

House Bill 1037

By: Representative Burkhalter of the 36th

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 provide for the licensing and regulation of roofing contractors;
4 to provide for legislative purpose; to provide for definitions; to provide an exception; to
5 provide for an additional Division of Roofing Contractors within the State Construction
6 Industry Licensing Board; to change certain provisions relating to the composition,
7 organization, officers, and powers of said board; to change certain provisions relating to
8 powers and duties of the divisions of said board; to provide for license application,
9 examination, issuance, and renewal; to provide for certain notifications; to prohibit certain
10 actions regarding bids of unlicensed roofing contractors; to authorize requiring continuing
11 education; to change certain provisions relating to applicability and exceptions; to provide
12 for related matters; to provide an effective date conditioned on funds being appropriated; to
13 repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 style="text-align:center">**SECTION 1.**

16 Chapter 14 of Title 43 of the Official Code of Georgia Annotated, relating to electrical
17 contractors, plumbers, conditioned air contractors, low-voltage contractors, and utility
18 contractors, is amended by striking Code Section 43-14-1, relating to the declaration of
19 legislative purpose, and inserting in lieu thereof a new Code Section 43-14-1 to read as
20 follows:

21 "43-14-1.

22 This chapter is enacted for the purpose of safeguarding homeowners, other property
23 owners, tenants, and the general public against faulty, inadequate, inefficient, or unsafe
24 electrical, plumbing, low-voltage wiring, utility contracting, roofing contracting, or
25 conditioned air installations. The practice of electrical contracting, plumbing contracting,
26 installing, or repairing, low-voltage contracting, utility contracting, roofing contracting, and

1 conditioned air contracting are declared to be businesses or professions affecting the public
 2 interest; and this chapter shall be liberally construed so as to accomplish the purposes
 3 stated in this Code section."

4 SECTION 2.

5 Said chapter is further amended by striking in its entirety Code Section 43-14-2, relating to
 6 definitions applicable to said chapter, and inserting in lieu thereof a new Code Section
 7 43-14-2 to read as follows:

8 "43-14-2.

9 As used in this chapter, the term:

10 ~~(1)~~(1) 'Alarm system' means any device or combination of devices used to detect a
 11 situation, causing an alarm in the event of a burglary, fire, robbery, medical emergency,
 12 or equipment failure, or on the occurrence of any other predetermined event.

13 ~~(1)~~(2) 'Board' means the State Construction Industry Licensing Board.

14 ~~(2)~~(3) 'Certificate of competency' means a valid and current certificate issued by the
 15 Division of Electrical Contractors created in Code Section 43-14-3, which certificate shall
 16 give the named electrical contractor to which it is issued authority to engage in electrical
 17 contracting of the kind described therein. Certificates of competency shall be of two
 18 kinds, Class I and Class II, according to the classification of license held by the electrical
 19 contractor.

20 ~~(3)~~(4) 'Conditioned air contracting' means the installation, repair, or service of
 21 conditioned air systems or conditioned air equipment. Service to or installation of the
 22 electrical connection between the electrical disconnect and conditioned air equipment is
 23 considered to be installation, repair, or service of conditioned air equipment or the
 24 conditioned air system. Service to or installation of the electrical circuit from the
 25 electrical distribution panel to the conditioned air equipment where the electrical service
 26 to the building or site is a single-phase electrical circuit not exceeding 200 amperes is
 27 considered to be installation, repair, or service of conditioned air equipment or the
 28 conditioned air system.

29 ~~(4)~~(5) 'Conditioned air contractor' means an individual who is engaged in conditioned
 30 air contracting under express or implied contract or who bids for, offers to perform,
 31 purports to have the capacity to perform, or does perform conditioned air contracting
 32 services under express or implied contract. The term 'conditioned air contractor' shall not
 33 include a person who is an employee of a conditioned air contractor and who receives
 34 only a salary or hourly wage for performing conditioned air contracting work.

35 ~~(5)~~(6) 'Conditioned air equipment' means heating and air-conditioning equipment
 36 covered under state codes.

1 ~~(6)~~(7) 'Electrical contracting' means the installation, maintenance, alteration, or repair
2 of any electrical equipment, apparatus, control system, or electrical wiring device which
3 is attached to or incorporated into any building or structure in this state but shall not
4 include low-voltage contracting.

