**South Carolina General Assembly**

123rd Session, 2019-2020

**A139, R144, S455**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Alexander, Climer and Davis

Document Path: l:\s-res\tca\013mili.kmm.tca.docx

Companion/Similar bill(s): 3263

Introduced in the Senate on January 29, 2019

Introduced in the House on March 7, 2019

Last Amended on May 12, 2020

Passed by the General Assembly on May 12, 2020

Governor's Action: May 26, 2020, Signed

Summary: Professional licenses, temporary

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/29/2019 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20190129.docx))

 1/29/2019 Senate Referred to Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20190129.docx))

 2/14/2019 Senate Committee report: Favorable **Labor, Commerce and Industry** ([Senate Journal‑page 9](file:///h%3A%5Csj%5C20190214.docx))

 3/5/2019 Senate Amended ([Senate Journal‑page 17](file:///h%3A%5Csj%5C20190305.docx))

 3/5/2019 Senate Read second time ([Senate Journal‑page 17](file:///h%3A%5Csj%5C20190305.docx))

 3/5/2019 Senate Roll call Ayes‑44 Nays‑0 ([Senate Journal‑page 17](file:///h%3A%5Csj%5C20190305.docx))

 3/7/2019 Senate Read third time and sent to House ([Senate Journal‑page 15](file:///h%3A%5Csj%5C20190307.docx))

 3/7/2019 House Introduced and read first time ([House Journal‑page 83](file:///h%3A%5Chj%5C20190307.docx))

 3/7/2019 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 83](file:///h%3A%5Chj%5C20190307.docx))

 4/30/2019 House Committee report: Favorable with amendment **Labor, Commerce and Industry** ([House Journal‑page 6](file:///h%3A%5Chj%5C20190430.docx))

 5/1/2019 House Amended ([House Journal‑page 15](file:///h%3A%5Chj%5C20190501.docx))

 5/1/2019 House Read second time ([House Journal‑page 15](file:///h%3A%5Chj%5C20190501.docx))

 5/1/2019 House Roll call Yeas‑96 Nays‑0 ([House Journal‑page 18](file:///h%3A%5Chj%5C20190501.docx))

 5/2/2019 House Read third time and returned to Senate with amendments ([House Journal‑page 25](file:///h%3A%5Chj%5C20190502.docx))

 5/8/2019 Senate House amendment amended ([Senate Journal‑page 138](file:///h%3A%5Csj%5C20190508.docx))

 5/8/2019 Senate Roll call Ayes‑42 Nays‑0 ([Senate Journal‑page 138](file:///h%3A%5Csj%5C20190508.docx))

 5/8/2019 Senate Roll call Ayes‑41 Nays‑1 ([Senate Journal‑page 138](file:///h%3A%5Csj%5C20190508.docx))

 5/8/2019 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 138](file:///h%3A%5Csj%5C20190508.docx))

 5/8/2019 Senate Returned to House with amendments ([Senate Journal‑page 138](file:///h%3A%5Csj%5C20190508.docx))

 5/9/2019 House Non‑concurrence in Senate amendment ([House Journal‑page 112](file:///h%3A%5Chj%5C20190509.docx))

 5/9/2019 House Roll call Yeas‑0 Nays‑108 ([House Journal‑page 113](file:///h%3A%5Chj%5C20190509.docx))

 5/9/2019 Senate Senate insists upon amendment and conference committee appointed Gambrell, Scott, Davis ([Senate Journal‑page 55](file:///h%3A%5Csj%5C20190509.docx))

 1/28/2020 House Conference committee appointed West, Caskey, Ott ([House Journal‑page 22](file:///h%3A%5Chj%5C20200128.docx))

 2/27/2020 Senate Conference report received and adopted ([Senate Journal‑page 36](file:///h%3A%5Csj%5C20200227.docx))

 2/27/2020 Senate Roll call Ayes‑41 Nays‑0 ([Senate Journal‑page 36](file:///h%3A%5Csj%5C20200227.docx))

