

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0736.01 Brita Darling x2241

HOUSE BILL 24-1097

HOUSE SPONSORSHIP

Taggart and Weissman,

SENATE SPONSORSHIP

Fields and Gardner,

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING OCCUPATIONAL CREDENTIALING FOR MILITARY**
102 **FAMILIES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Effective September 1, 2024, the bill makes changes to Colorado's occupational credential portability program (program) relating to the spouses and dependents of military members, including:

- In addition to military spouses already covered by the program, allowing gold star military spouses and dependents of military members who are licensed, certified,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

registered, or enrolled in a profession or occupation (credentialed) in good standing in another state or United States territory (current state) to be credentialed in Colorado by endorsement from the current state to practice the same profession or occupation in Colorado;

- Allowing an applicant to be credentialed under the program if the applicant committed an act that would have been grounds for discipline in this state, but for which the applicant remains in good standing in the current state because the act is not grounds for discipline in the current state;
- Removing the 3-year limitation and nonrenewal provision for a military spouse's credential and allowing military spouses, gold star military spouses, and military dependents to obtain a renewable 6-year credential while in Colorado;
- Waiving the application and renewal fee for Colorado credentials issued to military spouses, gold star military spouses, and military dependents; and
- Expanding eligibility for the program to spouses and dependents of Armed Forces Reserve, Ready Reserve, and National Guard members in Colorado.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Short title.** The short title of this act is the "Military
3 Family Employment Support Act".

4 **SECTION 2. Legislative declaration.** (1) (a) The general
5 assembly finds and declares that:

6 (I) Not all active military members have orders for three years or
7 less; this is especially true for younger enlisted members;

8 (II) Nearly 39% of military spouses require professional licensing
9 for their jobs;

10 (III) Colorado has nearly 17,000 military spouses of
11 **servicemembers** across all branches of service; and

12 (IV) Colorado not only recognizes the sacrifice that military
13 spouses make while military members are in service, but also recognizes

1 those who have lost their spouses in the line of duty.

2 (b) Further, the benefits of the "Red Tape Reduction Act", which
3 was enacted in House Bill 20-1326 in 2020, should be expanded to
4 encompass the spouses of military servicemembers who are on orders for
5 longer than three years, the spouses of servicemembers in the Ready
6 Reserve and of servicemembers who transfer from active duty service to
7 the National Guard or Armed Forces Reserve, Gold Star military spouses,
8 military dependents, and the spouses and dependents of any other
9 qualified servicemembers.

10 (c) Therefore, the general assembly declares that:

11 (I) Regulators should continue to reduce barriers to entry into the
12 workforce;

13 (II) Military family members should be granted a Colorado
14 occupational credential for substantially equivalent experience in another
15 state, unless the regulator can demonstrate a specific reason to withhold
16 the credential; and

17 (III) Credentials should continue to be provided in the least
18 burdensome manner possible in order to get professionals to work as soon
19 as possible.

20 **SECTION 3.** In Colorado Revised Statutes, 12-20-202, **amend**
21 **(1)(b) and (3)(f)** as follows:

22 **12-20-202. Licenses, certifications, and registrations - renewal**
23 **- reinstatement - fees - occupational credential portability program**
24 **- exceptions for military personnel, spouses, gold star military**
25 **spouses, and dependents - rules - consideration of criminal**
26 **convictions or driver's history - executive director authority -**
27 **definitions. (1) Renewal. (b) Notwithstanding any provision of the law**

1 to the contrary, the director may change the renewal date of any license,
2 certification, or registration issued by a regulator so that approximately
3 the same number of licenses, certifications, or registrations are scheduled
4 for renewal in each month of the year. Where any renewal date is so
5 changed, the fee for the license, certification, or registration is
6 proportionately increased or decreased, as the case may be. EXCEPT FOR
7 A LICENSE, CERTIFICATION, OR REGISTRATION ISSUED IN ACCORDANCE
8 WITH SUBSECTION (3)(f) OF THIS SECTION, a license, certification, or
9 registration is valid for a period of no less than one year and no longer
10 than three years, as determined by the director in consultation with the
11 applicable regulator. A licensee, certificate holder, or registrant shall
12 submit an application for renewal to the applicable regulator on forms and
13 in the manner prescribed by the director.