5 ~~(7)~~(8) 'Electrical contractor' means any person who engages in the business of electrical
6 contracting under express or implied contract or who bids for, offers to perform, purports
7 to have the capacity to perform, or does perform electrical contracting services under
8 express or implied contract. The term 'electrical contractor' shall not include a person
9 who is an employee of an electrical contractor and who receives only a salary or hourly
10 wage for performing electrical contracting work.

11 ~~(8)~~(9) 'Executive director' means the executive director of the State Construction
12 Industry Licensing Board.

13 ~~(8.1)~~(10) 'General system' means any electrical system, other than an alarm or
14 telecommunication system, involving low-voltage wiring.

15 ~~(9)~~(11) 'Journeyman plumber' means any person other than a master plumber who has
16 practical knowledge of the installation of plumbing and installs plumbing under the
17 direction of a master plumber.

18 ~~(10)~~(12) 'License' means a valid and current certificate of registration issued by a
19 division of the board, which certificate shall give the named person to whom it is issued
20 authority to engage in the activity prescribed thereon.

21 ~~(10.1)~~(13) 'Low-voltage contracting' means the installation, alteration, service, or repair
22 of a telecommunication system, alarm system, or general system involving low-voltage
23 wiring.

24 ~~(10.2)~~(14) 'Low-voltage contractor' means an individual who is engaged in low-voltage
25 contracting under express or implied contract or who bids for, offers to perform, purports
26 to have the capacity to perform, or does perform low-voltage contracting services under
27 express or implied contract. An employee of a low-voltage contractor who receives only
28 a salary or hourly wage for performing low-voltage contracting work shall not be
29 required to be licensed under this chapter, except that those employees upon whom the
30 qualification of a partnership, limited liability company, or corporation rests as outlined
31 in subsection (b) of Code Section 43-14-8.1 shall be licensed.

32 ~~(10.3)~~(15) 'Low-voltage wiring' means:

33 (A) Wiring systems of 50 volts or less and control circuits directly associated
34 therewith;

35 (B) Wiring systems having a voltage in excess of 50 volts, provided such systems
36 consist solely of power limited circuits meeting the definition of a Class II and Class
37 III wiring system as defined in Article 725 of the National Electrical Code; or

1 (C) Line voltage wiring having a voltage not in excess of 300 volts to ground and
 2 installed from the load-side terminals of a suitable disconnecting means which has been
 3 installed for the specific purpose of supplying the low-voltage wiring system involved
 4 or installed from a suitable junction box which has been installed for such specific
 5 purpose.

6 ~~(11)~~(16) 'Master plumber' means any individual engaging in the business of plumbing
 7 under express or implied contract or who bids for, offers to perform, purports to have the
 8 capacity to perform, or does perform plumbing contracting services under express or
 9 implied contract.

10 ~~(12)~~(17) 'Plumbing' means the practice of installing, maintaining, altering, or repairing
 11 piping fixtures, appliances, and appurtenances in connection with sanitary drainage or
 12 storm drainage facilities, venting systems, medical gas piping systems, or public or
 13 private water supply systems within or adjacent to any building, structure, or conveyance;
 14 provided, however, that after July 1, 1997, only master plumbers and journeyman
 15 plumbers who have been certified by the Division of Master Plumbers and Journeyman
 16 Plumbers to perform such tasks shall be authorized to install, maintain, alter, or repair
 17 medical gas piping systems. The term 'plumbing' also includes the practice of and
 18 materials used in installing, maintaining, extending, or altering the storm-water or
 19 sewerage and water supply systems of any premises to their connection with any point
 20 of public disposal or other acceptable terminal. Notwithstanding any other provision of
 21 this chapter, any person who holds a valid master plumbing license or any company
 22 which holds a valid utility contractor license shall be qualified to construct, alter, or repair
 23 any plumbing system which extends from the property line up to but not within five feet
 24 of any building, structure, or conveyance, regardless of the cost or depth of any such
 25 plumbing system.

26 (18) 'Roofing contracting' means the installation, alteration, service, repair, or coating
 27 of a roof of a building or structure.

28 (19) 'Roofing contractor' means an individual who is engaged in roofing contracting
 29 under express or implied contract or who bids for, offers to perform, purports to have the
 30 capacity to perform, or does perform roofing contracting under express or implied
 31 contract. An employee of a roofing contractor who receives only a salary or hourly wage
 32 for performing roofing contracting shall not be required to be licensed under this chapter,
 33 except that those employees upon whom the qualification of a partnership or corporation
 34 rests pursuant to Code Section 43-14-8.5 shall be licensed.

