

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

AS PASSED SENATE

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 service members and their spouses who have certifications
6 from or work experience in the military or licenses from or work experience in another state
7 under certain conditions; to provide for definitions; to provide for criteria to obtain an
8 expedited license by endorsement to practice a profession, business, or trade in this state; to
9 provide for such license to be issued within a certain time frame from the date of application;
10 to provide that such licensees are subject to this state's laws and the jurisdiction of the
11 respective professional licensing board or other board; to provide for a short title; to provide
12 for related matters; to provide for an effective date; to repeal conflicting laws; and for other
13 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."

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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.

36 (5) 'Service member' means an active duty member of the regular or reserve component
37 of the United States military.

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

41 (b) Notwithstanding any other provisions of law, a professional licensing board or other
42 board shall issue an expedited license by endorsement to a service member or spouse of a
43 service member upon application who:

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

47 (2) Has held such license for at least one year;

48 (3) Is in good standing in such other state and whose license has not been revoked,
49 suspended, or surrendered because of negligence or intentional misconduct related to
50 such person's work in the profession, business, or trade;

51 (4) Does not have a complaint, allegation, or investigation pending before a
52 governmental entity in another state which relates to unprofessional conduct or an alleged
53 crime; provided, however, that, if such person has a pending complaint, allegation, or
54 investigation, a professional licensing board or other board shall not issue or deny a
55 license in this state until such complaint, allegation, or investigation is resolved. In such
56 instance, the licensing board or other board shall consult with such other state;

57 (5) Does not have a disqualifying criminal record as determined by the professional
58 licensing board or other board;

59 (6) Passes any examination that may only be required to demonstrate knowledge of the
60 laws and rules and regulations of this state specific to the practice of the profession,
61 business, or trade for which such expedited license by endorsement is being sought; and

62 (7) Pays all applicable fees required by the professional licensing board or other board
63 in this state.

64 (c) Notwithstanding any other provisions of law, a professional licensing board or other
65 board shall issue an expedited license by endorsement to a service member or spouse of a
66 service member upon application based on work experience in another state if all of the
67 following apply:

68 (1) Such service member or spouse worked in a profession, business, or trade in another
69 state that does not require a license to regulate such occupation, but this state requires a

70 license for an occupation with a similar scope of practice, as determined by a professional
71 licensing board or other board;

72 (2) Such service member or spouse worked in such profession, business, or trade in
73 another state for at least three years; and

74 (3) Such service member or spouse satisfies the requirements of paragraphs (4) through
75 (7) of subsection (b) of this Code section.

76 (d) An expedited license by endorsement shall be issued no later than 30 days from the
77 date of receipt of an application and information and documents that show that all of the
78 requirements of subsection (b) or (c) of this Code section have been met. Such application
79 shall only require such information and documentation necessary to verify that the
80 applicant meets the requirements set forth in subsection (b) or (c) of this Code section.

81 (e) An applicant who is refused a license under this Code section may not apply again on
82 an expedited basis for the same license.

83 (f) Nothing contained in this Code section shall be construed to invalidate, override, or
84 amend any interstate licensure compact entered into by this state."

85 **SECTION 3.**

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

89 "43-1-35.

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

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

96 **SECTION 4.**

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

99 **SECTION 5.**

100 This Act shall become effective on March 1, 2024.

101 **SECTION 6.**

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