

Senate Bill 194

By: Senator Crotts of the 17th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Chapter 14 of Title 43 of the Official Code of Georgia Annotated, relating to the
2 State Construction Industry Licensing Board, so as to change the provisions relating to
3 definitions; to provide for the regulation of natural gas piping activities; to change the
4 provisions relating to the board and its composition and powers; to change the provisions
5 relating to divisions of the board and licenses issued thereby; to change the provisions
6 relating to sanctions and continuing education; to prohibit engaging in business involving
7 natural gas piping without licensing and provide for exceptions; to repeal conflicting laws;
8 and for other purposes.

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

SECTION 1.

10 Chapter 14 of Title 43 of the Official Code of Georgia Annotated, relating to the State
11 Construction Industry Licensing Board, is amended by striking paragraph (3) of Code
12 Section 43-14-2, relating to definitions, and inserting in its place the following:

14 "(3) 'Conditioned air contracting' means the installation, repair, or service of conditioned
15 air systems or conditioned air equipment or the installation, repair, or service of natural
16 gas piping on the outlet side of the gas meter. Service to or installation of the electrical
17 connection between the electrical disconnect and conditioned air equipment is considered
18 to be installation, repair, or service of conditioned air equipment or the conditioned air
19 system. Service to or installation of the electrical circuit from the electrical distribution
20 panel to the conditioned air equipment where the electrical service to the building or site
21 is a single-phase electrical circuit not exceeding 200 amperes is considered to be
22 installation, repair, or service of conditioned air equipment or the conditioned air system."

SECTION 2.

23 Said chapter is further amended by striking paragraph (11) of said Code section and inserting
24 in its place the following:
25

1 (4) Five members known as the Division of Low-voltage Contractors, one of whom shall
 2 be an alarm system low-voltage contractor, one of whom shall be an unrestricted
 3 low-voltage contractor, one of whom shall be a telecommunication system low-voltage
 4 contractor, one of whom shall be a professional electrical engineer, and one of whom
 5 shall be the chief electrical inspector of a county or municipality;

6 (5) Five members known as the Division of Utility Contractors, three of whom shall be
 7 utility contractors, one of whom shall be a registered professional engineer, and one of
 8 whom shall be an insurance company representative engaged primarily in the bonding of
 9 construction projects; and

10 (6) Two members who shall not have any connection with the electrical contracting,
 11 plumbing, natural gas piping contracting, or conditioned air contracting businesses
 12 whatsoever but who shall have a recognized interest in consumer affairs and consumer
 13 protection concerns."

14 SECTION 4.

15 Said chapter is further amended by striking paragraphs (2) and (4) of Code Section 43-14-5,
 16 relating to general powers of the board, and inserting in their place the following:

17 "(2) Provide by regulation for reciprocity with other states in the registration and
 18 licensing of electrical contractors, master plumbers, journeyman plumbers, natural gas
 19 piping contractors, low-voltage contractors, utility contractors, or conditioned air
 20 contractors and in the certification of utility contracting foremen, provided that such other
 21 states have requirements substantially equal to the requirements in force in this state for
 22 registration, licensure, and certification; provided, further, that a similar privilege is
 23 offered to residents of this state;"

24 "(4) Establish the policies for regulating the businesses of electrical contracting,
 25 plumbing, natural gas piping, low-voltage, utility, and conditioned air contracting;"

26 SECTION 5.

27 Said chapter is further amended by striking subsection (a) of Code Section 43-14-6, relating
 28 to powers and duties of the division, and inserting in its place the following:

29 "(a) The Division of Electrical Contractors, with respect to applicants for a license to
 30 engage in or licensees engaging in the business of electrical contracting; the Division of
 31 Master Plumbers and Journeyman Plumbers, with respect to applicants for a license to
 32 engage in or licensees engaging in the business of plumbing as master plumbers or
 33 journeyman plumbers or for a license to engage in or licensees engaging in the business of
 34 natural gas piping contracting; the Division of Low-voltage Contractors, with respect to
 35 applicants for a license to engage in or licensees engaging in the business of low-voltage

1 contracting; the Division of Utility Contractors with respect to applicants for a license to
2 engage in or licensees engaging in the business of utility contracting and with respect to
3 applicants for a certificate to be a utility manager or utility foreman or holders of a utility
4 manager or utility foreman certificate; and the Division of Conditioned Air Contractors,
5 with respect to applicants for a license to engage in or licensees engaging in the business
6 of conditioned air contracting, shall:

7 (1) Approve examinations for all applicants for licenses or certificates, except for utility
8 contractor licenses and utility foreman certificates. The Division of Electrical
9 Contractors shall approve separate examinations for Class I and Class II licenses. Class
10 I licenses shall be restricted to electrical contracting involving single-phase electrical
11 installations which do not exceed 200 amperes at the service drop or the service lateral,
12 and Class II licenses shall be unrestricted. The Division of Master Plumbers and
13 Journeyman Plumbers shall approve separate examinations for Master Plumber Class I,
14 Master Plumber Class II, ~~and Journeyman Plumbers,~~ and Natural Gas Piping Contractor.
15 Master Plumber Class I licenses shall be restricted to plumbing and natural gas plumbing
16 contracting involving single-family dwellings and one-level dwellings designed for not
17 more than two families and commercial structures not to exceed 10,000 square feet in
18 area. Master Plumber Class II licenses shall be unrestricted. The Division of Conditioned
19 Air Contractors shall approve separate examinations for Class I and Class II licenses.
20 Class I licenses shall be restricted to the installation, repair, or service of conditioned air
21 systems or equipment not exceeding 175,000 BTU (net) of heating and five tons (60,000
22 BTU) of cooling. Class II licenses shall be unrestricted. The Division of Low-voltage
23 Contractors shall approve separate examinations for Low-voltage Contractor Class LV-A,
24 Low-voltage Contractor Class LV-T, Low-voltage Contractor Class LV-U, and
25 Low-voltage Contractor Class LV-G. Class LV-A licenses shall be restricted to alarm and
26 general system low-voltage contracting, Class LV-T licenses shall be restricted to
27 telecommunication and general system low-voltage contracting, Class LV-G licenses
28 shall be restricted to general system low-voltage contracting, and Class LV-U licenses
29 shall be unrestricted and permit the performance of alarm, telecommunication, and
30 general system low-voltage contracting;

31 (2) Register and license or grant a certificate and issue renewal licenses and renewal
32 certificates biennially to all persons meeting the qualifications for a license or certificate.

33 The following licenses or certificates shall be issued by the divisions:

- 34 (A) Electrical Contractor Class I;
- 35 (B) Electrical Contractor Class II;
- 36 (C) Master Plumber Class I;
- 37 (D) Master Plumber Class II;

- 1 (E) Journeyman Plumber;
- 2 (E.1) Natural Gas Piping Contractor;
- 3 (F) Conditioned Air Contractor Class I;
- 4 (G) Conditioned Air Contractor Class II;
- 5 (H) Low-voltage Contractor Class LV-A;
- 6 (I) Low-voltage Contractor Class LV-T;
- 7 (J) Low-voltage Contractor Class LV-G;
- 8 (K) Low-voltage Contractor Class LV-U;
- 9 (L) Utility Contractor; Class A;
- 10 (M) Utility Contractor; Class B;
- 11 (N) Utility Contractor; Class U;
- 12 (O) Utility Manager (certificate); and
- 13 (P) Utility Foreman (certificate);
- 14 (3) Investigate, with the aid of the division director, alleged violations of this chapter or
- 15 other laws and rules and regulations of the board relating to the profession;
- 16 (4) After notice and hearing, have the power to reprimand any person, licensee, or
- 17 certificate holder, or to suspend, revoke, or cancel the license or certificate of or refuse
- 18 to grant, renew, or restore a license or certificate to any person, licensee, or certificate
- 19 holder upon any one of the following grounds:
- 20 (A) The commission of any false, fraudulent, or deceitful act or the use of any forged,
- 21 false, or fraudulent document in connection with the license or certificate requirements
- 22 of this chapter or the rules and regulations of the board;
- 23 (B) Failure at any time to comply with the requirements for a license or certificate
- 24 under this chapter or the rules and regulations of the board;
- 25 (C) Habitual intemperance in the use of alcoholic spirits, narcotics, or stimulants to
- 26 such an extent as to render the license or certificate holder unsafe or unfit to practice
- 27 any profession licensed or certified under this chapter;
- 28 (D) Engaging in any dishonorable or unethical conduct likely to deceive, defraud, or
- 29 harm the public;
- 30 (E) Knowingly performing any act which in any way assists an unlicensed or
- 31 noncertified person to practice such profession;
- 32 (F) Violating, directly or indirectly, or assisting in or abetting any violation of any
- 33 provision of this chapter or any rule or regulation of the board;
- 34 (G) The performance of any faulty, inadequate, inefficient, or unsafe electrical,
- 35 plumbing, natural gas piping, low-voltage contracting, utility contracting, or
- 36 conditioned air work likely to endanger life, health, or property. The performance of
- 37 any work that does not comply with the standards set by state codes or by local codes