35 ~~(12.1)~~(20) 'Telecommunication system' means a switching system and associated
 36 apparatus which performs the basic function of two-way voice or data service, or both,

1 and which can be a commonly controlled system capable of being administered both
2 locally and remotely via secured access.

3 ~~(13)~~(21) 'Utility contracting' means undertaking to construct, erect, alter, or repair or
4 have constructed, erected, altered, or repaired any utility system in which the cost of the
5 utility system work exceeds \$100,000.00.

6 ~~(14)~~(22) 'Utility contractor' means a sole proprietorship, partnership, or corporation
7 which is engaged in utility contracting under express or implied contract or which bids
8 for, offers to perform, purports to have the capacity to perform, or does perform utility
9 contracting under express or implied contract.

10 ~~(15)~~(23) 'Utility foreman' means any individual who is employed by a licensed contractor
11 to supervise the construction, erection, alteration, or repair of utility systems.

12 ~~(16)~~(24) 'Utility manager' means any individual who is employed by a utility contractor
13 to have oversight and charge of the construction, erection, alteration, or repair of utility
14 systems.

15 ~~(17)~~(25) 'Utility system' means any system at least five feet underground, when installed
16 or accessed by trenching, open cut, cut and cover, or other similar construction methods
17 which install or access the system from the ground surface, including, but not limited to,
18 gas distribution systems, electrical distribution systems, communication systems, water
19 supply systems, sanitary sewerage and drainage systems, reservoirs and filtration plants,
20 water and waste-water treatment plants, leachate collection and treatment systems
21 associated with landfills, and pump stations, when the system distributes or collects a
22 service, product, or commodity for which a fee or price is paid for said service, product,
23 or commodity or for the disposal of said service, product, or commodity."

24 SECTION 3.

25 Said chapter is further amended by striking in their entirety subsections (b) and (c) of Code
26 Section 43-14-3, relating to the creation of the State Construction Industry Licensing Board,
27 and inserting in lieu thereof new subsections (b) and (c) to read as follows:

28 "(b) The board shall be composed of ~~27~~ 32 members as follows:

29 (1) Five members known as the Division of Electrical Contractors, one of whom shall
30 be a consulting engineer engaged in electrical practice, another of whom shall be the
31 chief electrical inspector of a county or municipality and shall have served in such office
32 for five years immediately preceding appointment to the board, and the remaining three
33 of whom shall be engaged in the electrical contracting business;

34 (2) Five members known as the Division of Master Plumbers and Journeyman Plumbers,
35 one of whom shall be a full-time plumbing inspector of a county or municipality, three

1 of whom shall be master or contracting plumbers, and one of whom shall be a
2 journeyman plumber;

3 (3) Five members known as the Division of Conditioned Air Contractors, one of whom
4 shall be a licensed professional engineer engaged in mechanical practice, one of whom
5 shall be the chief conditioned air inspector of a county or municipality, and three of
6 whom shall be conditioned air contractors with more than five years of installation and
7 service experience in the trade;

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

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

17 (6) Five members known as the Division of Roofing Contractors, three of whom shall
18 be roofing contractors, one of whom shall be a professional engineer, and one of whom
19 shall be the chief building inspector of a county or municipality; and

20 ~~(6)(7)~~ Two members who shall not have any connection with the electrical contracting,
21 plumbing, roofing contracting, or conditioned air contracting businesses whatsoever but
22 who shall have a recognized interest in consumer affairs and consumer protection
23 concerns.

24 (c)(1) All members shall be appointed by the Governor, subject to confirmation by the
25 Senate, for four-year terms.

26 (2) The initial members of the Division of Roofing Contractors shall be appointed by the
27 Governor, subject to confirmation by the Senate, for initial terms beginning 30 days from
28 the date of their appointment."

29 SECTION 4.

30 Said chapter is further amended by striking subsection (a) of Code Section 43-14-4, relating
31 to the election of a chairperson of the State Construction Industry Licensing Board, and
32 inserting in lieu thereof a new subsection (a) to read as follows:

33 "(a) The office of chairperson shall be rotated among the ~~five~~ six divisions enumerated in
34 Code Section 43-14-3 unless the board, through its rules and regulations, provides
35 otherwise. Any vacancy in the office of chairperson shall be filled by the members for the

1 unexpired term. The person selected to fill the vacancy shall be a member of the same
2 division as the previous chairperson."

