**2303-S2 AMH LEAV H5027.2 - NOT FOR FLOOR USE**

**2SHB 2303** - H AMD **1669**

By Representative Leavitt

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  This act may be known and cited as the serve act.

**Sec.**  RCW 18.340.010 and 2011 2nd sp.s. c 5 s 1 are each amended to read as follows:

The lives of military families are dominated by frequent deployments, relocations, and extended periods of single parenthood. ((~~Military~~)) Service members and their spouses are some of the most mobile populations in our country, making the maintenance of professional licenses a significant obstacle. According to the ((~~2010~~)) 2019 defense management data center, there are ((~~thirty-three thousand three hundred eighty active duty and ten thousand eight hundred thirty-seven~~)) more than eighty thousand active duty and reserve service members and nearly forty thousand active duty and reserve military spouses residing in Washington. Military families depend on two incomes and want to achieve their career goals and aspirations. It is the intent of the legislature to recognize the sacrifices made by military families in service to our country and our state and to help alleviate the ((~~hardships~~)) career turmoil military families face due to their highly transient life.

NEW SECTION. **Sec.**  A new section is added to chapter 18.340 RCW to read as follows:

(1) For the purposes of this section:

(a) "Active duty military spouse" means any person currently married to someone who is an active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.

(b) "Authority" means any board, commission, or other authority for issuance of a license, certificate, registration, or permit under this title. "Authority" does not include the department of labor and industries.

(c) "Provisional license" means a provisional license, certificate, registration, or permit that authorizes a person to perform the full range of activities allowed with a standard license, certificate, registration, or permit for a period of three years, or the duration of a standard license, certificate, registration, or permit if less than three years. A provisional license issued by the department of health is valid for one year.

(d) "Standard license" means the license, certificate, registration, or permit to perform professional services regulated by an authority under this title.

(2) By January 1, 2021, the authority shall establish procedures to issue a provisional license to perform professional services regulated by the authority to a member of the armed forces of the United States or an active duty military spouse who is:

(a) Currently holding in good standing a license, certificate, registration, or permit to perform professional services in another state, in the District of Columbia, or issued by an agency, bureau, or department of the United States government;

(b) Stationed, or is the spouse of a member of the armed forces who is stationed, in Washington; and

(c) Unable to engage in the practice of the profession through an interstate compact, reciprocity, or similar agreement.

(3) An application for a provisional license must be made in a form and manner as determined by the authority and include:

(a) A copy of the applicant's current license, certificate, registration, or permit from another state, the District of Columbia, or an agency, bureau, or department of the United States government;

(b) A copy of the applicable permanent change-of-station orders;

(c) A statement signed by the applicant under penalty of perjury that he or she meets the qualifications for a provisional license and is not subject to any pending investigation, charges, or disciplinary action by the regulatory body of the other jurisdiction or jurisdictions;

(d) An application for a criminal background check, if required for a standard license for the same profession;

(e) Proof of national certification or successful completion of a national examination, where applicable; and

(f) For real estate licensees under chapter 18.85 RCW, proof of successful completion of the state portion of the knowledge examination.

(4) The authority shall charge a fee for a provisional license that is equal to the fee for a standard license. If a provisional license is valid for a shorter time period than a standard license, the authority shall prorate the fee accordingly.

(5) The authority must make an eligibility determination within forty-five days of receipt of a complete application for a provisional license.

(6) The authority may act to deny or limit a provisional license using the same procedures for a standard license for the same profession.

(7) If the authority determines that an applicant for a provisional license holds a license from a jurisdiction with substantially equivalent requirements, the authority shall issue a standard license.

(8) If a person issued a provisional license subsequently meets the requirements for a standard license, the authority may issue the person a standard license.

(9) A person may not renew a provisional license. Prior to expiration of a provisional license, the person must obtain a standard license.

(10) The authority may investigate and take disciplinary action against a person or the person's provisional license using the same procedures for a standard license for the same profession.

(11) If a person with a provisional license no longer meets the qualifications under subsection (2) of this section or becomes subject to any pending investigation, charges, or disciplinary action by a regulatory body of another jurisdiction or the license, certification, registration, or permit issued by another jurisdiction is terminated or no longer valid, the person must:

(a) Immediately cease engaging in the practice of the profession in Washington; and

(b) Report to the authority within thirty days the change in qualifications, licensing status, or pending investigation, charges, or disciplinary action.

(12) In addition to the requirements of this section, RCW 18.130.064 applies to a member of the armed forces or an active duty military spouse engaging in the practice of a health profession.

(13) By December 1, 2021, and biennially thereafter, each authority must submit a report to the appropriate committees of the legislature. The report must include the following information about provisional licenses and applications under this section and section 4 of this act:

(a) The number of applications received by profession;

(b) The number of applications approved by profession and the length of time between receipt of a completed application by the licensing authority and the issuance of a provisional license;

(c) The number of provisional license holders who were subsequently issued a standard license and the length of time the provisional license was valid prior to issuance of a standard license;

(d) The number of provisional license holders who notified the licensing authority that they no longer met the qualifications for the license and the length of time the license was valid prior to that notification; and

(e) The number and nature of complaints filed, if any, against a member of the armed forces or a military spouse engaging in the practice of a profession with a provisional license.

