CERTIFICATION OF ENROLLMENT

**SECOND SUBSTITUTE HOUSE BILL 1009**

Chapter 165, Laws of 2023

68th Legislature

2023 Regular Session

MILITARY SPOUSES—PROFESSIONAL LICENSING AND EMPLOYMENT

EFFECTIVE DATE: July 23, 2023—Except for section 4, which takes effect October 1, 2023.

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| Passed by the House April 13, 2023  Yeas 97 Nays 0  LAURIE JINKINS  **Speaker of the House of Representatives**  Passed by the Senate April 10, 2023  Yeas 49 Nays 0  DENNY HECK  **President of the Senate** | CERTIFICATE  I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 1009** as passed by the House of Representatives and the Senate on the dates hereon set forth.  BERNARD DEAN  Chief Clerk |
| Approved April 25, 2023 3:13 PM | April 26, 2023 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**SECOND SUBSTITUTE HOUSE BILL 1009**

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AS AMENDED BY THE SENATE

Passed Legislature - 2023 Regular Session

**State of Washington 68th Legislature 2023 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Leavitt, Barkis, Ryu, Paul, Donaghy, Slatter, Simmons, Low, Volz, Schmidt, Christian, Lekanoff, Griffey, Doglio, Robertson, Orwall, Caldier, Reeves, Bronoske, Bergquist, Shavers, Riccelli, and Ormsby)

AN ACT Relating to military spouse employment; amending RCW 18.340.020 and 73.04.150; adding new sections to chapter 18.340 RCW; adding a new section to chapter 28A.410 RCW; adding a new section to chapter 43.60A RCW; adding a new section to chapter 38.42 RCW; creating new sections; and providing an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  This act may be known and cited as the military spouse employment act.

NEW SECTION. **Sec.**  The legislature finds that the lives of military spouses are dominated by frequent deployments and relocations, and one-third of military families move each year. Many military families depend on two incomes, and military spouses tend to be better educated than the civilian population, with approximately 34 to 50 percent working in fields that require a professional license. The length of time to credential after a move is a significant employment barrier, with one study finding 20 percent of military spouses waited at least 10 months for a license after moving to a new state. This wait contributes to higher rates of unemployment or underemployment for military spouses when compared to their civilian counterparts. Given the fiscal and economic constraints of military families and the readiness considerations of the department of defense, the legislature intends to help alleviate the career turmoil military spouses face while serving in our state.

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

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Authority" means any agency, 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, or the department of financial institutions with respect to escrow agent licensure under chapter 18.44 RCW.

(2) "License" means a license, certificate, registration, or permit to perform professional services.

**Sec.**  RCW 18.340.020 and 2011 2nd sp.s. c 5 s 2 are each amended to read as follows:

(1) ((~~For the purposes of this section, "authority" means any board, commission, or other authority for issuance of a license, certificate, registration, or permit under this title.~~

~~(2) To the extent resources are available:~~))

(a) Each authority shall establish procedures to expedite the issuance of a license((~~, certificate, registration, or permit to perform professional services~~)) regulated by each such authority to a person:

(i) Who is ((~~certified or~~)) licensed, certified, or registered, or has a permit in another state to perform professional services in that state; and

(ii) Whose spouse is the subject of a military transfer to Washington((~~; and~~

~~(iii) Who left employment in the other state to accompany the person's spouse to Washington~~)).

(b) The procedure must include a process for issuing the person a license((~~, certificate, registration, or permit, if, in the opinion of the authority, the requirements for licensure, certification, registration, or obtaining a permit of such other state are substantially equivalent to that required in Washington~~)) within 30 days of receiving a completed application. A completed application means that the authority has received all supporting materials, related application fees, fingerprints, and required documentation associated with a criminal background check.