3 **SECTION 5.**

4 Said chapter is further amended by striking Code Section 43-14-5, relating to the powers of
5 the State Construction Industry Licensing Board, and inserting in lieu thereof a new Code
6 Section 43-14-5 to read as follows:

7 "43-14-5.

8 The board shall have the power to:

- 9 (1) Request from the various state departments and other agencies and authorities of the
10 state and its political subdivisions and their agencies and authorities such available
11 information as it may require in its work; and all such agencies and authorities shall
12 furnish such requested available information to the board within a reasonable time;
- 13 (2) Provide by regulation for reciprocity with other states in the registration and licensing
14 of electrical contractors, master plumbers, journeyman plumbers, low-voltage contractors,
15 utility contractors, roofing contractors, or conditioned air contractors and in the
16 certification of utility contracting foremen, provided that such other states have
17 requirements substantially equal to the requirements in force in this state for registration,
18 licensure, and certification; provided, further, that a similar privilege is offered to
19 residents of this state;
- 20 (3) Adopt an official seal for its use and change it at pleasure;
- 21 (4) Establish the policies for regulating the businesses of electrical contracting,
22 plumbing, low-voltage, utility, roofing, and conditioned air contracting;
- 23 (5) Determine qualifications for licensure or certification including such experience
24 requirements as the board deems necessary; and
- 25 (6) Promulgate and adopt rules and regulations necessary to carry out this chapter."

26 **SECTION 6.**

27 Said chapter is further amended by striking subsection (a) of Code Section 43-14-6, relating
28 to the duties of the various divisions of the board, and inserting in lieu thereof a new
29 subsection (a) to read as follows:

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

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

8 (1) Approve examinations for all applicants for licenses or certificates, except for utility
 9 contractor licenses and utility foreman certificates. The Division of Electrical
 10 Contractors shall approve separate examinations for Class I and Class II licenses. Class
 11 I licenses shall be restricted to electrical contracting involving single-phase electrical
 12 installations which do not exceed 200 amperes at the service drop or the service lateral,
 13 and Class II licenses shall be unrestricted. The Division of Master Plumbers and
 14 Journeyman Plumbers shall approve separate examinations for Master Plumber Class I,
 15 Master Plumber Class II, and Journeyman Plumbers. Master Plumber Class I licenses
 16 shall be restricted to plumbing involving single-family dwellings and one-level dwellings
 17 designed for not more than two families and commercial structures not to exceed 10,000
 18 square feet in area. Master Plumber Class II licenses shall be unrestricted. The Division
 19 of Conditioned Air Contractors shall approve separate examinations for Class I and Class
 20 II licenses. Class I licenses shall be restricted to the installation, repair, or service of
 21 conditioned air systems or equipment not exceeding 175,000 BTU (net) of heating and
 22 five tons (60,000 BTU) of cooling. Class II licenses shall be unrestricted. The Division
 23 of Low-voltage Contractors shall approve separate examinations for Low-voltage
 24 Contractor Class LV-A, Low-voltage Contractor Class LV-T, Low-voltage Contractor
 25 Class LV-U, and Low-voltage Contractor Class LV-G. Class LV-A licenses shall be
 26 restricted to alarm and general system low-voltage contracting, Class LV-T licenses shall
 27 be restricted to telecommunication and general system low-voltage contracting, Class
 28 LV-G licenses shall be restricted to general system low-voltage contracting, and Class
 29 LV-U licenses shall be unrestricted and permit the performance of alarm,
 30 telecommunication, and 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 (F) Conditioned Air Contractor Class I;
- 3 (G) Conditioned Air Contractor Class II;
- 4 (H) Low-voltage Contractor Class LV-A;
- 5 (I) Low-voltage Contractor Class LV-T;
- 6 (J) Low-voltage Contractor Class LV-G;
- 7 (K) Low-voltage Contractor Class LV-U;
- 8 (L) Roofing Contractor;
- 9 ~~(L)~~(M) Utility Contractor; Class A;
- 10 ~~(M)~~(N) Utility Contractor; Class B;
- 11 ~~(N)~~(O) Utility Contractor; Class U;
- 12 ~~(O)~~(P) Utility Manager (certificate); and
- 13 ~~(P)~~(Q) 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, low-voltage contracting, utility contracting, roofing, or conditioned air work
- 36 likely to endanger life, health, or property. The performance of any work that does not
- 37 comply with the standards set by state codes or by local codes in jurisdictions where

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

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

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

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

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

18 SECTION 7.

19 Said chapter is further amended by adding immediately following Code Section 43-14-8.4,
 20 relating to the certification of utility contracting foremen, a new Code section, to be
 21 designated Code Section 43-14-8.5, to read as follows:

22 "43-14-8.5.

