



Senate

General Assembly

File No. 165

February Session, 2024

Senate Bill No. 346

Senate, March 28, 2024

The Committee on Veterans' and Military Affairs reported through SEN. MARX of the 20th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING OCCUPATIONAL LICENSE PORTABILITY FOR MEMBERS OF THE ARMED FORCES AND THEIR SPOUSES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section:
- 2 (1) "Armed forces" has the same meaning as provided in section 27-
- 3 103 of the general statutes;
- 4 (2) "Chief executive officer" means any agency head, department
- 5 head, executive director or other similar officer of a state agency;
- 6 (3) "Covered license" has the same meaning as provided in 50 USC
- 7 4025a, as amended from time to time; and
- 8 (4) "State agency" means any agency, authority, board, commission,
- 9 council, department, institution or other instrumentality of the state.
- 10 (b) Notwithstanding any provision of the general statutes, each state
- 11 agency that issues any occupational or professional license, permit,

12 certification, registration or other similar credential shall, in accordance
13 with the provisions of 50 USC 4025a, as amended from time to time,
14 consider any covered license of a member of the armed forces, or the
15 spouse of any such member, to be valid at a similar scope of practice and
16 in the discipline applied for in this state upon such member's or spouse's
17 satisfaction of the requirements of said section.

18 (c) Each covered license considered by a state agency to be valid
19 pursuant to subsection (b) of this section shall be recorded by such
20 agency in the appropriate registry of the occupational or professional
21 license, permit, certification, registration or other similar credential,
22 relevant to the scope of practice and discipline, that is maintained by
23 such agency.

24 (d) Not later than July 1, 2024, each state agency described in
25 subsection (b) of this section shall publish an application for each
26 occupational or professional license, permit, certification, registration or
27 other similar credential issued by such agency, in a form and manner
28 prescribed by the chief executive officer of such agency, that complies
29 with the provisions of 50 USC 4025a, as amended from time to time.

30 Sec. 2. Section 21a-11b of the general statutes is repealed and the
31 following is substituted in lieu thereof (*Effective from passage*):

32 (a) [An] Except as provided in section 1 of this act for any member of
33 the armed forces, as defined in section 27-103, or the spouse of any such
34 member, an occupational or professional license, permit, certification or
35 registration issued by the Department of Consumer Protection pursuant
36 to chapter 389, 390, 391, 392, 394, 396, 396a, 399a, 399b, 400, 400b, 400f,
37 400g, 400h, 400j, 400m, 400o or 400p shall be issued, in the occupation or
38 profession applied for and at a practice level determined by the
39 department, to a person who is [(1)] a resident of this state, as defined
40 in section 12-701, and provides a current driver's license, utility bill,
41 lease agreement or property deed indicating their residence in this state
42 [; or (2) married to an active duty member of the armed forces of the
43 United States and accompanies such member, pursuant to an official
44 permanent change of station, to a military installation located in this

45 state,] if such person:

46 [(A)] (1) Holds a valid license, permit, certification or registration in
47 at least one other jurisdiction in the United States in the occupation or
48 profession applied for;

49 [(B)] (2) Has at least four years of experience, including [(i)] (A)
50 practice under such license, permit, certification or registration, [(ii)] (B)
51 classroom education, and [(iii)] (C) on-the-job training;

52 [(C)] (3) Is in good standing in all jurisdictions in the United States in
53 which he or she holds a license, permit, certification or registration and
54 has not had a license, permit, certification or registration revoked or
55 discipline imposed by any jurisdiction, does not have a complaint,
56 allegation or investigation related to unprofessional conduct pending in
57 any jurisdiction and has not voluntarily surrendered a license, permit,
58 certification or registration while under investigation for unprofessional
59 conduct in any jurisdiction;

60 [(D)] (4) Satisfies any background check or character and fitness check
61 required of other applicants for the license, permit, certification or
62 registration;

63 [(E)] (5) Pays all fees required of other applicants for the license,
64 permit, certification or registration; and

65 [(F)] (6) Takes and passes all or a portion of any examination required
66 of other persons applying for the license, permit, certification or
67 registration. [, except a person married to an active duty member of the
68 armed forces of the United States may be required to take and pass all
69 or a portion of such examination at the discretion of the Commissioner
70 of Consumer Protection.]

71 (b) Any person issued a license, permit, certification or registration
72 pursuant to this section shall be subject to the laws of this state and the
73 jurisdiction of the Department of Consumer Protection.

74 (c) Notwithstanding the other provisions of this section, the

75 Commissioner of Consumer Protection may deny an occupational or
76 professional license, permit, certification or registration if the
77 commissioner finds such denial is in the best interest of the state.

78 (d) A person applying for a license, permit, certification or
79 registration that is not required to practice an occupation or profession
80 in at least twenty-five states who relocates to this state from another
81 state that did not require a license, permit, certification or registration to
82 practice the person's occupation or profession may be considered to
83 have satisfied the conditions of [subparagraphs (A) and (B) of
84 subdivision (2)] subdivisions (1) and (2) of subsection (a) of this section
85 if he or she establishes to the satisfaction of the Department of Consumer
86 Protection that he or she has four or more years of related work
87 experience with a substantially similar scope of practice within the five
88 years preceding the date of application to said department.

