

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; AMENDING SECTION 37-1-145, MCA; 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. Activated military personnel exemptions. (1) Upon notice and proof of
12 deployment as described in this subsection, the department shall exempt licensees who deployed to federal
13 funded active duty as military personnel for more than 90 consecutive days from:
14 (a) the payment of any license renewal or late renewal fees; and
15 (b) any continuing education or certification requirements or audits for a renewal cycle that falls
16 within the period of active duty and within the 6 months following active duty.
17 (2) If a license in subsection (1) terminates as provided in 37-1-141, the board or program may
18 impose reasonable conditions to demonstrate competency as a condition to reactivate the license upon notice
19 and opportunity for a hearing pursuant to 37-1-309.

20
21 NEW SECTION. Section 2. Certification reciprocity for military members, military spouses, and
22 veterans -- requirements. (1) The superintendent of public instruction shall issue a teacher certificate AND
23 ENDORSEMENT or specialist certificate as provided by Title 20 to a person:

- 24 (a) who is certified AND ENDORSED in good standing in another state or a United States territory as
25 a teacher or specialist; AND
26 (b) (i) who is a member of the armed forces of the United States or whose spouse is a member of
27 the armed forces of the United States;
28 (e)(ii) who is subject to military orders for a change of station to a duty station in this state, who is in

1 relocated to this state, or whose spouse is the subject of a military transfer to this state; or

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

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

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

7 (b) if the requirements for licensure or certification are not substantially equivalent, issue the
8 person a temporary license or certificate to authorize the person to practice a profession or occupation while
9 completing any specific requirements by the board or program.

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

13

14 **Section 4.** Section 37-1-145, MCA, is amended to read:

15 **"37-1-145. Military training or experience to satisfy licensing or certification requirements --**

16 **rulemaking.** ~~(1) Each licensing board or the department on behalf of a program shall adopt rules that provide~~
17 ~~that certification or licensure requirements established by that board or program may be met by relevant military~~
18 ~~training, service, or education completed by an individual as a member of the armed forces or reserves of the~~
19 ~~United States, the national guard of a state, or the military reserves.~~

20 ~~(2) (a) An applicant for certification or licensure shall provide to the board or, if applying for licensure~~
21 ~~by a program, to the department satisfactory evidence, as specified in rule, of receiving military training,~~
22 ~~service, or education that is equivalent to relevant certification or licensure requirements.~~

23 ~~(b) The department and each licensing~~Each board and program shall, upon presentation of
24 satisfactory evidence by an applicant for certification or licensure, accept relevant education, training, or service
25 completed ~~by an individual as a member of in~~ the armed forces or reserves of the United States, or the national
26 guard ~~of a state, or the~~ military reserves, or naval militia of a state toward the qualifications to receive the
27 license or certification."

28

