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# A BILL FOR AN ACT

RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that veterans who leave  
2 the military often experience delays in finding post-service  
3 employment. Transitioning veterans leave the military with  
4 documented education, training, and experience that can prepare  
5 them for civilian employment; however, this documentation is not  
6 always used by state entities when determining qualifications  
7 for an occupational license.

8           The legislature further finds that the employment of  
9 military veterans has been cited as a top priority by the  
10 President of the United States and the United States secretaries  
11 of Defense and Veterans Affairs. The First Lady of the United  
12 States has addressed this issue, as well, as part of the Joining  
13 Forces Initiative, which was established to raise awareness  
14 about and encourage all sectors of society to recognize the  
15 service and sacrifice of military veterans.

16           The legislature additionally finds that Act 248, Session  
17 Laws of Hawaii 2012, was a measure that demonstrated Hawaii's  
18 commitment to this nationwide effort. However, an amendment to



1 Act 248 is needed to clarify the requirements for the licensure  
2 of military veterans in Hawaii.

3 The purpose of this Act is to assist transitioning military  
4 veterans by clarifying and establishing various professional and  
5 vocational licensing requirements for military veterans.

6 SECTION 2. Chapter 436B, Hawaii Revised Statutes, is  
7 amended by adding a new section to be appropriately designated  
8 and to read as follows:

9 "§436B- Licensure by endorsement or licensure by  
10 reciprocity; initial acceptance by affidavit; service member.

11 (a) If a service member holds a current license in another  
12 state, district, or territory of the United States with  
13 licensure requirements that the licensing authority determines  
14 are equivalent to or exceed those established by the licensing  
15 authority of this State, that service member shall receive a  
16 license pursuant to applicable statutes or requirements of the  
17 licensing authority of this State regarding licensure by  
18 endorsement or licensure by reciprocity; provided that the  
19 service member:

20 (1) Has not committed an act in any jurisdiction that  
21 would have constituted grounds for the limitation,  
22 suspension, or revocation of a license; has never been



1 censured or had other disciplinary action taken; has  
2 not had an application for licensure denied; and has  
3 not refused to practice a profession or vocation for  
4 which the service member seeks licensure;

5 (2) Has not been disciplined by a licensing or  
6 credentialing entity in another jurisdiction; is not  
7 the subject of an unresolved complaint, review  
8 procedure, or disciplinary proceeding conducted by a  
9 licensing or credentialing entity in another  
10 jurisdiction; and has not surrendered membership on  
11 any professional staff in any professional  
12 association, society, or faculty of another state or  
13 licensing jurisdiction while under investigation or to  
14 avoid adverse action for acts or conduct similar to  
15 acts or conduct which would constitute grounds for  
16 disciplinary action in this State;

17 (3) Pays any fees required by the licensing authority of  
18 this State; and

19 (4) Submits with the application a signed affidavit  
20 stating that the application information, including  
21 necessary prior employment history, is true and  
22 accurate. Upon receiving the affidavit, the licensing



1           authority shall issue the license to the service  
2           member and may revoke the license at any time if the  
3           information provided in the application is found to be  
4           false.

5           The licensing authority shall accept the results of the  
6           passage of a national or regional examination, where required,  
7           for a license; provided that a certificate or other evidence  
8           satisfactory to the licensing authority of the service member's  
9           having passed a national or regional examination shall be  
10          provided by the service member to the licensing authority.

11          (b) Unless otherwise provided by law, an applicant for  
12          licensure by endorsement or licensure by reciprocity who is a  
13          service member may demonstrate competency in a specific  
14          profession or vocation as determined by the licensing authority  
15          in lieu of a requirement that the applicant has worked or  
16          practiced in that profession or vocation for a specified period  
17          of time prior to the application for licensure by endorsement or  
18          licensure by reciprocity.

19          (c) The licensing authority shall expedite consideration  
20          of the application and issuance of a license by endorsement,  
21          license by reciprocity, or temporary license to a service member  
22          who meets the requirements of subsection (a) or (b).



1        (d) The requirements of this section shall not be  
2 applicable to applications for licensure by medical doctors,  
3 dentists, certified public accountants, or applications for  
4 licensure submitted to a licensing authority that is subject to  
5 specific provisions regulating licensure by endorsement or  
6 licensure by reciprocity pursuant to another chapter.

7        (e) For purposes of this section, "service member" means  
8 an individual who:

9        (1) Has been given an honorable discharge or general  
10 (under honorable conditions) discharge from active  
11 duty within two years of applying for licensure by  
12 endorsement or licensure by reciprocity; and

13        (2) Provides a copy of the individual's most recent  
14 retirement, separation, or discharge document that  
15 indicates an honorable discharge or general (under  
16 honorable conditions) discharge from active duty."

17        SECTION 3. Act 248, Session Laws of Hawaii 2012, is  
18 amended as follows:

19        1. By amending section 1 to read:

20        "SECTION 1. Chapter 436B, Hawaii Revised Statutes, is  
21 amended by adding a new section to read as follows:



1           "§436B-       **Licensure; acceptance of military education,**  
2 **training, or service.** Notwithstanding any law to the contrary,  
3 every licensing authority subject to this chapter, upon  
4 presentation of satisfactory evidence by an applicant, shall  
5 consider relevant education, training, licensure examinations,  
6 or service completed by an individual as a member of the armed  
7 forces or reserves of the United States, the national guard of  
8 any state, the military reserves of any state, or the navy  
9 militia of any state; provided that the individual shall:

10           (1) Have been given an honorable discharge or general  
11           (under honorable conditions) discharge from active  
12           duty within two years of applying for licensure; and

13           (2) Provide a copy of the individual's most recent  
14           retirement, separation, or discharge document that  
15           indicates an honorable discharge or general (under  
16           honorable conditions) discharge from active duty,

17 as part of the evaluation process toward the qualification  
18 requirements to receive the license. Evidence presented for  
19 consideration for fulfillment or partial fulfillment of  
20 licensing requirements shall demonstrate substantial equivalency  
21 to state standards. The requirements of this section shall not



1 be applicable to applications for licensure by medical doctors,  
2 dentists, or certified public accountants."

3 2. By amending section 4 to read:

4 "SECTION 4. This Act shall take effect on July 1, 2012[~~7~~  
5 ~~and shall be repealed on June 30, 2022~~]."

6 SECTION 4. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect on July 1, 2050.



**Report Title:**

Professional and Vocational Licensing; Military Education,  
Training, or Service; Licensure

**Description:**

Clarifies and establishes various professional and vocational  
licensing requirements for military veterans. Effective July 1,  
2050. (SB506 HD2)

*The summary description of legislation appearing on this page is for informational purposes only and is  
not legislation or evidence of legislative intent.*

