Legislative Council Staff
Nonpartisan Services for Colorado's Legislature

Memorandum

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TO: Interested Persons

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SUBJECT: Occupational and Professional Licensing for Military Spouses

Summary

This memorandum provides information concerning federal efforts to address occupational and professional licenses for military spouses, as well as Colorado-specific military spouse licensure.

For general information on the regulation of licensing in the state, including the various mechanisms Colorado has in place for issuing credentials to professionals credentialed in another state, refer to the Legislative Council Staff memorandum on the Regulation of Professions and Occupations in Colorado.

Federal Efforts Regarding Military Spouse Licensure

The federal Servicemembers Civil Relief Act (SCRA) provides certain protections for U.S. military servicemembers and their families.[1] Under the act, members of the U.S. Armed Forces and their spouses may use their existing professional licenses and certificates when they relocate to another state due to military orders. For a license to be considered valid in a new location, a servicemember or their spouse must satisfy the following criteria:

- have a covered license, which means the license is in good standing with the licensing authority that issued the license and has not been revoked, surrendered, or actively under investigation;
- moved to another state due to military orders; and
- submitted an application to the licensing authority of the new state.

[1] 50 U.S.C. § 3901 *et seq*.

If these three criteria are met, the servicemember or their spouse's covered license or certificate is considered valid for the scope of practice in the new state of residence.[2]

Additionally, under federal law, each military service branch may reimburse spouses, depending on eligibility requirements, up to $1,000 for certain licensure costs resulting from relocations that cross state lines.[3] Information about licensure cost reimbursements for each service branch is available from Military One Source.

Colorado Efforts Regarding Military Spouse Licensure

Over 100 professions and occupations are currently required to be licensed, certified, or registered in Colorado, or are authorized to use an exclusive professional title, known as title protection. The Department of Regulatory Agencies (DORA) regulates the majority of professions and occupations, such as cosmetologists, engineers, nurses, and real estate agents. Certain professions are regulated by other state agencies, including attorneys, emergency medical service providers, and educators. The following paragraphs discuss how various state agencies assist military spouses with occupational and professional licensing.

Licenses Issued by DORA

Division of Professions and Occupations

Spouses, dependents, and Gold Star spouses of military personnel stationed in Colorado may obtain temporary licenses for any profession or occupation under the purview of the Division of Professions and Occupations (DPO), if they hold a credential in good standing from another U.S. state or territory and meet certain other requirements. DPO licenses professions such as certified public accountants, estheticians, and physician assistants. DPO offers free licenses to military spouses who are licensed in good standing in other states. Licenses are valid for six years from the date of issuance.[4]

DORA provides additional information online about DORA's Military and Veterans Programs.

[2] 50 U.S.C. § 4025a.

[3] 37 U.S.C. § 453.

[4] Section 12-20-202 (3)(f), C.R.S.

Real Estate Professional Licenses

The Division of Real Estate in DORA licenses and regulates real estate professionals. Under federal law, a military spouse who holds an active real estate broker, real estate appraiser, or mortgage loan originator license in another state who relocates to Colorado because of military orders can obtain the same Colorado license.[5] The ability to practice in Colorado is valid as long as the military orders are in effect. Colorado rules further address the requirements for issuing a real estate broker or real estate appraiser license to a relocated military spouse, including that:

- a copy of the military orders indicating that the new residency will be in Colorado is provided to the Division of Real Estate;
- the military spouse has been actively licensed during the two years immediately preceding the relocation to Colorado; and
- the military spouse submits to the Division of Real Estate specific documentation, including the fulfillment of any continuing education requirements.[6]

Attorney Licenses

Colorado Rules of Civil Procedure allow a military spouse to become certified to practice law in Colorado if the person meets the following criteria:

- the attorney has been admitted to practice law and is on active status in another jurisdiction in the United States;
- the attorney holds a Juris Doctor degree or Bachelor of Laws degree from a law school approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association at the time the applicant matriculated or graduated;
- the attorney is currently a member in good standing of the bar of all courts and jurisdictions in which he or she is admitted to practice;
- the attorney is not currently subject to an order of attorney discipline or the subject of a pending formal disciplinary or disability matter in any jurisdiction; and
- the attorney possesses the character and fitness required of all applicants for admission to the practice of law in Colorado.[7]

[5] 50 U.S.C. § 4025a.

[6] 4 CCR 725-1 (2.11) and 4 CCR 725-2 (9.2).

[7] C.R.C.P. Rule 204.4.

Emergency Medical Service Provider Certifications

The Colorado Department of Public Health and Environment (CDPHE) certifies emergency medical service (EMS) providers. Under state law, military spouses who are applying for an EMS certification are exempt from most of the initial certification requirements as long as the military spouse holds a current, valid, and unrestricted certification from the National Registry of Emergency Medical Technicians at or above the level of state certification being sought. Military spouse applications for EMS certification are expedited for processing by CDPHE.[8]

Licenses Issued by the Colorado Department of Education

Teachers, special service providers, principals, and administrators with out-of-state licenses have reciprocity provisions under the Colorado Educator Licensing Act.[9] This law is not specific to military spouses, instead applying to all out-of-state license holders. More information about general requirements for educator license holders can be found on the Department of Education website, and in the Legislative Council Staff memorandum on the Regulation of Professions and Occupations in Colorado.

Additionally, the Department of Education may issue a military spouse interim authorization that authorizes a school district to employ a military spouse who is certified or licensed, or is eligible for certification or licensure, as a teacher, special services provider, principal, or administrator in another state and who has not successfully completed the assessment of professional competencies to obtain an initial license, but who meets the other requirements for an initial license. A military spouse interim authorization is valid for one year, and the Department of Education may renew the authorization for one additional year. The employing school district can include the period during which a person works under a military spouse interim authorization toward the three full years of continuous employment necessary to cease being a probationary teacher. The Department of Education must issue a military spouse interim authorization to a person who meets the authorization criteria no later than 90 days after the receipt of the initial application.[10]

[8] Section 25-3.5-203 (1)(d)(III), C.R.S.

[9] Article 60.5 of Title 22, C.R.S.

[10] Section 22-60.5-111 (7.5), C.R.S.