

House Bill 1082

By: Representatives Wix of the 33<sup>rd</sup>, Powell of the 23<sup>rd</sup>, Hudson of the 156<sup>th</sup>, Williams of the 83<sup>rd</sup> and Johnson of the 35<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 14 of Title 43 of the Official Code of Georgia Annotated, relating to  
2 electrical contractors, plumbers, conditioned air contractors, low-voltage contractors, and  
3 utility contractors, so as to change the definitions of utility contracting and utility system; to  
4 change a provision restricting the award of certain work to licensed utility contractors or  
5 those who intend to have the work performed by a licensed utility contractor; to provide for  
6 related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 14 of Title 43 of the Official Code of Georgia Annotated, relating to electrical  
10 contractors, plumbers, conditioned air contractors, low-voltage contractors, and utility  
11 contractors, is amended in Code Section 43-14-2, relating to definitions, by striking  
12 paragraphs (13) and (17) and inserting in lieu thereof the following:

13 "(13) 'Utility contracting' means undertaking to construct, erect, alter, or repair or have  
14 constructed, erected, altered, or repaired any utility system ~~in which the cost of the utility~~  
15 ~~system work exceeds \$100,000.00."~~

16 "(17) 'Utility system' means any system ~~at least five feet underground, when~~ installed or  
17 accessed by trenching, open cut, cut and cover, or other similar construction methods  
18 which install or access the system from the ground surface, including, but not limited to,  
19 gas distribution systems, electrical distribution systems, communication systems, water  
20 supply systems, sanitary sewerage and drainage systems, reservoirs and filtration plants,  
21 water and waste-water treatment plants, leachate collection and treatment systems  
22 associated with landfills, and pump stations, when the system distributes or collects a  
23 service, product, or commodity for which a fee or price is paid for said service, product,  
24 or commodity or for the disposal of said service, product, or commodity."

**SECTION 2.**

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2 Said chapter is further amended in Code Section 43-14-8.2, relating to utility contractor  
3 licenses and utility managers, by striking subsection (h) and inserting in lieu thereof the  
4 following:

5 "~~(h) It~~ After June 30, 1994, it shall be unlawful for any contracting body to ~~open or~~  
6 consider or award any bid for utility contracting unless the bidder has obtained the license  
7 required by this Code section or ~~intends to~~ shall have the utility contracting work  
8 performed by another person who has obtained such license. ~~The utility contractor license~~  
9 ~~number of the person who will perform the utility work shall be written on the face of the~~  
10 ~~bid envelope, unless otherwise provided. If 50 percent or more of any multifaceted project~~  
11 ~~being bid is~~ contains a utility work system, the bidder must have obtained a utility license  
12 ~~and his or her number must be written on the face of the bid~~ or shall have the utility  
13 contracting work performed by a utility contractor in accordance with this Code section."

**SECTION 3.**

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