 5/12/2020 House Conference report adopted

 5/12/2020 House Roll call Yeas‑113 Nays‑0

 5/12/2020 House Ordered enrolled for ratification

 5/21/2020 Ratified R 144

 5/26/2020 Signed By Governor

 5/28/2020 Effective date 05/26/20

 5/28/2020 Act No.  139

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=455&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/29/2019](file:///p%3A%5Cpprever%5C2019-20%5C455_20190129.docx)

[2/14/2019](file:///p%3A%5Cpprever%5C2019-20%5C455_20190214.docx)

[3/5/2019](file:///p%3A%5Cpprever%5C2019-20%5C455_20190305.docx)

[4/30/2019](file:///p%3A%5Cpprever%5C2019-20%5C455_20190430.docx)

[5/1/2019](file:///p%3A%5Cpprever%5C2019-20%5C455_20190501.docx)

[5/8/2019](file:///p%3A%5Cpprever%5C2019-20%5C455_20190508.docx)

[5/12/2020](file:///p%3A%5Cpprever%5C2019-20%5C455_20200512.docx)

(A139, R144, S455)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “ARMED SERVICES MEMBERS AND SPOUSES PROFESSIONAL AND OCCUPATIONAL LICENSING ACT” BY ADDING SECTION 27‑1‑170 SO AS TO PROVIDE CONDITIONS UNDER WHICH ACTIVE DUTY UNITED STATES ARMED FORCES MEMBERS’ SPOUSES WHO ARE CREDENTIALED IN PROFESSIONS OR OCCUPATIONS IN OTHER JURISDICTIONS AND SUBSEQUENTLY RELOCATE TO THIS STATE UNDER OFFICIAL MILITARY ORDERS MAY CONTINUE TO WORK IN SUCH PROFESSIONS OR OCCUPATIONS IN THIS STATE, AND TO PROVIDE RELATED REQUIREMENTS AND PROCEDURES FOR IMPLEMENTING THESE PROVISIONS, AMONG OTHER THINGS; TO AMEND SECTION 40‑1‑630, RELATING TO THE ISSUANCE OF TEMPORARY PROFESSIONAL AND OCCUPATIONAL LICENSES BY STATE REGULATORY BOARDS, SO AS TO MAKE THE ISSUANCE OF SUCH TEMPORARY LICENSES MANDATORY IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 40‑1‑640, RELATING TO THE DISCRETIONARY ACCEPTANCE OF MILITARY EDUCATION, TRAINING, AND EXPERIENCE TO SATISFY PROFESSIONAL AND OCCUPATIONAL LICENSURE REQUIREMENTS OF CERTAIN STATE REGULATORY BOARDS, SO AS TO MANDATE THE ACCEPTANCE OF SUCH EDUCATION, TRAINING, AND EXPERIENCE IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 40‑33‑20, AS AMENDED, AND SECTION 40‑33‑34, AS AMENDED, BOTH RELATING TO CERTIFICATION REQUIREMENTS FOR CERTIFIED REGISTERED NURSE ANESTHETISTS, SO AS TO REVISE ACADEMIC REQUIREMENTS FOR SUCH CERTIFICATION.**

Be it enacted by the General Assembly of the State of South Carolina:

**Citation**

SECTION 1. This act must be known and may be cited as the “Armed Services Members and Spouses Professional and Occupational Licensing Act”.

**Licenses and certificates for spouses licensed in the other jurisdictions**

SECTION 2. Article 1, Chapter 1, Title 25 of the 1976 Code is amended by adding:

 “Section 25‑1‑170. (A) Except as provided in subsection (G), and notwithstanding other provisions of law, this section applies to a board, agency, commission, or other entity providing professional licenses or certificates, or both, for the purpose of employment in the State of South Carolina. A board, commission, or agency providing professional licenses or certificates, or both, may promulgate rules in conformity with this section for the purpose of implementing its requirements.

 (B) Except as provided in subsection (G), and notwithstanding another provision of law, this section applies to individuals who:

 (1) are married to and living with an active duty member of the United States Armed Forces who is relocated to and stationed in this State under official military orders;

 (2) have not committed or participated in an act that would constitute grounds for refusal, suspension, or revocation of a professional license or certificate;

 (3) have not been disciplined by an authorized entity or are under investigation, in any jurisdiction, in relation to a professional license or certificate; and

 (4) pay any required fee and submit to any required criminal or other background check by an authorized board, commission, or agency in this State.