23 (a) For purposes of this Code section only, 'division' means the Division of Roofing
 24 Contractors.

25 (b) On and after one year from the date that this Code section becomes effective, no person
 26 shall engage in roofing contracting unless such person has a valid license therefor from the
 27 Division of Roofing Contracting.

28 (c) Any person desiring to qualify under the provisions of this Code section who meets the
 29 requirements of this Code section, submits proper application to the board, satisfactorily
 30 completes the examination required by this chapter, and pays or has paid the required fees
 31 and is not otherwise in violation of this chapter shall be issued a state-wide Roofing
 32 Contractor license.

33 (d) The decision of the division as to the qualifications of applicants taking the required
 34 examination shall, in the absence of fraud, be conclusive. All individuals, partnerships, or
 35 corporations desiring to engage in the vocation of roofing contracting on and after one year

1 from the date that this Code section becomes effective shall take or have taken the
2 examination and qualified under this Code section before engaging in such vocation.

3 (e) On and after one year from the date that this Code section becomes effective, no
4 partnership or corporation shall have the right to engage in the business of roofing
5 contracting unless there is regularly connected with such partnership or corporation a
6 person or persons actually engaged in the performance of such business on a full-time basis
7 and supervising the roofing contracting work of all employees of such partnership or
8 corporation and who have valid licenses issued to them as provided in this chapter. In cases
9 where a partnership or corporation has more than one office location from which roofing
10 contracting is performed, at least one person stationed in each branch office of such
11 partnership or corporation, engaged in the performance of roofing contracting on a
12 full-time basis and supervising the roofing contracting work of all employees of such
13 branch office locations, shall have a valid license issued as provided in this Code section.

14 (f) It shall be the duty of all partnerships and corporations qualified under this Code
15 section to notify the division, in accordance with board rules, of severance of connection
16 with such partnership or corporation of any person or persons upon whom the qualification
17 of any such partnership or corporation rested.

18 (g)(1) All applicants for examinations and licenses provided for by this Code section and
19 all applicants for renewal of licenses under this Code section shall be required to fill out
20 a form which shall be provided by the division, which form shall show whether or not the
21 applicant is an individual, partnership, or corporation and, if a partnership or corporation,
22 the names and addresses of the partners or the names and addresses of the officers, when
23 and where formed or incorporated, and such other information as the division in its
24 discretion may require. All forms of application for renewal of licenses shall also show
25 whether or not the applicant, if it is a partnership or corporation, still has connected with
26 it a duly qualified person holding a license issued by the division.

27 (2) An applicant shall include his or her safety policy or the safety policy of his or her
28 corporation or partnership. An approved safety policy is required before an applicant will
29 be issued a license. The safety policy shall provide the details of regularly scheduled
30 safety meetings for all field personnel.

31 (h) The division shall notify each local governing authority of the provisions of this Code
32 section relating to licensure, especially the provisions of subsection (b) of this Code
33 section. The division shall notify such governing authorities that on and after one year
34 from the date that this Code section becomes effective any person desiring a license to
35 engage in the vocation of roofing contracting shall be required to pass an examination as
36 provided in this chapter.

1 (i) It shall be unlawful for any contracting body to open or consider any bid for roofing
2 contracting unless the bidder has obtained the license required by this Code section as
3 evidenced by the roofing contractor license number written on the face of the bid envelope.

4 (j) As a condition for the renewal of licenses, the division may require licensees to
5 complete certain hours of continuing education in safety and technical training.

6 (k) Notwithstanding any other provisions of this Code section, a person who engages in
7 roofing contracting in which the contract price of the work on any roofing project does not
8 exceed \$500.00 shall not be required to comply with the licensing requirements of this
9 Code section and chapter applicable to roofing contractors."

10 SECTION 8.

11 Said chapter is further amended by striking Code Section 43-14-13, relating to the
12 applicability of said chapter, and inserting in lieu thereof a new Code Section 43-14-13 to
13 read as follows:

14 "43-14-13.

