

Senate Bill 341

By: Senator Hamrick of the 30th

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 require licensure of electrical sign contractors; to declare that  
4 electrical sign contracting is a business affecting the public interest; to revise and add  
5 definitions; to change provisions relating to the powers and duties of the State Construction  
6 Industry Licensing Board and the Division of Electrical Contractors; to prohibit engaging in  
7 electrical sign contracting without the proper license; to change provisions relating to the  
8 applicability of the chapter; to provide for related matters; to repeal conflicting laws; and for  
9 other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 14 of Title 43 of the Official Code of Georgia Annotated, relating to electrical  
13 contractors, plumbers, conditioned air contractors, low-voltage contractors, and utility  
14 contractors, is amended by striking Code Section 43-14-1, relating to a declaration of  
15 purpose, and inserting in lieu thereof the following:

16 "43-14-1.

17 This chapter is enacted for the purpose of safeguarding homeowners, other property  
18 owners, tenants, and the general public against faulty, inadequate, inefficient, or unsafe  
19 electrical, electrical sign, plumbing, low-voltage wiring, utility contracting, or conditioned  
20 air installations. The practice of electrical contracting, electrical sign contracting, plumbing  
21 contracting, installing, or repairing, low-voltage contracting, utility contracting, and  
22 conditioned air contracting are declared to be businesses or professions affecting the public  
23 interest; and this chapter shall be liberally construed so as to accomplish the purposes  
24 stated in this Code section."

**SECTION 2.**

Said chapter is further amended in Code Section 43-14-2, relating to definitions, by striking paragraph (6) and inserting in lieu thereof the following:

"(6) 'Electrical contracting' means the installation, maintenance, alteration, or repair of any electrical equipment, apparatus, control system, or electrical wiring device which is attached to or incorporated into any building or structure in this state but shall not include low-voltage contracting or electrical sign contracting."

**SECTION 3.**

Said chapter is further amended in Code Section 43-14-2, relating to definitions, by inserting two new paragraphs to be designated (7.1) and (7.2) to read as follows:

"(7.1) 'Electrical sign contracting' means the structural fabrication, including the concrete foundation of and the erection, installation, alteration, repair, service, and wiring of electrical signs and outline lighting but does not include the provision of or any electrical work beyond the last disconnect mean or terminal points. With regard to remote signs that are independent of any structure, the term includes providing the electrical entrance requirements for metering and main disconnect if the sign requires no more than 25 kilowatts at 250 volts.

(7.2) 'Electrical sign contractor' means a person engaged in the business of electrical sign contracting under express or implied contract or who bids for, offers to perform, purports to have the capacity to perform, or does perform electrical sign contracting services under express or implied contract. The term shall not include a person who is an employee of an electrical sign contractor and who receives only a salary or hourly wage for performing electrical sign contracting work."

**SECTION 4.**

Said chapter is further amended in Code Section 43-14-5, relating to the general powers of the State Construction Industry Licensing Board, by striking paragraphs (2) and (4) and inserting in lieu thereof the following:

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

1 "(4) Establish the policies for regulating the businesses of electrical contracting, electrical  
 2 sign contracting, plumbing, low-voltage, utility, and conditioned air contracting;".

### 3 SECTION 5.

4 Said chapter is further amended in Code Section 43-14-6, relating to the powers and duties  
 5 of the divisions, by striking paragraphs (1) and (2) of subsection (a), striking subparagraph  
 6 (a)(4)(G), and inserting in lieu thereof the following:

7 "(a) The Division of Electrical Contractors, with respect to applicants for a license to  
 8 engage in or licensees engaging in the business of electrical contracting and applicants for  
 9 a license to engage in or licensees engaging in the business of electrical sign contracting;  
 10 the Division of Master Plumbers and Journeyman Plumbers, with respect to applicants for  
 11 a license to engage in or licensees engaging in the business of plumbing as master plumbers  
 12 or journeyman plumbers; the Division of Low-voltage Contractors, with respect to  
 13 applicants for a license to engage in or licensees engaging in the business of low-voltage  
 14 contracting; the Division of Utility Contractors with respect to applicants for a license to  
 15 engage in or licensees engaging in the business of utility contracting and with respect to  
 16 applicants for a certificate to be a utility manager or utility foreman or holders of a utility  
 17 manager or utility foreman certificate; and the Division of Conditioned Air Contractors,  
 18 with respect to applicants for a license to engage in or licensees engaging in the business  
 19 of conditioned air contracting, shall:

20 (1) Approve examinations for all applicants for licenses or certificates, except for utility  
 21 contractor licenses and utility foreman certificates. The Division of Electrical Contractors  
 22 shall approve separate examinations for Class I licenses, ~~and~~ Class II licenses, and  
 23 electrical sign licenses. Class I licenses shall be restricted to electrical contracting  
 24 involving single-phase electrical installations which do not exceed 200 amperes at the  
 25 service drop or the service lateral, and Class II licenses shall be unrestricted. Electrical  
 26 sign licenses shall be restricted to electrical sign contracting, as defined in Code Section  
 27 43-14-2. The Division of Master Plumbers and Journeyman Plumbers shall approve  
 28 separate examinations for Master Plumber Class I, Master Plumber Class II, and  
 29 Journeyman Plumbers. Master Plumber Class I licenses shall be restricted to plumbing  
 30 involving single-family dwellings and one-level dwellings designed for not more than  
 31 two families and commercial structures not to exceed 10,000 square feet in area. Master  
 32 Plumber Class II licenses shall be unrestricted. The Division of Conditioned Air  
 33 Contractors shall approve separate examinations for Class I and Class II licenses. Class  
 34 I licenses shall be restricted to the installation, repair, or service of conditioned air  
 35 systems or equipment not exceeding 175,000 BTU (net) of heating and five tons (60,000  
 36 BTU) of cooling. Class II licenses shall be unrestricted. The Division of Low-voltage

1 Contractors shall approve separate examinations for Low-voltage Contractor Class LV-A,  
 2 Low-voltage Contractor Class LV-T, Low-voltage Contractor Class LV-U, and  
 3 Low-voltage Contractor Class LV-G. Class LV-A licenses shall be restricted to alarm and  
 4 general system low-voltage contracting, Class LV-T licenses shall be restricted to  
 5 telecommunication and general system low-voltage contracting, Class LV-G licenses  
 6 shall be restricted to general system low-voltage contracting, and Class LV-U licenses  
 7 shall be unrestricted and permit the performance of alarm, telecommunication, and  
 8 general system low-voltage contracting;

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

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

12 (A) Electrical Contractor Class I;

13 (B) Electrical Contractor Class II;

14 (C) Electrical sign contractor;

15 ~~(C)~~(D) Master Plumber Class I;

16 ~~(D)~~(E) Master Plumber Class II;

17 ~~(E)~~(F) Journeyman Plumber;

18 ~~(F)~~(G) Conditioned Air Contractor Class I;

19 ~~(G)~~(H) Conditioned Air Contractor Class II;

20 ~~(H)~~(I) Low-voltage Contractor Class LV-A;

21 ~~(I)~~(J) Low-voltage Contractor Class LV-T;

22 ~~(J)~~(K) Low-voltage Contractor Class LV-G;

23 ~~(K)~~(L) Low-voltage Contractor Class LV-U;

24 ~~(L)~~(M) Utility Contractor; Class A;

25 ~~(M)~~(N) Utility Contractor; Class B;

26 ~~(N)~~(O) Utility Contractor; Class U;

27 ~~(O)~~(P) Utility Manager (certificate); and

28 ~~(P)~~(Q) Utility Foreman (certificate);".

