100 as required under subsection (2) or (3) of this section.

101 (6) A nonresident licensed, certified or registered under
102 this section shall be entitled to the same rights and subject to
103 the same obligations as required of a resident licensed, certified
104 or registered by an occupational licensing board in this state.

105 (7) An occupational licensing board * * * shall issue a
106 temporary practice permit within thirty (30) days of application
107 to a military-trained applicant or military spouse licensed,
108 certified or registered in another jurisdiction while the
109 military-trained applicant or military spouse is satisfying the
110 requirements for licensure under subsection (2) or (3) of this
111 section if * * * the applicant submits an affidavit affirming that
112 he or she meets the requirements of paragraphs (b) and (c) of
113 subsection (2) or paragraphs (b) and (c) of subsection (3), and if
114 the application requires longer than two (2) weeks to process.
115 The military-trained applicant or military spouse may practice
116 under the temporary permit until a license, certification or
117 registration is granted, or until a notice to deny a license,
118 certification or registration is issued, in accordance with rules
119 adopted by the occupational licensing board, provided that the
120 applicant has received sufficient time to satisfy additional
121 requirements for licensure under subsection (2) or (3) of this
122 section.



123 (8) An occupational licensing board shall adopt rules
124 necessary to implement this section by January 1, * * * 2021.

125 (9) Nothing in this section shall be construed to prohibit a
126 military-trained applicant or military spouse from proceeding
127 under the existing licensure, certification or registration
128 requirements established by an occupational licensing board in
129 this state.

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

132 (11) A military person or spouse may appeal the occupational
133 licensing board's decision to a court of general jurisdiction.

134 (* * * 12) An occupational licensing board issuing a
135 license, certification or registration pursuant to this chapter is
136 encouraged to reduce the fees required by the occupational
137 licensing board for which the applicant is seeking licensure,
138 certification or registration in this state.

139 **SECTION 2.** This act shall take effect and be in force from
140 and after July 1, 2020.

