

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2321 Session of 2012

INTRODUCED BY HEFFLEY, GABLER, AUMENT, BOBACK, BROOKS, CREIGHTON, EMRICK, FARRY, GEORGE, GILLEN, GROVE, HESS, HORNAMAN, KAUFFMAN, KILLION, MAJOR, MILLARD, MILLER, MURT, PASHINSKI, PICKETT, READSHAW, ROCK, TOEPEL, TRUITT, VULAKOVICH AND GEIST, APRIL 18, 2012

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 2, 2012

AN ACT

1 Amending Titles 51 (Military Affairs) and 53 (Municipalities
2 Generally) of the Pennsylvania Consolidated Statutes, in
3 professional and occupational licenses, expanding the scope
4 of licensure and further providing for definitions and for
5 retention and certification; and making an editorial change.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. The heading of CHAPTER 75 OF Title 51 of the
9 Pennsylvania Consolidated Statutes is amended to read:



10 CHAPTER 75

11 †PROFESSIONAL AND OCCUPATIONAL‡ LICENSES AND CERTIFICATES



12 Section 2. Sections 7501 and 7502 of Title 51 are amended to
13 read:

14 § 7501. [Definition] Definitions.

15 [As used in this chapter, the word "person" means any] The
16 following words and phrases when used in this chapter shall have
17 the meanings given to them in this section unless the context

1 clearly indicates otherwise:

2 ~~"Armed forces." The United States Armed Forces. The term~~ ←
3 ~~includes:~~

4 ~~(1) A reserve component of a branch of the United States~~
5 ~~military.~~

6 ~~(2) The National Guard of the United States.~~

7 ~~(3) The Pennsylvania National Guard.~~

8 ~~"Veteran." An individual[, whether male or female,] who~~
9 ~~[may, have been, is now or may hereafter become engaged in the~~
10 ~~service of]:~~

11 ~~(1) is serving in the [United States of America or its~~
12 ~~allies as a member of the] armed forces[, or of the merchant~~
13 ~~marine thereof, or of any auxiliary thereof subject to~~
14 ~~military discipline]; or~~

15 ~~(2) has been discharged from the armed forces under~~
16 ~~conditions other than dishonorable.~~

17 ~~"ACTIVE DUTY." FULL-TIME DUTY FOR A PERIOD OF MORE THAN 30~~ ←
18 ~~DAYS BY A MEMBER OF THE ARMED FORCES. THE TERM DOES NOT INCLUDE~~
19 ~~ACTIVE DUTY FOR TRAINING.~~

20 ~~"ARMED FORCES." THE ARMY, NAVY, AIR FORCE, MARINES AND COAST~~
21 ~~GUARD OF THE UNITED STATES, INCLUDING THE RESERVE COMPONENTS OF~~
22 ~~THOSE ENTITIES AND THE PENNSYLVANIA NATIONAL GUARD.~~

23 ~~"PERSON." AN INDIVIDUAL[, WHETHER MALE OR FEMALE,] WHO MAY,~~
24 ~~HAVE BEEN, IS NOW OR MAY HEREAFTER BECOME ENGAGED IN THE SERVICE~~
25 ~~OF THE ARMED FORCES OF THE UNITED STATES [OF AMERICA OR ITS~~
26 ~~ALLIES AS A MEMBER OF THE ARMED FORCES, OR OF THE MERCHANT~~
27 ~~MARINE THEREOF, OR OF ANY AUXILIARY THEREOF SUBJECT TO MILITARY~~
28 ~~DISCIPLINE].~~

29 ~~"SERVICE MEMBER." AN INDIVIDUAL CURRENTLY SERVING ON ACTIVE~~
30 ~~DUTY IN THE ARMED FORCES.~~

1 "VETERAN." AN INDIVIDUAL WHO SERVED ON ACTIVE DUTY IN THE
2 ARMED FORCES AND WHO HAS BEEN DISCHARGED OR RELEASED FROM THE
3 SERVICE UNDER CONDITIONS OTHER THAN DISHONORABLE.

4 § 7502. Retention of licenses and certifications of persons
5 entering military service.

6 (a) General rule.--[Any person] A veteran OR SERVICE MEMBER ←
7 licensed or certified by [the Department of State, Department of
8 Labor and Industry, Department of Education, Insurance
9 Department, Department of Banking or the Municipal Police
10 Officers' Education and Training Commission or pursuant to the
11 act of October 10, 1974 (P.L.705, No.235), known as the Lethal
12 Weapons Training Act,] a Commonwealth agency to practice any
13 profession or to work at any trade or occupation[, who ←
14 theretofore has or shall thereafter enlist or be inducted or ←
15 drafted into the military or naval service of the United States
16 in time of war or preparation for national defense during a
17 national emergency,] ~~has been called to active duty for more~~ ←
18 ~~than 30 days~~ shall not thereby forfeit his or her current
19 license or registration and shall be exempt from any continuing
20 educational requirements or in-service training requirements.

21 (b) Renewal of license or certification following discharge
22 OR RELEASE.--[Any such person] A veteran OR SERVICE MEMBER, upon ←
23 presentation of a discharge from such service within one year
24 from date thereof, and upon payment of the fee prescribed by law
25 for the current renewal period only, shall be entitled to a
26 renewal of his or her license, certification or registration in
27 the same manner as though such renewal had been made prior to
28 the expiration of his or her last preceding renewal, as though
29 all intermediate renewal fees had been paid and as though all
30 continuing education or in-service training requirements have

1 been satisfied.

2 (c) Exemptions.--A veteran's military service, education,
3 training and service experience shall be taken into
4 consideration by the entities listed in subsection (a) ALL ←
5 COMMONWEALTH AGENCIES to determine whether a licensing or
6 certification requirement can be exempted. If the veteran is
7 lacking in a requirement, the veteran shall only be responsible
8 for that requirement.

9 Section 3. Section 2167(d) of Title 53 is amended to read:

10 § 2167. Police training.

11 * * *

12 (d) Mandatory waiver request.--If a police officer is unable
13 to attend in-service training due to service in the military or
14 National Guard or as a result of injury sustained in service as
15 a police officer, the officer's employer shall request a waiver
16 under section 2164(6) (relating to powers and duties of
17 commission). A police officer whose employer fails to request a
18 waiver as required under this subsection shall not be
19 decertified unless, upon return to service, the officer fails to
20 participate in such in-service training as the commission deems
21 appropriate in accordance with this chapter and 51 Pa.C.S. Ch.
22 75 (relating to ~~professional and occupational~~ licenses and ←
23 certificates).

24 Section 4. This act shall take effect in 60 days.