



# SENATE BILL 717: PED/Military Occupational Licensure.

2019-2020 General Assembly

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<b>Committee:</b> Senate Rules and Operations of the Senate	<b>Date:</b> May 28, 2020
<b>Introduced by:</b> Sens. Bryan, Wells, D. Davis	<b>Prepared by:</b> Jeremy Ray
<b>Analysis of:</b> Second Edition	Staff Attorney

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**OVERVIEW:** *Senate Bill 717 would expedite the application process for military-trained individuals and military spouses seeking licensure or a temporary practice permit from an occupational licensing board or State agency licensing board, and require those boards to provide additional information relevant to those applications to various entities.*

[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 a temporary practice permit while the applicant is satisfying the requirements for 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 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.

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

**BILL ANALYSIS:** SB 717 would require a board to issue a license, certification, or registration no later than seven business days to a military-trained applicant or military spouse that has satisfied the requirements for licensure, and would shorten the time period for a board to provide notice to an applicant from 30 days to seven business days if that applicant's training or experience does not satisfy the requirements for licensure, or if a pending complaint in another jurisdiction constituting grounds for denial of licensure in this State exists.

The board would be required to notify an applicant no later than seven business days following receipt of the application in the first scenario, and no later than seven business days following the receipt of written notice of the disposition of the pending complaint in the second scenario.

Similarly, a board would be required to issue a temporary practice permit to an applicant who is licensed, certified, or registered in another jurisdiction while they are satisfying the requirements for licensure in this State within seven business days, and use the same information provided by the applicant in the licensure application to issue the temporary practice permit. A board would be granted authority to revoke or deny a temporary practice permit after notice has been provided to an applicant following the receipt of a pending complaint in another jurisdiction constituting grounds for denial of licensure in this State.

All existing licensure provisions for military-trained applicants and military spouses applicable to occupational licensing boards would be expanded 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 submit electronically each year, an annual report containing 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, the Joint Legislative Administrative Procedure Oversight Committee, and the Secretary of the Department of Military and Veterans Affairs. This annual report would first become due no later than October 31, 2021.

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