



September 25, 2024

STATE MODEL POLICY | Center for the American Worker

# MILITARY SPOUSE LICENSURE ACT

## PURPOSE OF THIS ACT

- This act permits military spouses who work in a licensed occupation and hold a license in good standing from any state to get right to work when they moved to a new state, without having to waiting months for their new state's licensing board to approve.
- While many states have taken some steps to improve military spouse licensure processes, this act is the gold standard, as it allows military spouses to secure employment even before they move and ensure that there is no interruption in their employment status when they arrive in a new state.
- This legislation was approved unanimously by the Commerce, Insurance, and Economic Development Task Force at the American Legislative Exchange Council's (ALEC) Annual Meeting in July 2024. It is based on [Georgia HB 880](#), which passed both state chambers unanimously and was signed by the governor in 2024.

## AN ACT

To allow military spouses to use an existing license in good standing from another state to obtain employment in this state.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF [INSERT HERE]**

*Section 1. Definitions.*

For this section of code, the following definitions are established:

1. "Occupational license" means any permit or license issued by a state board, agency, or bureau authorizing the holder to practice his or her occupation, profession, or business in accordance with the laws and regulations of this state.



2. “Military service member” means anyone who is serving on active duty or as a reservist in the United States military, including the National Guard.
3. “Transitioning service member” means a member of the military on active-duty status or on separation leave who is within 24 months of retirement or 12 months of separation.
4. “Military installation” means any office, post, fort, base, camp, or station owned, controlled, used, or leased by a military service organized and constituted under Title 10 U.S.C or Title 32 U.S.C.
5. “Other state” means a state of the United States and shall also include the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

*Section 2. Licensing requirements waived for military spouses.*

1. The spouse of a military service member or of a transitioning service member may, while such military service member or transitioning service member is stationed in this state, engage in the practice of his or her occupation or profession, subject to the circumstances and limitations described herein, without being licensed by the applicable professional licensing board or other board of this state when:
  - a. The spouse holds a current and valid license to practice a regulated occupation or profession issued by any other state;
  - b. The spouse is in good standing in such other state of licensure;
  - c. The spouse has filed an application for an expedited license, temporary permit, or a license by endorsement pursuant to the laws of this state along with all information and documents that show that such spouse meets the requirements of that subsection, including, but not limited to, the information and documents necessary to verify the military orders of the military service member or transitioning service member. The spouse may file such application prior to the military service member or transitioning service member being stationed in this state, provided that the military orders have been received;
  - d. The spouse is hired by an in-state employer who may lawfully hire such spouse to engage in such occupation or profession; and
  - e. Prior to hiring the spouse, the in-state employer verifies that such spouse maintains the out-of-state license in good standing and



has filed an application for an expedited license, temporary permit, or a license by endorsement.

2. If the spouse who otherwise meets the requirements of this section is not issued an expedited license, temporary permit, or a license by endorsement within 10 days of the spouse filing such application in accordance with the laws of this state, then such spouse may continue to work for any in-state employer without being licensed for such occupation or profession by a professional licensing board or other board.
3. If the spouse is denied an expedited license, temporary permit, or a license by endorsement under the laws of this state, such spouse shall no longer qualify under this subsection to engage in the practice of his or her occupation or profession in this state without being licensed by a professional licensing board or other board.
4. The relevant professional licensing board or other board of this state may, at its discretion, investigate any person exempted from licensure under this subsection and, in accordance with the license revocation procedures of such professional licensing board or other board used to revoke the license of a licensee, revoke any such person's exemption from licensure upon a determination that such person:
  - a. Has violated any of the recognized standards of the regulated occupation or profession; or
  - b. Knowingly made any misleading, deceptive, untrue, or fraudulent representations in seeking to qualify for such exemption or in filing any application with such professional licensing board or other board.
5. Each professional licensing board and other board may adopt rules and regulations that may be necessary to implement and carry out the provisions of this subsection.
6. Any spouse engaged in the practice of a regulated occupation or profession in this state shall comply with the scope of practice, the established standards, and the continuing education requirements for such regulated occupation or profession.

