

Senate Bill 195

By: Senators Walker III of the 20th, Dugan of the 30th, Kirkpatrick of the 32nd, Ginn of the 47th, Harbison of the 15th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and  
2 businesses, so as to repeal Code Section 43-1-34, relating to licenses for transitioning  
3 members of the armed forces, and Code Section 43-1-35, relating to expedited license by  
4 endorsement for spouses of active or transitioning members of the armed forces, and to enact  
5 statutes to facilitate licensure of transitioning service members, military spouses, and other  
6 qualified individuals who have certifications from or work experience in the military or  
7 licenses from or work experience in another state under certain conditions; to provide for  
8 definitions; to provide for criteria to obtain an expedited license by endorsement to practice  
9 a profession, business, or trade in this state; to provide for such license to be issued within  
10 a certain time frame from the date of application; to provide that such licensees are subject  
11 to this state's laws and the jurisdiction of the respective professional licensing board or other  
12 board; to provide for a short title; to provide for related matters; to provide for an effective  
13 date; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **SECTION 1.**

16 This Act shall be known and may be cited as the "Freedom to Work Act."

17 **SECTION 2.**

18 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,  
19 is amended by repealing Code Section 43-1-34, relating to licenses for transitioning members  
20 of the armed forces, in its entirety and enacting a new Code Section 43-1-34 to read as  
21 follows:

22 "43-1-34.

23 (a) As used in this Code section, the term:

24 (1) 'License' means a document, permit, certificate of registration, or other authorization  
25 issued by or on behalf of a professional licensing board or other board that is required  
26 under this title for a person to engage in a profession, business, or trade or an  
27 occupational specialty, certification, or other document earned in the military.

28 (2) 'Military' means the United States armed forces, including the air force, army, coast  
29 guard, marine corps, navy, space force, national guard, and all reserve components and  
30 auxiliaries. Such term also includes the military reserves and militia of any United States  
31 territory or state.

32 (3) 'Other board' means a board created pursuant to this title that is not a professional  
33 licensing board in this state.

34 (4) 'Scope of practice' means the procedures, actions, processes, and work that a person  
35 may perform under an occupational license issued in this state.

36 (5) 'State' means a state of the United States, the District of Columbia, Puerto Rico, the  
37 United States Virgin Islands, or any territory or insular possession subject to the  
38 jurisdiction of the United States, or any branch or unit of the military.

39 (b) Notwithstanding any other provisions of law, a professional licensing board or other  
40 board shall issue an expedited license by endorsement to a person upon application who:

41 (1) Holds a current and valid license to practice a profession, business, or trade issued  
42 by another state for an occupation with a similar scope of practice in this state, as  
43 determined by a professional licensing board or other board;

- 44 (2) Has held such license for at least one year;
- 45 (3) Is in good standing in such other state and whose license has not been revoked,  
46 suspended, or surrendered because of negligence or intentional misconduct related to  
47 such person's work in the profession, business, or trade;
- 48 (4) Does not have a complaint, allegation, or investigation pending before a  
49 governmental entity in another state which relates to unprofessional conduct or an alleged  
50 crime; provided, however, that, if such person has a pending complaint, allegation, or  
51 investigation, a professional licensing board or other board shall not issue or deny a  
52 license in this state until such complaint, allegation, or investigation is resolved;
- 53 (5) Does not have a disqualifying criminal record as determined by the professional  
54 licensing board or other board;
- 55 (6) Passes any examination that may only be required to demonstrate knowledge of the  
56 laws and rules and regulations of this state specific to the practice of the profession,  
57 business, or trade for which such expedited license by endorsement is being sought; and
- 58 (7) Pays all applicable fees required by the professional licensing board or other board  
59 in this state.
- 60 (c) Notwithstanding any other provisions of law, a professional licensing board or other  
61 board shall issue an expedited license by endorsement to a person upon application based  
62 on work experience in another state if all of the following apply:
- 63 (1) Such person worked in a profession, business, or trade in another state that does not  
64 require a license to regulate such occupation, but this state requires a license for an  
65 occupation with a similar scope of practice, as determined by a professional licensing  
66 board or other board;
- 67 (2) Such person worked in such profession, business, or trade in another state for at least  
68 three years; and
- 69 (3) Such person satisfies the requirements of paragraphs (4) through (7) of subsection (b)  
70 of this Code section.

71 (d) An expedited license by endorsement shall be issued no later than 30 days from the  
72 date of receipt of an application and information and documents that show that all of the  
73 requirements of subsection (b) or (c) of this Code section have been met. Such application  
74 shall only require such information and documentation necessary to verify that the  
75 applicant meets the requirements set forth in subsection (b) or (c) of this Code section.  
76 (e) Nothing contained in this Code section shall be construed to invalidate, override, or  
77 amend any interstate licensure compact entered into by this state."

78 **SECTION 3.**

79 Said title is further amended by repealing Code Section 43-1-35, relating to expedited license  
80 by endorsement for spouses of active or transitioning members of the armed forces, in its  
81 entirety and enacting a new Code Section 43-1-35 to read as follows:

82 "43-1-35.

83 (a) A license issued as provided for in Code Section 43-1-34 is valid only in this state.  
84 Such license does not make the licensee eligible to work in another state under an interstate  
85 licensure compact or reciprocity agreement, unless otherwise provided by law.

86 (b) A person who obtains a license as provided for in Code Section 43-1-34 is subject to  
87 the laws of this state and the jurisdiction of the respective professional licensing board or  
88 other board in this state."

89 **SECTION 4.**

90 Said title is further amended by repealing and reserving Code Section 43-50-42, relating to  
91 issuance and renewal of temporary license for transitioning service members.

92 **SECTION 5.**

93 This Act shall become effective upon its approval by the Governor or upon its becoming law  
94 without such approval.

95

**SECTION 6.**

96 All laws and parts of laws in conflict with this Act are repealed.