



This Bill Analysis reflects the contents of the bill as it was presented in committee.

SENATE BILL 717: PED/Military Occupational Licensure.

2019-2020 General Assembly

Committee:	Senate Commerce and Insurance. If favorable, re-refer to Rules and Operations of the Senate	Date:	May 20, 2020
Introduced by:	Sens. Bryan, Wells, D. Davis	Prepared by:	Jeremy Ray
Analysis of:	PCS to First Edition S717-CSBH-33		Committee Counsel

OVERVIEW: Senate Bill 717 would expedite the application process for military-trained individuals and military spouses seeking licensure from an occupational licensing board or State agency licensing board and would require those boards to include additional information relevant to those applications in their annual reports.

The PCS would shorten the time period allowed for boards to notify military-trained individuals and military spouses in certain situations from 30 days to seven business days, and clarifies that relevant licensure provisions for military-trained individuals and military spouses that apply to occupational licensing boards also apply to State agency licensing boards.

[As introduced, this bill was identical to H1053, as introduced by Reps. Horn, Lucas, which is currently in House Judiciary.]

BACKGROUND: In a final report made to the Joint Legislative Program Evaluation Oversight Committee in February 2020 (Report No. 2020-01), the Program Evaluation Division made several recommendations to further ease burdens on military-trained applicants and military spouses in obtaining occupational licensure. The recommendations included:

- Requiring occupational licensing boards to implement an expedited application process for military spouses.
- Requiring occupational licensing boards to promote military licensure provisions so that military-trained applicants and military spouses are aware of the opportunities the legislation provides.
- Requiring occupational licensing boards to annually report on (i) the number of military-trained applicants and military spouses who were licensed pursuant to N.C. Gen. Stat. § 93B-15.1, and (ii) the number of military-trained applicants and military spouses who were denied licensure.

CURRENT LAW: G.S. 93B-15.1 sets forth the licensure requirements for individuals with military training and experience, and licensure by endorsement for military spouses.

Under G.S. 93B-15.1, an occupational licensing board must issue a license, certification or registration to a military-trained applicant or military spouse when certain conditions are satisfied. This includes the issuance of temporary practice permits while the applicant is satisfying the requirements for permanent licensure.

If an applicant’s training or experience does not satisfy the requirements for licensure, or a pending complaint in another jurisdiction constituting grounds for denial of licensure in this State exists, the board

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must notify that applicant no later than 30 days following receipt of the application, and no later than 30 days following the receipt of written notice of the disposition of the pending complaint, respectively.

In 2019, S.L. 2019-19 added the following definition to G.S. 93B-1:

- State agency licensing board. – Any State agency staffed by full-time State employees, which as part of their regular functions issue licenses.

Two distinct categories of licensing boards now exist in North Carolina; occupational licensing boards and State agency licensing boards.

BILL ANALYSIS: The PCS to SB 717 would shorten the time period for a board to provide notice to an applicant if an applicant's training or experience does not satisfy the requirements for licensure, or a pending complaint in another jurisdiction constituting grounds for denial of licensure in this State exists. In each scenario the time period to respond by the board would be shortened from 30 to seven days. The board must notify an applicant no later than seven days following receipt of the application in the first scenario, and no later than seven days following the receipt of written notice of the disposition of the pending complaint in the second scenario.

Previously, no time periods for boards to provide notice existed for military spouse applicants.

The PCS would also expand all existing licensure provisions for military-trained applicants and military spouses applicable to occupational licensing boards, to include State agency licensing boards, to maintain consistency with definitional changes made under S.L. 2019-19.

It would require boards and the Secretary of the Department of Military and Veteran Affairs to publish certain information on their respective websites related to veterans and military spouses. This includes a summary of opportunities available to veterans and military spouses.

It would require boards including the State Board of Education, to provide additional relevant data related to the numbers of applicants, number of licenses granted, and reasons for denial as it pertains to military-trained individuals and military spouses, to the Secretary of State, the Attorney General, and the Joint Legislative Administrative Procedure Oversight Committee.

EFFECTIVE DATE: This act would become effective December 1, 2020, and would apply to applications for licensure received on or after that date.