89 Sec. 3. Section 19a-14d of the general statutes is repealed and the
90 following is substituted in lieu thereof (*Effective from passage*):

91 (a) [An] Except as provided in section 1 of this act for any member of
92 the armed forces, as defined in section 27-103, or the spouse of any such
93 member, an occupational or professional license, permit, certification or
94 registration issued by the Department of Public Health pursuant to
95 chapter 368v, 370, 372, 373, 375, 375a, 376, 376a, 376b, 376c, 377, 378,
96 378a, 379, 379a, 380, 381, 381a, 381b, 382a, 382b, 382c, 383, 383a, 383b,
97 383c, 383d, 383e, 383f, 383g, 383h, 384, 384a, 384b, 384c, 384d, 385, 386,
98 387, 387a, 388, 388a, 393a, 395, 397a, 398, 399, 400a, 400c or 474 shall be
99 issued, in the occupation or profession applied for and at a practice level
100 determined by the department, to a person [, including, but not limited
101 to, an active duty member of the armed forces of the United States or
102 such person's spouse,] if:

103 (1) The person holds a valid license, permit, certification or
104 registration in at least one other jurisdiction in the United States in the
105 occupation or profession applied for;

106 (2) The person has practiced under such license, permit, certification

107 or registration for not less than four years;

108 (3) The person is in good standing in all jurisdictions in the United
109 States in which he or she holds a license, permit, certification or
110 registration and has not had a license, permit, certification or
111 registration revoked or discipline imposed by any jurisdiction in the
112 United States, does not have a complaint, allegation or investigation
113 related to unprofessional conduct pending in any jurisdiction, and has
114 not voluntarily surrendered a license, permit, certification or
115 registration while under investigation for unprofessional conduct in any
116 jurisdiction;

117 (4) The person satisfies any background check or character and fitness
118 check required of other applicants for the license, permit, certification or
119 registration; and

120 (5) The person pays all fees required of other applicants for the
121 license, permit, certification or registration.

122 (b) In addition to the requirements set forth in subsection (a) of this
123 section, the Department of Public Health may require a person applying
124 for a license, permit, certification or registration under this section to
125 take and pass all, or a portion of, any examination required of other
126 persons applying for such license, permit, certification or registration.

127 (c) Any person issued a license, permit, certification or registration
128 pursuant to this section shall be subject to the laws of this state and the
129 jurisdiction of the Department of Public Health.

130 (d) Notwithstanding the other provisions of this section and pursuant
131 to section 19a-14, the Commissioner of Public Health may deny an
132 occupational or professional license, permit, certification or registration
133 if he or she finds such denial is in the best interest of the state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

Sec. 2	<i>from passage</i>	21a-11b
Sec. 3	<i>from passage</i>	19a-14d

VA *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill allows occupational license portability for members of the armed forces and their spouses and does not result in a fiscal impact to the state or municipalities. Current law allows certain active-duty service members license reciprocity if they pay the credentialing fee and the bill does not exempt members from these fees.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**SB 346*****AN ACT CONCERNING OCCUPATIONAL LICENSE PORTABILITY FOR MEMBERS OF THE ARMED FORCES AND THEIR SPOUSES.*****SUMMARY**

In 2023, Congress amended the Servicemembers Civil Relief Act (SCRA) to allow the portability of professional licenses of servicemembers and their spouses for the duration of the servicemember's military orders (50 U.S.C. § 4025a). This bill requires state entities to recognize these occupational and professional credentials (i.e., covered licenses, see below) in compliance with this law. Specifically, the bill applies these requirements to any agency, authority, board, commission, council, department, institution, or other instrumentality of the state.

Under SCRA, if the servicemember or spouse is eligible to practice under an interstate compact that Connecticut is part of, he or she is subject to the compact's provisions, including establishing eligibility to practice, not SCRA.

Under current Connecticut law, spouses of active-duty servicemembers may have their professional license recognized as provided for other residents in the state (see BACKGROUND). Correspondingly, the bill makes conforming changes to these provisions exempting servicemembers and their spouses who qualify under the bill's provisions.

EFFECTIVE DATE: Upon passage

COVERED LICENSES

Under the federal law, a covered license is any professional license or certificate, other than a license to practice law, that (1) is in good standing with the issuing licensing authority and (2) the servicemember or spouse has actively used during the two years immediately before his

or her relocation.

Under the bill, when a servicemember or their spouse relocates to Connecticut due to military orders, they may apply for a license from a Connecticut state entity. The entity must consider the applicant's out-of-state license as qualifying for a Connecticut license of a similar scope of practice and discipline. Unlike similar provisions in existing law, the bill does not specify what entity determines what is considered a similar scope or discipline.

The bill applies to servicemembers in the U.S. Army, Navy, Marine Corps, Coast Guard, Air Force, Space Force, their reserve components, and the Connecticut National Guard performing certain active-duty missions.

RECORDING AND ISSUANCE OF LICENSE

The bill requires the appropriate entity to record the covered license in the registry maintained for that practice or discipline. By July 1, 2024, required entities must publish an application for recognizing covered licenses, as prescribed by the agency's chief executive officer, for each occupational or professional credential.

To have their license recognized, federal law requires that the applicant give the state's licensing authority a copy of the relocation military orders and that the applicant:

1. be in good standing with (a) the licensing authority that issued the covered license; and (b) every other licensing authority that has issued a license to the applicant for a similar scope of practice and discipline; and
2. submit to the jurisdiction's licensing authority for standards of practice, discipline, and continuing education requirements.

COMMITTEE ACTION

Veterans' and Military Affairs Committee

Joint Favorable

Yea 20 Nay 0 (03/14/2024)