29 "(G) The performance of any faulty, inadequate, inefficient, or unsafe electrical,  
 30 electrical sign, plumbing, low-voltage contracting, utility contracting, or conditioned  
 31 air work likely to endanger life, health, or property. The performance of any work that  
 32 does not comply with the standards set by state codes or by local codes in jurisdictions  
 33 where such codes are adopted, provided that such local codes are as stringent as the  
 34 state codes, or by other codes or regulations which have been adopted by the board,  
 35 shall be prima-facie evidence of the faulty, inadequate, inefficient, or unsafe character  
 36 of such electrical, electrical sign, plumbing, low-voltage contracting, utility contracting,  
 37 or conditioned air work; provided, however, that the board, in its sole discretion, for

1 good cause shown and under such conditions as it may prescribe, may restore a license  
2 to any person whose license has been suspended or revoked;".

### 3 SECTION 6.

4 Said chapter is further amended in Code Section 43-14-6, relating to the powers and duties  
5 of the divisions, by inserting a new paragraph between paragraphs (1) and (2) of subsection  
6 (e), to read as follows:

7 "(1.1) With respect to electrical sign contractor licenses, the Division of Electrical  
8 Contractors shall be authorized to require persons seeking renewal of licenses to complete  
9 board approved continuing education of not more than four hours annually. The division  
10 shall be authorized to approve courses offered by institutions of higher learning,  
11 vocational-technical schools, and trade, technical, or professional organizations;  
12 provided, however, that continuing education courses or programs related to electrical  
13 sign contracting provided or conducted by public utilities, equipment manufacturers, or  
14 institutions under the State Board of Technical and Adult Education shall constitute  
15 acceptable continuing professional education programs for the purposes of this  
16 subsection. Continuing education courses or programs conducted by manufacturers  
17 specifically to promote their products shall not be approved."

### 18 SECTION 7.

19 Said chapter is further amended in Code Section 43-14-8, relating to required licenses, by  
20 striking subsection (a), inserting in lieu thereof a new subsection (a), and inserting a new  
21 subsection to be designated subsection (f.1) so that the new subsections read as follows:

22 "(a)(1) No person shall engage in the electrical contracting business as an electrical  
23 contractor unless such person has a valid license as a Class I or Class 2 Electrical  
24 Contractor from the Division of Electrical Contractors and a certificate of competency,  
25 if such certificates are issued by the division pursuant to subsection (b) of Code Section  
26 43-14-6.

27 (2) No person shall engage in the electrical sign contracting business as an electrical sign  
28 contractor unless such person has a valid license as a Class I, Class II, or electrical sign  
29 contractor from the Division of Electrical Contractors and a certificate of competency,  
30 if such certificates are issued by the division pursuant to subsection (b) of Code Section  
31 43-14-6."

32 "(f.1) No partnership, limited liability company, or corporation shall have the right to  
33 engage in the business of electrical sign contracting unless there is regularly connected with  
34 such partnership, limited liability company, or corporation a person or persons actually

1 engaged in the performance of such business on a full-time basis who have valid licenses  
2 issued to them as provided for in this chapter."

### 3 SECTION 8.

4 Said chapter is further amended in Code Section 43-14-13, relating to the applicability of the  
5 chapter, by striking subsections (a), (b), (e), (f), and (j) and inserting in lieu thereof the  
6 following:

7 "(a) This chapter shall apply to all installations, alterations, and repairs of plumbing,  
8 air-conditioning and heating, or electrical, electrical sign, or low-voltage wiring or utility  
9 systems within or on public or private buildings, structures, or premises except as otherwise  
10 provided in this Code section.

11 (b) Any person who holds a license issued under this chapter may engage in the business  
12 of plumbing, electrical contracting, electrical sign contracting, conditioned air contracting,  
13 low-voltage contracting, or utility contracting but only as prescribed by the license,  
14 throughout the state; and except as provided in Code Section 43-14-12, no municipality or  
15 county may require such person to comply with any additional licensing requirements  
16 imposed by such municipality or county."

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

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

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

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**SECTION 9.**

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