15 (a) This chapter shall apply to all installations, alterations, and repairs of plumbing, roofs,
16 air-conditioning and heating, or electrical or low-voltage wiring or utility systems within
17 or on public or private buildings, structures, or premises except as otherwise provided in
18 this Code section.

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

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

31 (d) This chapter shall not prohibit an individual from installing, altering, or repairing
32 plumbing fixtures, air-conditioning and heating, air-conditioning and heating fixtures,
33 roofs, utility systems, or electrical or low-voltage wiring services in a residential dwelling
34 owned or occupied by such individual; provided, however, that all such work must be done
35 in conformity with all other provisions of this chapter, the rules and regulations of the

1 board, and any applicable county or municipal resolutions, ordinances, codes, or inspection
2 requirements.

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

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

17 (g) This chapter shall not apply to low-voltage wiring performed by public utilities, except
18 that such portion of the business of those public utilities which involves the installation,
19 alteration, repair, or service of telecommunication systems for profit shall be covered under
20 this chapter.

21 (h) This chapter shall not apply to the installation, construction, or maintenance of power
22 systems or telecommunication systems for the generation or distribution of electric current
23 constructed under the National Electrical Safety Code, which regulates the safety
24 requirements of utilities; but the interior wiring regulated by the National Electrical Safety
25 Code would not be exempt and must be done by an electrical contractor except as
26 otherwise provided by law.

27 (i) This chapter shall not apply to any technician employed by a municipal or
28 county-franchised community antenna television (CATV) system or a municipally owned
29 community antenna television system in the performance of work on the system.

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

33 (k) This chapter shall not apply to persons licensed as manufactured or mobile home
34 installers by the state fire marshal when:

35 (1) Coupling the electrical connection from the service entrance panel outside the
36 manufactured housing to the distribution panel board inside the manufactured housing;

37 (2) Connecting the exterior sewer outlets to the above-ground sewer system; or

1 (3) Connecting the exterior water line to the above-ground water system.

2 (l) Any person qualified by the Department of Transportation to perform work for the
3 department shall not be required to be licensed under Code Section 43-14-8.2 or certified
4 under Code Sections 43-14-8.3 and 43-14-8.4 in order to perform work for the department.

5 Any person qualified by the Department of Transportation to perform work for the
6 department shall not be required to be licensed under Code Section 43-14-8.2 or certified
7 under Code Sections 43-14-8.3 and 43-14-8.4 in order to perform work for a county,
8 municipality, authority, or other political subdivision when such work is of the same nature
9 as that for which the person is qualified when performing department work; provided,
10 however, that such work is not performed on a utility system as defined in paragraph ~~(17)~~
11 (25) of Code Section 43-14-2 for which the person receives compensation.

12 (m) This chapter shall not prohibit any person from installing, altering, or repairing the
13 plumbing component of a lawn sprinkler system from a backflow preventer which was
14 installed by a licensed plumber; provided, however, that all such work must be done in
15 conformity with all other provisions of this chapter, the rules and regulations of the board,
16 and ordinances of the county or municipality.

17 (n) Any person who contracts with a licensed conditioned air contractor as part of a
18 conditioned air contract to install, alter, or repair duct systems, control systems, or
19 insulation is not required to hold a license from the Division of Conditioned Air
20 Contractors. The conditioned air contractor must retain responsibility for completion of
21 the contract, including any subcontracted work. Any person who contracts with a licensed
22 conditioned air contractor to perform a complete installation, alteration, or repair of a
23 conditioned air system must hold a valid license from the Division of Conditioned Air
24 Contractors. Any person who contracts to perform for or on behalf of a conditioned air
25 contractor to install, alter, or repair electrical, low-voltage, or plumbing components of a
26 conditioned air system must hold a valid license from the appropriate division of the board.

27 (o) This chapter shall not prohibit any propane dealer who is properly insured as required
28 by law and who holds a liquefied petroleum gas license issued by the Safety Fire
29 Commissioner from installing, repairing, or servicing a propane system or the gas piping
30 or components of such system; provided, however, that such propane dealers shall be
31 prohibited from performing the installation of conditioned air systems or forced air heating
32 systems unless licensed to do so under this chapter."

33 SECTION 9.

34 This Act shall become effective only when funds are specifically appropriated for purposes
35 of this Act in an appropriations Act making specific reference to this Act.

1

SECTION 10.

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