Reprinted
February 28, 2012

ENGROSSED
HOUSE BILL No. 1116

DIGEST OF HB 1116 (Updated February 27, 2012 4:18 pm - DI 77)

Citations Affected: IC 21-42; IC 25-1.

Synopsis: Military education and training. Requires a state educational institution to adopt a policy to award educational credit to an individual who is enrolled in a state educational institution and successfully completes courses that: (1) are part of the individual's military service; (2) meet the standards of the American Council on Education for awarding academic credit; and (3) meet the state educational institution's role, scope, and mission. Requires that the commission for higher education must adopt rules that establish uniform guidelines for state educational institutions to follow when implementing the requirements. Provides that an occupational or professional licensure board shall issue a license, certificate, registration, or permit to a military service applicant or military spouse who meets certain requirements. Allows a board to issue a temporary practice permit or provisional license while the military service applicant or military spouse is satisfying certain requirements as determined by the board.

Effective: July 1, 2012.

Borders, Koch, Bartlett

(SENATE SPONSORS — GLICK, WATERMAN, TOMES, KRUSE, RANDOLPH)

January 9, 2012, read first time and referred to Committee on Education.
January 23, 2012, reported — Do Pass.
January 26, 2012, read second time, ordered engrossed. Engrossed.
January 27, 2012, read third time, passed. Yeas 90, nays 0.

SENATE ACTION

February 1, 2012, read first time and referred to Committee on Education and Career Development.
February 23, 2012, reported favorably — Do Pass.
February 27, 2012, read second time, amended, ordered engrossed.

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Second Regular Session 117th General Assembly (2012)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

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ENGROSSED
HOUSE BILL No. 1116

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 21-42-7 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]:

Chapter 7. Military Education

Sec. 1. As used in this chapter, "military service" means service performed while an active member of any of the following:

(1) The armed forces of the United States.

(2) A reserve component of the armed forces of the United States.

(3) The National Guard.

Sec. 2. Each state educational institution shall adopt a policy to award educational credit to an individual who:

(1) is enrolled in a state educational institution; and

(2) successfully completes courses that:

(A) are part of the individual's military service;

(B) meet the standards of the American Council on Education, or the council's successor organization, for

awarding academic credit; and

(C) meet the state educational institution's role, scope, and mission.

Sec. 3. The commission for higher education shall adopt rules under IC 4-22-2 that establish uniform guidelines for state educational institutions to follow when implementing the requirements under section 2 of this chapter.

SECTION 2. IC 25-1-17 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]:

Chapter 17. Licensure of Individuals with Military Training; Licensure of Military Spouses

Sec. 1. As used in this chapter, "board" has the meaning set forth in IC 25-1-8-1.

Sec. 2. As used in this chapter, "military service" means service performed while an active member of any of the following:

(1) The armed forces of the United States.

(2) A reserve component of the armed forces of the United States.

(3) The National Guard.

Sec. 3. As used in this chapter, "military spouse" means the husband or wife of an individual who is a member of the armed forces of the United States.

Sec. 4. Notwithstanding any other law, a board shall issue a license, certificate, registration, or permit to a military service applicant to allow the applicant to practice the applicant's occupation in Indiana if, upon application to a licensing board, the applicant satisfies the following conditions:

(1) Has:

(A) completed a military program of training;

(B) been awarded a military occupational specialty; and

(C) performed in that occupational specialty;

at a level that is substantially equivalent to or exceeds the academic or experience requirements for a license, certificate, registration, or permit of the board from which the applicant is seeking licensure, certification, registration, or a permit.

(2) Has engaged in the active practice of the occupation for which the person is seeking a license, certificate, registration, or permit from the board for at least two (2) of the five (5) years preceding the date of the application under this section.

(3) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or

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revocation of a license, certificate, registration, or permit to practice that occupation in Indiana at the time the act was committed.

(4) Pays the fees required by the board from which the applicant is seeking licensure, certification, registration, or a permit.

Sec. 5. Notwithstanding any other law, a board shall issue a license, certificate, registration, or permit to a military spouse to allow the military spouse to practice the military spouse's occupation in Indiana if, upon application to the board, the military spouse satisfies the following conditions:

(1) Holds a current license, certification, registration, or permit from another jurisdiction, and that jurisdiction's requirements for a license, certificate, registration, or permit are substantially equivalent to or exceed the requirements for a license, certificate, registration, or permit of the board from which the applicant is seeking licensure, certification, registration, or a permit.

(2) Can demonstrate competency in the occupation through methods as determined by the board, including having completed continuing education units or having had recent experience for at least two (2) of the five (5) years preceding the date of the application under this section.

(3) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license, certificate, registration, or permit to practice that occupation in Indiana at the time the act was committed.

(4) Is in good standing and has not been disciplined by the agency that has jurisdiction to issue the license, certification, registration, or permit.

(5) Pays any fees required by the occupational licensing board for which the applicant is seeking licensure, certification, registration, or a permit.

Sec. 6. (a) All relevant experience of a:

(1) military service member in the discharge of official duties; or

(2) military spouse, including full-time and part-time experience, regardless of whether in a paid or volunteer capacity;

must be credited in the calculation of years of practice in an occupation as required under section 4 or 5 of this chapter.

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(b) In determining if a military service member substantially meets the academic requirements for a license, certificate, registration, or permit issued by a board, the board shall consider the recommendations in the Guide to the Evaluation of Educational Experiences in the Armed Services published by the American Council on Education, or the council's successor organization.

Sec. 7. A nonresident who is issued a license, certificate, registration, or permit under this chapter is entitled to the same rights and subject to the same obligations as required of a resident who is issued a license, certificate, registration, or permit by a board.

Sec. 8. (a) Notwithstanding any other law, a board may issue a temporary practice permit or provisional license to a:

(1) military service applicant; or

(2) military spouse who is licensed, certified, registered, or issued a permit in another jurisdiction;

while the military service applicant or military spouse is satisfying certain requirements, as determined by the board, for a license, certificate, registration, or permit under section 4 or 5 of this chapter.

(b) The military service applicant or military spouse may practice under the temporary practice permit or provisional license issued under subsection (a) until:

(1) a license, certification, registration, or permit is granted or denied by the board;

(2) a temporary permit expires; or

(3) a provisional license holder fails to comply with the terms of the provisional license.

Sec. 9. A board may adopt rules under IC 4-22-2 necessary to implement this chapter.

Sec. 10. This chapter does not prohibit a military service applicant or military spouse from proceeding under other licensure, certification, registration, or permit requirements established by a board.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1116, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BEHNING, Chair

Committee Vote: yeas 10, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1116, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1116 as printed January 23, 2012.)

KRUSE, Chairperson

Committee Vote: Yeas 8, Nays 0.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1116 be amended to read as follows:

Page 1, delete lines 6 through 7 and insert "**performed while an active member of any of the following:**

(1) The armed forces of the United States.

(2) A reserve component of the armed forces of the United States.

(3) The National Guard.".

Page 2, delete lines 13 through 14 and insert "**performed while an active member of any of the following:**

(1) The armed forces of the United States.

(2) A reserve component of the armed forces of the United States.

(3) The National Guard.".

Page 2, line 16, delete "enlisted in the military" and insert "**a member of the armed forces of the United States.**".

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Page 2, delete line 17.

(Reference is to EHB 1116 as printed February 24, 2012.)

GLICK

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