

House Bill 880 (AS PASSED HOUSE AND SENATE)

By: Representatives Ballard of the 147<sup>th</sup>, Bonner of the 73<sup>rd</sup>, Burchett of the 176<sup>th</sup>, Blackmon of the 146<sup>th</sup>, Prince of the 132<sup>nd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and  
2 businesses, so as to allow military spouses to use an existing license in good standing from  
3 another state to obtain employment in this state; to provide for a definition; to provide an  
4 exception; to provide for investigations; to change certain requirements for the issuance of  
5 expedited licenses by endorsement for spouses of active or transitioning members of the  
6 armed forces to conform to federal law; to provide for the promulgation of rules and  
7 regulations; to provide for related matters; to provide for an effective date; to repeal  
8 conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,  
12 is amended by revising Code Section 43-1-34, relating to licenses for transitioning member  
13 of the armed forces, as follows:

14 "43-1-34.

15 (a) As used in this Code section, the term:

16 (1) 'License' means a document, permit, certificate of registration, or other authorization  
17 issued by or on behalf of a professional licensing board or other board that is required  
18 under this title for a person to engage in a profession, business, or trade.

19 (2) 'Military' means the United States armed forces, including the National Guard.

20 (3) 'Other board' means a board created pursuant to this title that is not a professional  
21 licensing board.

22 (4) 'Other state' means a state of the United States and shall also include the District of  
23 Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular  
24 possession subject to the jurisdiction of the United States.

25 ~~(4)~~(5) 'Service member' means an active or reserve member of the armed forces,  
26 including the National Guard.

27 ~~(5)~~(6) 'Transitioning service member' means a member of the military on active duty  
28 status or on separation leave who is within 24 months of retirement or 12 months of  
29 separation.

30 (b) No later than July 1, 2017, each professional licensing board and other board shall  
31 adopt rules and regulations implementing a process by which transitioning service  
32 members may qualify for temporary licenses, licenses by endorsement, expedited licenses,  
33 or a combination thereof for each profession, business, or trade for which a license is  
34 issued. Such process may include the issuance of a license to an applicant based upon such  
35 applicant:

36 (1) Holding a license from another state for which the training, experience, and testing  
37 substantially meet or exceed the requirements under this state to obtain a license; and

38 (2) Obtaining a specialty, certification, training, or experience in the military while a  
39 service member which substantially meets or exceeds the requirements to obtain a license  
40 in this state.

41 (c) Any professional licensing board or other board created after June 30, 2016, shall adopt  
42 within one year of its creation the rules and regulations required by subsection (b) of this  
43 Code section.

44 (d)(1) The spouse of a service member or of a transitioning service member may, while  
45 such service member or transitioning service member is stationed in this state, engage in  
46 the practice of his or her occupation or profession, subject to the circumstances and  
47 limitations described herein, without being licensed by the applicable professional  
48 licensing board or other board when:

49 (A) The spouse holds a current and valid license to practice a regulated occupation or  
50 profession issued by any other state;

51 (B) The spouse is in good standing in such other state of licensure;

52 (C) The spouse has filed an application for an expedited license by endorsement  
53 pursuant to subsection (b) of Code Section 43-1-35 along with all of the information  
54 and documents that show that such spouse meets the requirements of that subsection,  
55 including, but not limited to, the information and documents necessary for verification  
56 under Code Section 50-36-1 and the military orders of the service member or  
57 transitioning service member. Such application may be filed prior to the service  
58 member or transitioning service member being stationed in this state, provided that the  
59 military orders have been received;

60 (D) The spouse is hired by an in-state employer who may lawfully hire such spouse to  
61 engage in such occupation or profession; and

62 (E) Prior to hiring the spouse, the in-state employer verifies that such spouse maintains  
63 the out-of-state license in good standing and has filed an application for an expedited  
64 license by endorsement as required under subparagraph (C) of this paragraph.

65 (2)(A) If the spouse who otherwise meets the requirements of this Code section is not  
66 issued an expedited license by endorsement within 30 days of the spouse filing such  
67 application in accordance with subparagraph (C) of paragraph (1) of this subsection,

68 then such spouse may continue to work for any in-state employer without being  
69 licensed for such occupation or profession by a professional licensing board or other  
70 board.

71 (B) If the spouse is denied an expedited license by endorsement under Code Section  
72 43-1-35, such spouse shall no longer qualify under this subsection to engage in the  
73 practice of his or her occupation or profession in this state without being licensed by  
74 a professional licensing board or other board.

75 (3) The relevant professional licensing board or other board may, at its discretion,  
76 investigate any person exempted from licensure under this subsection and, in accordance  
77 with the license revocation procedures of such professional licensing board or other board  
78 used to revoke the license of a licensee, revoke any such person's exemption from licensure  
79 upon a determination that such person:

80 (A) Has violated any of the recognized standards of the regulated occupation or  
81 profession; or

82 (B) Knowingly made any misleading, deceptive, untrue, or fraudulent representations in  
83 seeking to qualify for such exemption or in filing any application with such professional  
84 licensing board or other board.

85 (4) Each professional licensing board and other board may adopt rules and regulations  
86 that may be necessary to implement and carry out the provisions of this subsection."

87 **SECTION 2.**

88 Said title is further amended by revising subsections (b) and (e) of Code Section 43-1-35,  
89 relating to expedited license by endorsement for spouses of active or transitioning members  
90 of the armed forces and license by endorsement for certain professions, as follows:

91 "(b) Notwithstanding any other provisions of law and except as otherwise provided in  
92 Code Section 43-1-34, a professional licensing board or other board shall issue an

93 expedited license by endorsement to any individual who is a spouse of a service member  
 94 or transitioning service member stationed within the State of Georgia who:

95 (1) Holds a current license to practice such occupation or profession issued by another  
 96 state ~~for which the training, experience, and testing are substantially similar in~~  
 97 ~~qualifications and scope to the requirements under this state to obtain a license;~~

98 (2) Is in good standing in such other state and is not the subject of an investigation or a  
 99 disciplinary proceeding being conducted by a professional licensing board or other board  
 100 in such other state; and

101 (3) Passes any examination that may only be required to demonstrate knowledge of the  
 102 laws and rules and regulations of this state specific to the practice of the occupation or  
 103 profession, business, or trade for which such expedited license by endorsement is being  
 104 sought."

105 "(e)(1) An expedited license by endorsement provided for in subsection (b) of this Code  
 106 section shall be issued no later than ~~90~~ 30 days from the date of receipt of an application  
 107 and information and documents that show that all of the requirements of subsection (b)  
 108 of this Code section have been met. An application for an expedited license by  
 109 endorsement or a license by endorsement shall only require such information and  
 110 documentation necessary to verify that the applicant meets the requirements set forth in  
 111 subsection (b) or (c), respectively, of this Code section.

112 (2) Any individual issued an expedited license by endorsement under subsection (b) of  
 113 this Code section shall comply with the scope of practice, the established standards, and  
 114 the continuing education requirements for such licensed occupation or profession."

115 **SECTION 3.**

116 This Act shall become effective on January 1, 2025.

117 **SECTION 4.**

118 All laws and parts of laws in conflict with this Act are repealed.