**A** **BILL**

TO AMEND SECTION 40‑1‑75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A CONTINUING EDUCATION EXEMPTION FOR PERSONS SERVING ON ACTIVE MILITARY DUTY, SO AS TO PROVIDE DEFINITIONS, TO PROVIDE VARIOUS EXEMPTIONS FROM THESE REQUIREMENTS AND THE PAYMENT OF ASSOCIATED FILING FEES IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE AN APPLICATION PROCESS FOR A PERSON SEEKING AN EXEMPTION UNDER THIS SECTION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑1‑75 of the 1976 Code, as added by Act 299 of 2008, is amended to read:

“Section 40‑1‑75. ~~A person whose profession or occupation is regulated by this title is exempt from completing continuing education requirements for his profession or occupation while serving on active military duty.~~ (A) For the purposes of this section:

(1) ‘Active military duty’ does not include military duty performed in this State if that duty requires the person serving to engage in the practice of the profession for which he is licensed under this title.

(2) ‘Reporting period’ means a period of time during which a licensee must successfully complete the number of hours of continuing education required of the licensee by law.

(B) A person whose profession or occupation is regulated by this title may exempt himself from satisfying a continuing education requirement of his profession or occupation and the payment of associated filing fees for:

(1) a reporting period in which he serves six consecutive months of active military duty, if that reporting period encompasses this entire six month service;

(2) either one of two consecutive reporting periods over which he serves six consecutive months of active military duty; or

(3) any two consecutive reporting periods in which he serves any portion of a period of active military duty that spans eighteen consecutive months.

(C)(1) A person seeking an exemption under subsection (B) must apply for this exemption from the board or commission charged under this title with licensing and regulating the profession for which he seeks the exemption.

(2) A application made pursuant to item (1) must:

(a) be made within six months following the return of the applicant from the deployment for which he bases the exemption request;

(b) be made on a form provided by the board or commission; and

(c) include a copy of the orders of deployment or discharge papers indicating the term of the deployment of the applicant. The department may not charge a fee for this form or processing this request. Within thirty calendar days from the receipt of a copy of these orders or discharge papers, the board or commission shall review these orders or discharge papers, determine whether they demonstrate that an exemption is appropriate under subsection (B), and grant an exemption it considers appropriate or deny the petition for an exemption with a written explanation of the denial.”

SECTION 2. This act takes effect upon approval by the Governor.

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