14 **(3) Occupational credential portability program.** ~~(f) Effective~~
15 ~~January 1, 2021:~~

16 (f) (I) Except as specified in subsection (3)(f)(III) of this section,
17 a military spouse, GOLD STAR MILITARY SPOUSE, MILITARY DEPENDENT,
18 OR SPOUSE OR DEPENDENT OF ANY OTHER QUALIFIED SERVICEMEMBER
19 duly licensed, certified, registered, or enrolled in good standing in another
20 state or United States territory to practice a particular profession or
21 occupation is, upon application to the division for licensure, certification,
22 registration, or enrollment in that profession or occupation in this state,
23 entitled to the issuance of a temporary license, certification, registration,
24 or enrollment upon submission of satisfactory proof to the regulator,
25 under penalty of perjury, of the applicant's active license, certification,
26 registration, or enrollment in another state or United States territory in
27 good standing. and that the applicant has not committed an act that would

1 ~~be grounds for disciplinary action under the law governing the applicable~~
2 ~~profession or occupation.~~

3 (II) ~~For the purposes of~~ AS USED IN this subsection (3)(f):

4 (A) "GOLD STAR MILITARY SPOUSE" OR "GOLD STAR SPOUSE"
5 MEANS THE SPOUSE OF A SERVICEMEMBER, WHICH SERVICEMEMBER DIED
6 WHILE ON MILITARY ORDERS, WHO WAS RELOCATED TO COLORADO.

7 ~~(A)~~ (B) "In good standing" means that a license, certification,
8 registration, or enrollment has not been revoked, expired, or suspended
9 and against which there are no outstanding disciplinary or adverse
10 actions.

11 (C) "MILITARY DEPENDENT" MEANS THE DEPENDENT OF A
12 SERVICEMEMBER SERVING IN THE UNITED STATES UNIFORMED SERVICES
13 WHO WAS RELOCATED TO COLORADO.

14 ~~(B)~~ (D) "Military spouse" OR "SPOUSE" means the spouse of a
15 ~~person who is actively~~ SERVICEMEMBER serving in the United States
16 ~~armed forces and~~ UNIFORMED SERVICES who ~~is stationed in~~ WAS
17 ~~RELOCATED TO Colorado. in accordance with military orders.~~

18 (E) "RELOCATED" MEANS THAT A SERVICEMEMBER IN THE UNITED
19 STATES UNIFORMED SERVICES AND THE SERVICEMEMBER'S SPOUSE OR
20 DEPENDENT HAVE, OR THE SERVICEMEMBER'S GOLD STAR SPOUSE HAS,
21 MOVED TO COLORADO, AS A RESULT OF: AN ASSIGNMENT TO A DUTY
22 STATION IN COLORADO; A REASSIGNMENT, EITHER AS A RESULT OF A
23 PERMANENT CHANGE OF STATION OR PERMANENT CHANGE OF ASSIGNMENT
24 TO COLORADO, BETWEEN TWO DUTY STATIONS; OR A TRANSFER FROM A
25 REGULAR COMPONENT OF A UNIFORMED SERVICE INTO A SELECTED
26 RESERVE OF THE READY RESERVE OF A UNIFORMED SERVICE, IF THE
27 MEMBER IS AUTHORIZED TO MAKE A FINAL MOVE FROM THE MEMBER'S

1 LAST DUTY STATION TO COLORADO.

2 (F) "SERVICEMEMBER" MEANS A MEMBER OF THE UNIFORMED
3 SERVICES, AS DEFINED IN 10 U.S.C. SEC. 101 (a)(5).

4 (III) An applicant is not entitled to temporary licensure,
5 certification, registration, or enrollment pursuant to this subsection (3)(f)
6 if approving the temporary licensure, certification, registration, or
7 enrollment would violate an existing compact or reciprocity agreement or
8 if the regulator demonstrates by a preponderance of evidence, after notice
9 and opportunity for a hearing, that

10 ~~(A) The applicant has committed an act that would be grounds for~~
11 ~~disciplinary action under the law governing the applicable profession or~~
12 ~~occupation; or~~

13 ~~(B)~~ the applicant's license, certification, registration, or enrollment
14 issued by another state or United States territory is not in good standing.

15 (IV) Notwithstanding any provision of law to the contrary:

16 (A) A temporary license, certification, registration, or enrollment
17 issued to a military spouse, A GOLD STAR MILITARY SPOUSE, A MILITARY
18 DEPENDENT, OR THE SPOUSE OR DEPENDENT OF ANY OTHER QUALIFIED
19 SERVICEMEMBER pursuant to this subsection (3)(f) is valid for ~~three~~ SIX
20 years after the date of issuance and may ~~not~~ be renewed.

21 (B) Each regulator shall waive the application fee for temporary
22 SINGLE STATE licenses, certifications, registrations, or enrollments issued
23 pursuant to this subsection (3)(f).

24 **SECTION 4. Effective date.** This act takes effect September 1,
25 2024.

26 **SECTION 5. Safety clause.** The general assembly finds,
27 determines, and declares that this act is necessary for the immediate

1 preservation of the public peace, health, or safety or for appropriations for
2 the support and maintenance of the departments of the state and state
3 institutions.