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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 452 Session of  
2013

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INTRODUCED BY SMITH, TEPLITZ, YUDICHAK, FONTANA, ERICKSON,  
VULAKOVICH, RAFFERTY, VOGEL, MENSCH, STACK, HUGHES,  
WASHINGTON, BAKER, GREENLEAF, SOLOBAY, FERLO, BRUBAKER,  
COSTA, BROWNE, TARTAGLIONE, FARNESE, BLAKE, BREWSTER,  
WOZNIAK, KASUNIC AND WILEY, FEBRUARY 8, 2013

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REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
FEBRUARY 8, 2013

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AN ACT

1 Providing for portability of professional and occupational  
2 licenses for military spouses.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Military  
7 Spouse License Portability Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Licensing board." A professional or occupational licensing  
13 board or commission of this Commonwealth, including, but not  
14 limited to:

15 (1) State Architects Licensure Board.

16 (2) State Board of Accountancy.

- (3) State Board of Auctioneer Examiners.
- (4) State Board of Barber Examiners.
- (5) State Board of Certified Real Estate Appraisers.
- (6) State Board of Chiropractic.
- (7) State Board of Cosmetology.
- (8) State Board of Crane Operators.
- (9) State Board of Dentistry.
- (10) State Board of Examiners of Nursing Home  
Administrators.
- (11) State Board of Funeral Directors.
- (12) State Board of Landscape Architects.
- (13) State Board of Massage Therapy.
- (14) State Board of Medicine.
- (15) State Board of Nursing.
- (16) State Board of Occupational Therapy Education and  
Licensure.
- (17) State Board of Optometry.
- (18) State Board of Osteopathic Medicine.
- (19) State Board of Pharmacy.
- (20) State Board of Physical Therapy.
- (21) State Board of Podiatry.
- (22) State Board of Psychology.
- (23) State Board of Social Workers, Marriage and Family  
Therapists and Professional Counselors.
- (24) State Board of Examiners in Speech-Language and  
Hearing.
- (25) State Board of Vehicle Manufacturers, Dealers and  
Salespersons.
- (26) State Board of Veterinary Medicine.
- (27) State Commission for the Delaware River and its

1 Navigable Tributaries.

2 (28) State Real Estate Commission.

3 (29) State Registration Board for Professional  
4 Engineers, Land Surveyors and Geologists.

5 "Military spouse." A person who is married to a member of  
6 the armed forces of the United States or a reserve component of  
7 the armed forces of the United States under the laws of the  
8 jurisdiction where the marriage took place.

9 Section 3. Requirements for license.

10 (a) General rule.--Notwithstanding any other law, a  
11 licensing board shall issue a license to a military spouse to  
12 allow the military spouse to practice the military spouse's  
13 profession or occupation in this Commonwealth if, upon  
14 application to the licensing board, the military spouse  
15 satisfies all of the following conditions:

16 (1) Holds a current license, certificate, registration  
17 or permit from another state, and that state's requirements  
18 are substantially equivalent to or exceed the requirements  
19 for a license in this Commonwealth.

20 (2) Demonstrates competency in the profession or  
21 occupation through methods determined by the licensing board,  
22 including having completed continuing education units or  
23 having experience in the profession or occupation for at  
24 least two of the five years preceding the date of the  
25 application under this act.

26 (3) Has not committed any act in any state that would  
27 have constituted grounds for refusal, suspension or  
28 revocation of a license to practice that profession or  
29 occupation in this Commonwealth at the time the act was  
30 committed.

1           (4) Is in good standing and has not been disciplined by  
2           the jurisdiction that issued the license.

3           (5) Pays any fees required by the licensing board from  
4           which the applicant is seeking a license.

5           (b) Rights and obligations.--A military spouse who is not a  
6           resident of this Commonwealth and who is issued a license under  
7           this act shall have the same rights and obligations as a  
8           resident of this Commonwealth who is issued the same type of  
9           license.

10       Section 4. Provisional license.

11           (a) General rule.--Notwithstanding any other law, a  
12           licensing board may issue a provisional license to a military  
13           spouse who is licensed, certified, registered or issued a permit  
14           in another state while the military spouse is satisfying certain  
15           requirements, as determined by the licensing board, for a  
16           license in this Commonwealth under section 3.

17           (b) Limited period.--A military spouse may practice under a  
18           provisional license issued under subsection (a) until any of the  
19           following occurs:

20                (1) A license is granted or denied by the licensing  
21                board under section 3.

22                (2) The provisional license expires.

23                (3) The holder of a provisional license fails to comply  
24                with its terms.

25       Section 5. Alternative procedure for licensure.

26           This act shall not prohibit a military spouse from proceeding  
27           under other licensure requirements established by a licensing  
28           board.

29       Section 6. Rules and regulations.

30           A licensing board may adopt rules or regulations necessary to

- 1 implement this act.
- 2 Section 7. Effective date.
- 3 This act shall take effect in 60 days.