

SENATE BILL 852

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9lr1527
CF HB 1386

By: **Senators Griffith, Smith, Benson, Eckardt, Edwards, Ellis, Feldman, Hershey, Hester, Jennings, Miller, Peters, Reilly, Rosapepe, ~~and Zucker~~ Zucker, and Simonaire**

Introduced and read first time: February 4, 2019

Assigned to: Finance

Reassigned: Education, Health, and Environmental Affairs, February 7, 2019

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 12, 2019

CHAPTER _____

1 AN ACT concerning

2 **Department of Labor, Licensing, and Regulation – Veterans and Military**
3 **Service Members and Spouses – Occupational Licenses**

4 FOR the purpose of altering the definition of “military spouse” to include the surviving
5 spouse of a service member who dies at any time before an application for a license;
6 altering the definition of “veteran” to include former service members who have been
7 discharged for more than 1 year before an application for a license; requiring units
8 of the Department of Labor, Licensing, and Regulation to ~~establish the period of time~~
9 ~~during which each unit must approve or disapprove an application for an expedited~~
10 ~~temporary license for certain applicants; requiring certain units to approve or~~
11 ~~disapprove an application for an expedited temporary license during a certain time~~
12 ~~period established by the Department; issue a certain license to certain applicants~~
13 ~~within a certain period of time; repealing references to the issuance of a temporary~~
14 ~~license to certain applicants; requiring the Department to publish certain~~
15 ~~information prominently on its website; requiring each unit to publish prominently~~
16 ~~on its website the time period during which the unit must approve or disapprove an~~
17 ~~application for issue a temporary an expedited license for certain applicants; and~~
18 generally relating to occupational licenses for veterans and military service members
19 and their spouses.

20 BY repealing and reenacting, without amendments,

21 Article – Business Regulation

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 2.5–101(a)
 2 Annotated Code of Maryland
 3 (2015 Replacement Volume and 2018 Supplement)

4 BY repealing and reenacting, with amendments,
 5 Article – Business Regulation
 6 Section 2.5–101(c) and (f), 2.5–105, and 2.5–107
 7 Annotated Code of Maryland
 8 (2015 Replacement Volume and 2018 Supplement)

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 10 That the Laws of Maryland read as follows:

11 **Article – Business Regulation**

12 2.5–101.

13 (a) In this title the following words have the meanings indicated.

14 (c) (1) “Military spouse” means the spouse of a service member or veteran.

15 (2) “Military spouse” includes a surviving spouse of:

16 (i) a veteran; or

17 (ii) a service member who died [within 1 year] before the date on
 18 which the application for a license is submitted.

19 (f) [(1)] “Veteran” means a former service member who was discharged from
 20 active duty under circumstances other than dishonorable [within 1 year] before the date
 21 on which the application for a license is submitted.

22 [(2)] “Veteran” does not include an individual who has completed active duty
 23 and has been discharged for more than 1 year before the application for a license is
 24 submitted.]

25 2.5–105.

26 (a) (1) Each unit shall issue an expedited ~~temporary~~ license to a service
 27 member, veteran, or military spouse who meets the requirements of this section.

28 (2) ~~THE DEPARTMENT SHALL ESTABLISH A TIME PERIOD FOR~~
 29 ~~APPROVAL OR DISAPPROVAL OF AN APPLICATION FOR AN EXPEDITED TEMPORARY~~
 30 ~~LICENSE AND SHALL ISSUE EACH EXPEDITED TEMPORARY LICENSE WITHIN THAT~~
 31 ~~TIME PERIOD~~ IF A SERVICE MEMBER, VETERAN, OR MILITARY SPOUSE MEETS THE

1 REQUIREMENTS FOR LICENSURE, A UNIT SHALL ISSUE THE LICENSE WITHIN 60 DAYS
 2 AFTER RECEIVING A COMPLETED APPLICATION.

3 ~~(b) A temporary license issued under this section is valid until the earlier of:~~

4 ~~(1) 6 months after the date of issuance; or~~

5 ~~(2) the date on which a license is granted or a notice to deny a license is~~
 6 ~~issued by the unit.~~

7 ~~(c)~~ **(B)** An application for a temporary license shall include the following, in the
 8 form and manner required by the unit:

9 (1) proof that the applicant is a service member, veteran, or military
 10 spouse;

11 (2) proof that the applicant holds a valid license in good standing issued in
 12 another state;

13 (3) if the applicant is a service member or veteran, proof that the applicant
 14 is assigned to a duty station in the State or has established legal residence in the State;

15 (4) if the applicant is a military spouse, proof that the applicant's spouse is
 16 assigned to a duty station in the State or has established legal residence in the State;

17 (5) if a criminal background check is required by the unit for licensure,
 18 proof of application for a criminal background check;

19 (6) proof that the applicant has submitted the full application for licensure;
 20 and

21 (7) payment of any application fee required by the unit.

22 ~~(d)~~ **(C)** Before issuing a temporary license under this section, the unit shall
 23 determine that the requirements for licensure in the other state are substantially
 24 equivalent to, or exceed the requirements for, licensure in this State.

25 2.5-107.

26 **(A) THE DEPARTMENT SHALL PUBLISH PROMINENTLY ON ITS WEBSITE:**

27 **(1) THE PROCESS FOR OBTAINING A TEMPORARY LICENSE AND A**
 28 **PERMANENT LICENSE FROM ANY UNIT UNDER § 2.5-105 OF THIS TITLE;**

29 **(2) THE TIME PERIOD DURING WHICH A UNIT IS REQUIRED TO**
 30 **APPROVE OR DISAPPROVE AN APPLICATION FOR ISSUE AN EXPEDITED TEMPORARY**

1 LICENSE ~~ESTABLISHED BY THE DEPARTMENT~~ UNDER § 2.5-105(A) OF THIS TITLE;
2 AND

3 (3) A LIST OF THE NAMES OF EACH UNIT THAT ISSUES A ~~TEMPORARY~~
4 LICENSE UNDER THIS TITLE AND A DIRECT LINK TO EACH UNIT'S WEBSITE.

5 (B) Each unit shall publish prominently on its [Web site] WEBSITE:

6 (1) the process for obtaining a ~~temporary~~ license under § 2.5-105 of this
7 title and, if applicable, § 2.5-106 of this title; ~~[and]~~

8 ~~(2) the process for applying for a permanent license from the unit; AND~~

9 ~~(3) (2) THE TIME PERIOD DURING WHICH A UNIT IS REQUIRED TO~~
10 ~~APPROVE OR DISAPPROVE AN APPLICATION FOR~~ ISSUE AN EXPEDITED ~~TEMPORARY~~
11 ~~LICENSE ESTABLISHED BY THE DEPARTMENT~~ UNDER § 2.5-105(A) OF THIS TITLE.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2019.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.