

HOUSE BILL NO. 583

INTRODUCED BY B. BARKER, G. NIKOLAKAKOS, K. ZOLNIKOV, E. BUTTREY, P. GREEN, N. DURAM

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LICENSING AND CERTIFICATION LAWS; AND PROVIDING EDUCATIONAL CERTIFICATION RECIPROCITY AND OCCUPATIONAL LICENSING RECIPROCITY FOR MILITARY MEMBERS, MILITARY SPOUSES, AND VETERANS."

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

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

- (a) who is certified in good standing in another state or a United States territory as a teacher or specialist;
- (b) who is a member of the armed forces of the United States or whose spouse is a member of the armed forces of the United States;
- (c) who is subject to military orders for a change of station to a duty station in this state, who is in the process of a change of station to a duty station in this state, who has been honorably discharged and is relocated to this state, or whose spouse is the subject of a military transfer to this state; or
- (d) who is the spouse of a military member, and the spouse left employment to accompany the military member to this state.

- (2) In issuing a certificate under subsection (1), the superintendent of public instruction may:
 - (a) issue the person a certificate if the superintendent of public instruction determines the requirements for certification in the other state are substantially equivalent to the requirements in this state; or
 - (b) if the requirements for certification are not substantially equivalent, issue the person a temporary teacher certificate or specialist certificate to authorize the person as a teacher or specialist while completing any specific requirements by the office of public instruction.

(3) The provisions of subsection (1) do not apply to a person whose teacher certificate or specialist

1 certificate is not in good standing with another state or who is subject to pending charges or final disciplinary
2 action for unprofessional conduct or impairment.

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

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

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

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

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

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

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

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

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

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

28 (2) [Section 2] is intended to be codified as an integral part of Title 37, chapter 1, and the

1 provisions of Title 37, chapter 1, apply to [section 2].

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