

Senate Bill 254

By: Senators Hecht of the 34th, Polak of the 42nd, Kemp of the 3rd and Brown of the 26th

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 regulation of electrical contractors, plumbers, conditioned air contractors, low-voltage
3 contractors, and utility contractors, so as to provide that a person who is not licensed as a
4 conditioned air contractor shall be prohibited from advertising in any manner that such
5 person is in the business or profession of a conditioned air contractor; to change the
6 provisions relating to certain cease and desist orders relating to the profession of a
7 conditioned air contractor; to repeal provisions and procedures relating to the seizure of
8 certain commercial vehicles; to repeal certain provisions relating to employing or contracting
9 for services of any unlicensed individuals or entities; to provide that if a person is in violation
10 of certain provisions of this chapter, it shall not be necessary for an investigator to observe
11 or witness the unlicensed person engaged illegally in the process of work or to show work
12 in progress or work completed in order to prove the unlawful practice of conditioned air
13 contracting by an unlicensed person; to provide for the disposition of certain civil fines
14 imposed and collected under this Act; to change certain penalty provisions relating to
15 violations of said chapter; to provide for related matters; to repeal conflicting laws; and for
16 other purposes.

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

18 **SECTION 1.**
19 Chapter 14 of Title 43 of the Official Code of Georgia Annotated, relating to the regulation
20 of electrical contractors, plumbers, conditioned air contractors, low-voltage contractors, and
21 utility contractors, is amended by striking in its entirety subsection (c) of Code Section
22 43-14-8, relating to licensing required for electrical, plumbing, or conditioned air contracting,
23 and inserting in lieu thereof a new subsection (c) to read as follows:

1 (f) Nothing in this Code section shall be construed to prohibit the board from seeking
2 remedies otherwise available by statute without first seeking a cease and desist order in
3 accordance with the provisions of this Code section.

4 (g) Any civil fines imposed and collected by the board under this Code section shall be
5 paid into the treasury of the local jurisdiction wherein the violation occurred."

6 **SECTION 3.**

7 Said chapter is further amended by striking in its entirety Code Section 43-14-14, relating
8 to the penalty applicable under said chapter, and inserting in lieu thereof a new code Section
9 43-14-14 to read as follows:

10 "43-14-14.

11 Any person violating this chapter shall be guilty of a misdemeanor and, upon conviction
12 thereof, shall be fined not more than \$1,000.00 or imprisoned for not more than six months,
13 or both."

14 **SECTION 4.**

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