

Amendment - 1st Reading/2nd House-blue - Requested by: Brad Barker - (S) Education and Cultural Resources

- 2023

68th Legislature 2023

Drafter: Pad McCracken, 406-444-3595

HB0583.002.001

1 HOUSE BILL NO. 583
2 INTRODUCED BY B. BARKER, G. NIKOLAKAKOS, K. ZOLNIKOV, E. BUTTREY, P. GREEN, N. DURAM

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LICENSING AND CERTIFICATION
5 LAWS; AND PROVIDING EDUCATIONAL CERTIFICATION AND ENDORSEMENT RECIPROCITY AND
6 OCCUPATIONAL LICENSING RECIPROCITY FOR MILITARY MEMBERS, MILITARY SPOUSES, AND
7 VETERANS; AND PROVIDING A DELAYED EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 NEW SECTION. Section 1. Certification reciprocity for military members, military spouses, and

12 veterans -- requirements. (1) The superintendent of public instruction shall issue a teacher certificate AND
13 ENDORSEMENT or specialist certificate as provided by Title 20 to a person:

14 (a) who is certified AND ENDORSED in good standing in another state or a United States territory as
15 a teacher or specialist; AND

16 (b) (I) who is a member of the armed forces of the United States or whose spouse is a member of
17 the armed forces of the United States;

18 ~~(c)(II)~~ who is subject to military orders for a change of station to a duty station in this state, who is in
19 the process of a change of station to a duty station in this state, who has been honorably discharged and is
20 relocated to this state, or whose spouse is the subject of a military transfer to this state; ~~or~~

21 ~~(d)(III)~~ who is the spouse of a military member, and the spouse left employment to accompany the
22 military member to this state; OR

23 (IV) WHO IS THE DEPENDENT OF AN ACTIVE-DUTY MEMBER OF THE UNITED STATE ARMED FORCES WHO HAS
24 BEEN TRANSFERRED TO MONTANA, IS SCHEDULED TO BE TRANSFERRED TO MONTANA, IS DOMICILED IN MONTANA, OR
25 HAS MOVED TO MONTANA ON A PERMANENT CHANGE-OF-STATION BASIS.

26 (2) In issuing a certificate AND ENDORSEMENT under subsection (1), the superintendent of public
27 instruction may:

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1 (a) issue the person a certificate AND ENDORSEMENT if the superintendent of public instruction
2 determines the requirements for certification AND ENDORSEMENT in the other state are substantially equivalent to
3 the requirements in this state; or

4 (b) if the requirements for certification AND ENDORSEMENT are not substantially equivalent, issue the
5 person a temporary teacher certificate AND ENDORSEMENT or specialist certificate to authorize the person as a
6 teacher or specialist while completing any specific requirements by the office of public instruction.

7 (3) The provisions of subsection (1) do not apply to a person whose teacher certificate or specialist
8 certificate is not in good standing with another state or who is subject to pending charges or final disciplinary
9 action for unprofessional conduct or impairment.

10
11 **NEW SECTION. Section 2. Licensing and certification reciprocity for military members, military**
12 **spouses, and veterans -- requirements.** (1) A board or program regulated by the department shall issue a
13 license or certificate as provided by Title 37 to a person:

14 (a) who is licensed or certified in good standing in another state or a United States territory to
15 practice a profession or occupation regulated by the department;

16 (b) who is a member of the armed forces of the United States or whose spouse is a member of the
17 armed forces of the United States;

18 (c) who is subject to military orders for a change of station to a duty station in this state, who is in
19 the process of a change of station to a duty station in this state, who has been honorably discharged and is
20 relocated to this state, or whose spouse is the subject of a military transfer to this state; or

21 (d) who is the spouse of a military member, ~~and the spouse left employment to accompany the~~
22 ~~military member to this state.~~

23 (2) In issuing a license or certificate under subsection (1), the board or program may:

24 (a) issue the person a license or certificate if the board or program determines the requirements for
25 licensure or certification in the other state are substantially equivalent to the requirements in this state; or

26 (b) if the requirements for licensure or certification are not substantially equivalent, issue the
27 person a temporary license or certificate to authorize the person to practice a profession or occupation while

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1 completing any specific requirements by the board or program.

2 (3) The provisions of subsection (1) do not apply to a person whose license or certificate is not in
3 good standing with another state or who is subject to pending charges or final disciplinary action for
4 unprofessional conduct or impairment.

5
6 NEW SECTION. Section 3. Codification instruction. (1) [Section 1] is intended to be codified as an
7 integral part of Title 20, chapter 4, and the provisions of Title 20, chapter 4, apply to [section 1].

8 (2) [Section 2] is intended to be codified as an integral part of Title 37, chapter 1, and the
9 provisions of Title 37, chapter 1, apply to [section 2].

10

11 NEW SECTION. SECTION 4. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE JULY 1, 2024.

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- END -