

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 107 Session of 2013

INTRODUCED BY HEFFLEY, KAUFFMAN, CUTLER, MCGEEHAN, HAGGERTY, AUMENT, METCALFE, LONGIETTI, DAVIS, COHEN, TRUITT, C. HARRIS, BOBACK, KNOWLES, HESS, SWANGER, HICKERNELL, V. BROWN, KORTZ, MACKENZIE, MILLARD, PICKETT, HAHN, TALLMAN, FARINA, READSHAW, ROCK, EVANKOVICH, WATSON, GROVE, HARHART, MOUL, MILLER, SIMMONS, MURT, DENLINGER, MARSHALL, FARRY, GILLEN, REED, MATZIE, PYLE, GABLER, CALTAGIRONE, FREEMAN, TOEPEL, VEREB AND HACKETT, JANUARY 14, 2013

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, FEBRUARY 5, 2013

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, in professional and occupational
3 licenses, further providing for definitions and for retention
4 and certification.

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

7 Section 1. Section 7501 of Title 51 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 7501. [Definition] Definitions.

10 [As used in this chapter, the word "person" means any] The
11 following words and phrases when used in this chapter shall have
12 the meanings given to them in this section unless the context
13 clearly indicates otherwise:

14 "Person." An individual, whether male or female, who may,
15 have been, is now or may hereafter become engaged in the service

1 of the United States of America or its allies as a member of the
2 armed forces, or of the merchant marine thereof, or of any
3 auxiliary thereof subject to military discipline.

4 "Veteran." An individual who served on active duty in the
5 armed forces and who has been discharged or released from the
6 service under conditions other than dishonorable.

7 Section 2. Section 7502 of Title 51 is amended by adding a <--
8 ~~subsection~~ SUBSECTIONS to read: <--

9 § 7502. Retention of licenses and certifications of persons
10 entering military service.

11 * * *

12 (c) Exemptions.--A veteran's military service, education,
13 training and service experience shall be taken into
14 consideration by the entities listed in subsection (a) to
15 determine whether a licensing or certification requirement has
16 been met by or can otherwise be waived by reason of that
17 military service, education, training or experience. The veteran
18 shall only be required to meet a licensing or certification
19 requirement which has not been met by or waived under this
20 subsection.

21 (D) MILITARY SPOUSE.--THE FOLLOWING SHALL APPLY: <--

22 (1) NOTWITHSTANDING ANY OTHER LAW, ENTITIES LISTED UNDER
23 SUBSECTION (A) SHALL ISSUE A LICENSE, CERTIFICATION,
24 REGISTRATION OR PERMIT TO A MILITARY SPOUSE TO ALLOW THE
25 MILITARY SPOUSE TO PRACTICE THE MILITARY SPOUSE'S PROFESSION
26 OR OCCUPATION IN THIS COMMONWEALTH IF, UPON APPLICATION TO
27 THE ENTITY, THE MILITARY SPOUSE SATISFIES ALL OF THE
28 FOLLOWING CONDITIONS:

29 (I) HOLDS A CURRENT LICENSE, CERTIFICATE,
30 REGISTRATION OR PERMIT FROM ANOTHER STATE, AND THAT

1 STATE'S REQUIREMENTS ARE SUBSTANTIALLY EQUIVALENT TO OR
2 EXCEED THE REQUIREMENTS FOR A LICENSE IN THIS
3 COMMONWEALTH.

4 (II) DEMONSTRATES COMPETENCY IN THE PROFESSION OR
5 OCCUPATION THROUGH METHODS DETERMINED BY THE ENTITY,
6 INCLUDING HAVING COMPLETED CONTINUING EDUCATION UNITS OR
7 HAVING EXPERIENCE IN THE PROFESSION OR OCCUPATION FOR AT
8 LEAST TWO OF THE FIVE YEARS PRECEDING THE DATE OF THE
9 APPLICATION UNDER THIS SUBSECTION.

10 (III) HAS NOT COMMITTED ANY ACT IN ANY STATE THAT
11 WOULD HAVE CONSTITUTED GROUNDS FOR REFUSAL, SUSPENSION OR
12 REVOCAION OF A LICENSE TO PRACTICE THAT PROFESSION OR
13 OCCUPATION IN THIS COMMONWEALTH AT THE TIME THE ACT WAS
14 COMMITTED.

15 (IV) IS IN GOOD STANDING AND HAS NOT BEEN
16 DISCIPLINED BY THE JURISDICTION THAT ISSUED THE LICENSE.

17 (V) PAYS ANY FEES REQUIRED BY THE ENTITY FROM WHICH
18 THE APPLICANT IS SEEKING A LICENSE.

19 (2) A MILITARY SPOUSE WHO IS NOT A RESIDENT OF THIS
20 COMMONWEALTH AND WHO IS ISSUED A LICENSE UNDER THIS
21 SUBSECTION SHALL HAVE THE SAME RIGHTS AND OBLIGATIONS AS A
22 RESIDENT OF THIS COMMONWEALTH WHO IS ISSUED THE SAME TYPE OF
23 LICENSE.

24 Section 3. This act shall take effect in 60 days.