 (C) An eligible individual under subsection (B) who possesses a valid professional or occupational license or certificate in another state, district, or territory of the United States with licensing or certification requirements greater than or substantially similar to the licensing or certification requirements of the appropriate board, commission, or agency in this State must be approved to continue work in that profession or occupation upon relocation to this State for such time as normally allotted with receipt of a license or certificate from the appropriate board, commission, or agency.

 (D) Upon completion of an application that documents compliance with the receiving agency’s requirements for a certificate or license, an authorized board, commission, or agency shall process the application and issue a license within fifteen business days after receipt of the application.

 (E) In addition to general personal information about the applicant, and other documentation satisfying the receiving agency’s requirements for a certificate or license, the application must include proof that he:

 (1) is married to and living with an active duty member of the United States Armed Forces who is relocated to and stationed in this State under official military orders;

 (2) possesses a valid license or certificate in another state, district, or territory of the United States; and

 (3) holds the license in subsection (B) in ‘good standing’ as evidenced by a certificate of good standing from the state, district, or territory of the United States that issued the license.

 (F) A board, commission, or agency in this State may establish reciprocity with other states for military spouse professional licensing and certification.

 (G) This section does not apply to:

 (1) the practice of law or the regulation of attorneys; and

 (2) educators.

 (H) A license or certificate issued pursuant to this section is valid for the same period of time as a license or certificate issued pursuant to the requirements of the applicable title for the particular profession or occupation.

 (I) Nothing in this section prevents a board, commission, or agency from revoking, penalizing, or suspending a license pursuant to the appropriate code sections regulating the particular profession.”

**Temporary professional licenses**

SECTION 3. Section 40‑1‑630(A) of the 1976 Code is amended to read:

 “(A) A board or commission that regulates the licensure of a profession or occupation under Title 40 shall issue a temporary professional license for a profession or occupation it regulates to the spouse of an active duty member of the United States Armed Forces if the member is assigned to a duty station in this State pursuant to the official active duty military orders of the member. Nothing in this section should be construed as requiring a board or commission to grant licensure to the spouse of an active duty member of the United States Armed Forces absent evidence that all state law requirements for licensure have been met.”

**Military education, experience, and training**

SECTION 4. Section 40‑1‑640(A) of the 1976 Code is amended to read:

 “(A) A professional or occupational board or commission governed by this title shall accept the education, training, and experience completed by an individual as a member of the Armed Forces or Reserves of the United States, National Guard of any state, the Military Reserves of any state, or the Naval Militias of any state and apply this education, training, and experience in the manner most favorable toward satisfying the qualifications for issuance of the requested license or certification or approval for license examination in this State, subject to the receipt of evidence considered satisfactory by the board or commission.”

**CRNA academic requirements**

SECTION 5. Section 40‑33‑20(19)(a) of the 1976 Code, as amended by Act 234 of 2018, is further amended to read:

 “(a) has successfully completed an advanced, organized formal CRNA education program at a minimum of the master’s level accredited by the national accrediting organization of this specialty area and that is recognized by the board;”

**CRNA academic requirements**

SECTION 6. Section 40‑33‑34(A)(3)(b) of the 1976 Code is amended to read:

 “(b) graduated before December 31, 2003, from an advanced, organized formal education program for nurse anesthetists accredited by the national accrediting organization of that specialty. CRNAs who graduate after December 31, 2003, must graduate with a minimum of a master’s degree from a formal CRNA education program for nurse anesthetists accredited by the national accreditation organization of the CRNA specialty. An advanced practice registered nurse must achieve and maintain national certification, as recognized by the board, in an advanced practice registered nursing specialty;”

**Time effective**

SECTION 7. This act takes effect upon approval by the Governor.

Ratified the 21st day of May, 2020.

Approved the 26th day of May, 2020.

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