((~~(c)~~)) (2) Each authority in this title shall develop a method and adopt rules to authorize a person who meets the criteria in ((~~(a)(i) through (iii) of~~)) this ((~~subsection~~)) section to perform services regulated by the authority in Washington by issuing the person a temporary license((~~, certificate, registration, or permit~~)) within 30 days of receiving a completed application. A completed application means that the authority has received a copy of the certificate issued by the other state for a certificated education professional, related application fees, fingerprints, and required documentation associated with a criminal background check. The license may be issued for a limited period of time of no less than 180 days to allow the person to perform services regulated by the authority while completing any specific additional requirements in Washington that are not related to training or practice standards of the profession that were not required in the other state in which the person is licensed, certified, or registered, or has a permit.

(3) Nothing in this section requires the authority to issue a ((~~temporary~~)) license((~~, certificate, registration, or permit~~)) if the standards of the other state are substantially unequal to Washington standards.

((~~(d)~~)) (4) An applicant must state in the application that ((~~he or she~~)) the applicant:

((~~(i)~~)) (a) Has requested verification from the other state or states that the person is currently licensed, certified, registered, or has a permit; and

((~~(ii)~~)) (b) Is not subject to any pending investigation, charges, or disciplinary action by the regulatory body of the other state or states.

((~~(e)~~)) (5) If the authority finds reasonable cause to believe that an applicant falsely affirmed or stated either of the requirements under ((~~(d)(i) or (ii) of this~~)) subsection (4)(a) or (b) of this section, the authority may summarily suspend the license((~~, certificate, registration, or permit~~)) pending an investigation or further action to discipline or revoke the license((~~, certificate, registration, or permit~~)).

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

(1) Each authority must identify a contact or coordinator within the authority to assist military spouse applicants and licensees.

(2) Each authority must provide training to each board or commission member on the culture of military spouses, the military spouse experience, and issues related to military spouse career paths. Board or commission members appointed on or before October 1, 2023, must complete the training by January 1, 2024. Board or commission members appointed after October 1, 2023, must complete the training within 90 days after appointment. The department of veterans affairs shall create an internet-based training that may be used by each authority to satisfy this requirement.

(3) Each authority is encouraged to:

(a) Appoint a military spouse to serve on its licensing board or commission;

(b) Conduct a review of the authority's licensing application process for military spouses and identify barriers to military spouse employment; and

(c) Review licensing fees and related expenses and identify possible ways to reduce costs for military spouses.

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

(1) The employment security department, the department of health, the department of licensing, and the department of veterans affairs shall each maintain a military spouse assistance web page containing, at a minimum:

(a) Each authority's rules and procedures, including any required fees, related to the licensing of military spouses;

(b) Contact information for each authority's military spouse contact or coordinator; and

(c) Links to the military spouse assistance web pages of other agencies.

(2) A direct link to the agency's military spouse assistance web page must be displayed on the agency's home page.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.410 RCW to read as follows:

The agency responsible for educator certification shall, as set forth in chapter 18.340 RCW:

(1) Adopt rules for expedited professional certification for military spouses;

(2) Identify a contact or coordinator to assist military spouse applicants and licensees;

(3) Provide training to each board member on the culture of military spouses, the military spouse experience, and issues related to military spouse career paths; and

(4) Maintain a military spouse assistance web page.

NEW SECTION. **Sec.**  A new section is added to chapter 43.60A RCW to read as follows:

(1) The department, the employment security department, and the department of commerce shall consult local chambers of commerce, associate development organizations, and businesses to initiate a demonstration campaign to increase military spouse employment. This campaign may include partnerships with chambers of commerce that result in business owners sharing, with the local chamber of commerce, information on the number of military spouses employed and the local chambers of commerce providing this information to the department.

(2) Participants in the campaign are encouraged to work with the Washington state military transition council and county veterans' advisory boards under RCW 73.08.035.

(3) Funding for the campaign shall be established from existing resources.

(4) For the purposes of this section, "military spouse" means any person married or previously married to a military service member, irrespective of the length of the marriage, during the military service member's service in any branch of the United States armed forces as an active duty service member, reservist, or national guard member.

NEW SECTION. **Sec.**  A new section is added to chapter 38.42 RCW to read as follows:

(1) The spouse of a service member may terminate an employment contract without penalty at any time after the service member receives military service orders for a permanent change of station if:

(a) The spouse provides written notice, including email, to the employer of the termination under this section; and

(b) The spouse provides written proof to the employer of the official orders showing that the service member has received military orders for a permanent change of station.

