

VETERANS.GOV

Military Spouse License Transfer Options

ARKANSAS LAW

A.C.A. § 17-1-106

§ 17-1-106. Automatic licensure for active duty service members, returning military veterans, and spouses--Definitions

(a) As used in this section:

(1) "Automatic licensure" means the granting of occupational licensure without an individual's having met occupational licensure requirements provided under this title or by the rules of the occupational licensing entity;

(2) "Occupational licensing entity" means an office, board, commission, department, council, bureau, or other agency of state government having authority to license, certify, register, permit, or otherwise authorize an individual to engage in a particular occupation or profession;

(3) "Occupational licensure" means a license, certificate, registration, permit, or other form of authorization required by law or rule that is required for an individual to engage in a particular occupation or profession; and

(4) "Returning military veteran" means a former member of the United States Armed Forces who was discharged from active duty under circumstances other than dishonorable.

(b)(1) A An occupational licensing entity shall grant automatic licensure to engage in an occupation or profession to an individual who is the holder in good standing of a substantially equivalent occupational license issued by another state, territory, or district of the United States and is:

(A) An active duty military service member stationed in the State of Arkansas;

(B) A returning military veteran applying for licensure within one (1) year of his or her discharge from active duty; or

(C) The spouse of a person under subdivisions (b)(1)(A) and (b)(1)(B) of this section.

(2) However, an occupational licensing entity shall be required to provide automatic licensure if the proposed rules are not approved as required under subsection (d)(2) of this section.



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UNITED STATES DEPARTMENT OF LABOR
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(c) An occupational licensing entity may submit proposed rules recommending an expedited process and procedure for occupational licensure instead of automatic licensure as provided under subsection (b) of this section to the Administrative Rules and Regulations Subcommittee of the Legislative Council.

(d) The Administrative Rules and Regulations Subcommittee of the Legislative Council shall:

(1) Review the proposed rules of an occupational licensing entity as submitted for public comment and at least thirty (30) days before the public comment period ends under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.; and

(2) Approve the proposed rules submitted under subsection (c) based on:

(A) A determination of whether the expedited process and procedure provide the least restrictive means of accomplishing occupational licensure; and

(B) Any other criteria the Administrative Rules and Regulations Subcommittee of the Legislative Council determines necessary to achieve the objectives of this section.

(e) The Administrative Rules and Regulations Subcommittee of the Legislative Council may:

Legislative Council under this section to one (1) or more subcommittee of the Legislative Council, including without limitation a subcommittee created under subdivision (e)(1) of this section; or

(3) Delegate its duties under this section to one (1) or more subcommittees of the Legislative Council, subject to final review and approval of the Administrative Rules and Regulations Subcommittee of the Legislative Council.

(f) An occupational licensing entity shall:



(1) Submit proposed rules authorized under subsection (c) of this section to the Administrative Rules and Regulations Subcommittee of the Legislative Council for review and approval before the proposed rules are promulgated under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.; and

(2) Provide to the House Committee on Aging, Children and Youth, Legislative and Military Affairs an annual report stating the number of automatic licenses and expedited occupational licenses granted under this section to:

(A) Active duty military service members stationed in the State of Arkansas;

(B) Returning military veterans applying within one (1) year of his or her discharge from active duty; or

(C) The spouse of a person under subdivisions (f)(2)(A) and (f)(2)(B) of this section.



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