1 in jurisdictions where such codes are adopted, provided that such local codes are as
 2 stringent as the state codes, or by other codes or regulations which have been adopted
 3 by the board, shall be prima-facie evidence of the faulty, inadequate, inefficient, or
 4 unsafe character of such electrical, plumbing, natural gas piping, low-voltage
 5 contracting, utility contracting, or conditioned air work; provided, however, that the
 6 board, in its sole discretion, for good cause shown and under such conditions as it may
 7 prescribe, may restore a license to any person whose license has been suspended or
 8 revoked;

9 (H) With respect to utility contractors, the bidding by such a utility contractor in excess
 10 of license coverage; or

11 (I) With respect to utility contractors, violations of Chapter 9 of Title 25;

12 (5) Review amendments to or revisions in the state minimum standard codes as prepared
 13 pursuant to Part 1 of Article 1 of Chapter 2 of Title 8; and the Department of Community
 14 Affairs shall be required to provide to the division director a copy of any amendment to
 15 or revision in the state minimum standard codes at least 45 days prior to the adoption
 16 thereof; and

17 (6) Do all other things necessary and proper to exercise their powers and perform their
 18 duties in accordance with this chapter."

19 SECTION 6.

20 Said chapter is further amended by striking subsection (g) of said Code section and inserting
 21 in its place the following:

22 "(g)(1) With respect to Journeyman Plumber, Master Plumber Class I, ~~and~~ Master
 23 Plumber Class II, and Natural Gas Piping Contractor licenses, the Division of Master
 24 Plumbers and Journeyman Plumbers shall be authorized to require persons seeking
 25 renewal of such licenses to complete board approved continuing education of not more
 26 than four hours annually. The division shall be authorized to approve courses offered by
 27 institutions of higher learning, vocational-technical schools, and trade, technical, or
 28 professional organizations; provided, however, that continuing education courses or
 29 programs related to plumbing provided or conducted by institutions under the State Board
 30 of Technical and Adult Education shall constitute acceptable continuing professional
 31 education programs for the purposes of this subsection.

32 (2) The division shall be authorized to waive the continuing education requirements in
 33 cases of hardship, disability, or illness or under such other circumstances as the division
 34 deems appropriate."

1 (c) This chapter shall not apply to the installation, alteration, or repair of plumbing, natural
2 gas piping, air-conditioning and heating, utility systems, or electrical services, except
3 low-voltage wiring services, up to and including the meters where such work is performed
4 by and is an integral part of the system owned or operated by a public service corporation,
5 an electrical, water, or gas department of any municipality in this state, a railroad company,
6 a pipeline company, or a mining company in the exercise of its normal function as such.

7 (d) This chapter shall not prohibit an individual from installing, altering, or repairing
8 plumbing fixtures, natural gas piping on the outlet side of the meter, air-conditioning and
9 heating, air-conditioning and heating fixtures, utility systems, or electrical or low-voltage
10 wiring services in a residential dwelling owned or occupied by such individual; provided,
11 however, that all such work must be done in conformity with all other provisions of this
12 chapter, the rules and regulations of the board, and any applicable county or municipal
13 resolutions, ordinances, codes, or inspection requirements.

14 (e) This chapter shall not prohibit an individual employed on the maintenance staff of a
15 facility owned by the state or by a county, municipality, or other political subdivision from
16 installing, altering, or repairing plumbing, plumbing fixtures, natural gas piping,
17 air-conditioning and heating fixtures, utility systems, or electrical or low-voltage wiring
18 services when such work is an integral part of the maintenance requirements of the facility;
19 provided, however, that all such work must be done in conformity with all other provisions
20 of this chapter and the orders, rules, and regulations of the board.

21 (f) This chapter shall not prohibit any person from installing, altering, or repairing
22 plumbing, plumbing fixtures, natural gas piping, air-conditioning and heating fixtures,
23 utility systems, or electrical or low-voltage wiring services in a farm or ranch service
24 building or as an integral part of any irrigation system on a farm or ranch when such system
25 is not located within 30 feet of any dwelling or any building devoted to animal husbandry.
26 Nothing in this subsection shall be construed to limit the application of any resolution,
27 ordinance, code, or inspection requirements of a county or municipality relating to such
28 connections."

29 "(j) This chapter shall not apply to regular full-time employees of an institution,
30 manufacturer, or business who perform plumbing, natural gas piping, electrical,
31 low-voltage wiring, utility contracting, or conditioned air work when working on the
32 premises of that employer."

33 SECTION 10.

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