(2) Termination of an employment contract under this section is effective on the day notice is given under subsection (1) of this section or on a date mutually agreed to by the parties to the employment contract.

(3) An employer may not impose any penalty for termination of an employment contract under this section.

(4) For purposes of this section:

(a) "Employment contract" means a contract that establishes the terms of employment or other professional relationship with the spouse of a service member. "Employment contract" does not include an independent contractor agreement.

(b) "Penalty" means any fee or cost or liability for breach of contract or any other adverse consequence imposed by the employer. "Penalty" does not include any requirements established by state or federal law.

(5) This section applies prospectively only and not retroactively. It applies only to employment contracts entered into on or after the effective date of this section.

(6) Nothing in this section shall be construed as altering the terms, conditions, or practices contained in any collective bargaining agreement in effect on the effective date of this section until the expiration date of such agreement.

**Sec.**  RCW 73.04.150 and 2017 c 184 s 1 are each amended to read as follows:

(1) There is hereby created a joint committee on veterans' and military affairs. The committee shall consist of: (a) Eight members of the senate appointed by the president of the senate, four of whom shall be members of the majority party and four of whom shall be members of the minority party; and (b) eight members of the house of representatives appointed by the speaker, four of whom shall be members of the majority party and four of whom shall be members of the minority party. Members of the committee shall be appointed before the close of the 2005 legislative session, and before the close of each regular session during an odd-numbered year thereafter.

(2) Each member's term of office shall run from the close of the session in which he or she was appointed until the close of the next regular session held in an odd-numbered year. If a successor is not appointed during a session, the member's term shall continue until the member is reappointed or a successor is appointed. The term of office for a committee member who does not continue as a member of the senate or house of representatives shall cease upon the convening of the next session of the legislature during an odd-numbered year after the member's appointment, or upon the member's resignation, whichever is earlier. Vacancies on the committee shall be filled by appointment in the same manner as described in subsection (1) of this section. All such vacancies shall be filled from the same political party and from the same house as the member whose seat was vacated.

(3) The committee shall establish an executive committee of four members, two of whom are members of the senate and two of whom are members of the house of representatives. The executive committee shall appoint one cochair from the two executive committee members who are senators and one cochair from the two executive committee members who are representatives. The two cochairs shall be from different political parties and their terms of office shall run from the close of the session in which they are appointed until the close of the next regular session in an odd-numbered year. The executive committee is responsible for performing all general administrative and personnel duties assigned to it in the rules and procedures adopted by the joint committee, as well as other duties delegated to it by the joint committee.

(4) The joint committee on veterans' and military affairs has the following powers and duties:

(a) To study veterans' issues, active military forces issues, and national guard and reserve component issues, and make recommendations to the legislature; and

(b) To study structure and administration of the department of veterans affairs and the military department, and make recommendations to the legislature.

(5) The joint committee shall adopt rules and procedures for its orderly operation. The joint committee may create subcommittees to perform duties under this section.

(6) The regulating authorities for the department of licensing ((~~and~~)), the department of health, and the professional educator standards board shall file reports to the legislature ((~~biennially and the Washington state military transition council~~)) annually beginning January 1, ((~~2018~~)) 2024, and appear annually before the joint committee on veterans' and military affairs, to provide updates on progress in their efforts to implement the requirements of chapter 18.340 RCW, chapter 32, Laws of 2011, ((~~and~~)) chapter 351, Laws of 2011((~~. By January 1, 2018, the department of labor and industries and the professional educator standards board must each submit a report to the legislature, including an assessment on how its licensing, certification, and apprenticeship programs apply training and experience acquired by military members and their spouses outside of Washington, and recommendations about whether such programs should be included in the reporting schedule within this subsection~~)), and section 6 of this act.

NEW SECTION. **Sec.**  Section 4 of this act takes effect October 1, 2023.

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Passed by the House April 13, 2023.

Passed by the Senate April 10, 2023.

Approved by the Governor April 25, 2023.

Filed in Office of Secretary of State April 26, 2023.