(14) By September 1, 2020, and in compliance with RCW 43.01.036, the department of labor and industries must submit a report to the joint committee on veterans and military affairs with a plan to implement provisional licenses for service members and active duty military spouses for all professions regulated by the department of labor and industries by January 1, 2021.

NEW SECTION. **Sec.**  A new section is added to chapter 43.24 RCW to read as follows:

(1) For the purposes of this section:

(a) "Active duty military spouse" means any person currently married to someone who is an active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.

(b) "Department" means the department of licensing.

(c) "Provisional license" means a provisional license, certificate, registration, or permit that authorizes a person to perform the full range of activities allowed with a standard license, certificate, registration, or permit for a period of three years, or the duration of a standard license, certificate, registration, or permit if less than three years.

(d) "Standard license" means the license, certificate, registration, or permit to perform professional services regulated by an authority under this title.

(2) By January 1, 2021, the department shall establish procedures to issue a provisional license to perform professional services regulated by the department to a member of the armed forces of the United States or an active duty military spouse who is:

(a) Currently holding in good standing a license, certificate, registration, or permit to perform professional services in another state, in the District of Columbia, or issued by an agency, bureau, or department of the United States government;

(b) Stationed, or is the spouse of a member of the armed forces who is stationed, in Washington; and

(c) Unable to engage in the practice of the profession through an interstate compact, reciprocity, or similar agreement.

(3) An application for a provisional license must be made in a form and manner as determined by the department and include:

(a) A copy of the applicant's current license, certificate, registration, or permit from another state, the District of Columbia, or an agency, bureau, or department of the United States government;

(b) A copy of the applicable permanent change-of-station orders;

(c) A statement signed by the applicant under penalty of perjury that he or she meets the qualifications for a provisional license and is not subject to any pending investigation, charges, or disciplinary action by the regulatory body of the other jurisdiction or jurisdictions;

(d) An application for a criminal background check, if required for a standard professional license for the same profession; and

(e) Proof of national certification or successful completion of a national examination, where applicable; and

(f) For real estate licensees under chapter 18.85 RCW, proof of successful completion of the state portion of the knowledge examination.

(4) The department shall charge a fee for a provisional license that is equal to the fee for a standard license for the same profession. If a provisional license is valid for a shorter time period than a standard license, the authority shall prorate the fee accordingly.

(5) The department must make an eligibility determination within forty-five days of receipt of a complete application for a provisional license.

(6) The department may act to deny or limit a provisional license using the same procedures for a standard license for the same profession.

(7) If the department determines that an applicant for a provisional license holds a license from a jurisdiction with substantially equivalent requirements, the department shall issue a standard license.

(8) If a person issued a provisional license subsequently meets the requirements for a standard license, the department may issue the person a standard license.

(9) A person may not renew a provisional license. Prior to expiration of a provisional license, the person must obtain a standard license.

(10) The department may investigate and take disciplinary action against a person or the person's provisional license using the same procedures for a standard license for the same profession.

(11) If a person with a provisional license no longer meets the qualifications under subsection (2) of this section or becomes subject to any pending investigation, charges, or disciplinary action by a regulatory body of another jurisdiction or the license, certification, registration, or permit issued by another jurisdiction is terminated or no longer valid, the person must:

(a) Immediately cease engaging in the practice of the profession in Washington; and

(b) Report to the department within thirty days the change in qualifications, licensing status, or pending investigation, charges, or disciplinary action.

NEW SECTION. **Sec.**  A new section is added to chapter 18.340 RCW to read as follows:

The employment security department, the department of health, the department of labor and industries, the department of licensing, and the department of veterans affairs shall each maintain a military assistance web page containing the department's rules, regulations, and procedures related to the professional licensing of veterans, members of the armed services, and military spouses and links to the military assistance web pages of other state agencies. A direct link to the agency's military assistance web page must be displayed on the agency's home page."

Correct the title.

EFFECT: (1) Excludes the Department of Labor and Industries (L&I) from the requirements for issuing provisional licenses to service members and active duty military spouses.

(2) Requires the L&I to submit a report by September 1, 2020, to the Joint Committee on Veterans and Military Affairs with a plan to implement, by January 1, 2021, provisional licenses for service members and active duty military spouses.

(3) Requires real estate licensees to submit proof of successful completion of the state portion of the knowledge examination as a qualification to obtain a provisional license.

(4) Defines "provisional license" and "standard license" to include "license, certificate, registration, or permit" and removes duplicate references to "certificate, registration, or permit."

(5) Requires state licensing authorities to submit a report to the Legislature with additional information about provisional licenses and applications.