

House Bill 1045

By: Representative Noel of the 44<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 provide for new provisions relating to the licensing of such  
4 professionals; to provide for definitions; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 14 of Title 43 of the Official Code of Georgia Annotated, relating to electrical  
8 contractors, plumbers, conditioned air contractors, low-voltage contractors, and utility  
9 contractors, is amended by deleting in their entirety the current provisions of said chapter and  
10 inserting in lieu thereof a new Chapter 14 to read as follows:

11 "CHAPTER 14

12 43-14-1.

13 This chapter is enacted for the purpose of safeguarding home owners, other property  
14 owners, tenants, and the general public against faulty, inadequate, inefficient, or unsafe  
15 installations and fraudulent business practices. The practices of general contracting,  
16 electrical contracting, air-conditioning contracting, utility contracting, and low-voltage  
17 contracting declared to be businesses or professions affecting the public interest; and this  
18 chapter shall be liberally construed so as to accomplish the purpose stated in this Code  
19 section and so shall be designed to promote and encourage education of tradespeople, in  
20 their respective trade, workplace safety, and work place health.

21 43-14-2.

22 As used in this chapter, the term:

1 (1) 'Alarm system' means any device or combination of devices used to detect a situation,  
2 and provide notification, visual or audible, of a situation in the event of a burglary, fire,  
3 robbery, medical emergency, or equipment failure or on the occurrence of any other  
4 predetermined event.

5 (2) 'Board' means the State Construction Industry Licensing Board created by Code  
6 Section 43-14-3.

7 (3) 'Business' means a person, persons, company, partnership, or corporation that has a  
8 legal name, a legal address, and a legal registered agent that is registered with the  
9 Secretary of State's office.

10 (4) 'Certificate of competency' means a valid and current certificate issued by a division  
11 of the board created under Code Section 43-14-3, which certificate shall give the named  
12 person to whom it is issued authority to engage in contracting of the kind described  
13 therein.

14 (5) 'Chairperson' means a person elected by a division to preside over such division.

15 (6) 'Division' means one of the four divisions specified in subsection (c) of Code Section  
16 43-14-3.

17 (7) 'Electrical contracting' means that which includes but is not limited to installing or  
18 maintaining fixtures, appurtenances, electrical wires, electrical wiring systems, and  
19 equipment that are used for light, heat, or power and installing and maintaining remote  
20 control, signaling, power limited, or communication circuits or systems.

21 (8) 'Electrical contractor' means a person, persons, firm, partnership, company,  
22 corporation, or other entity that offers to undertake, undertakes, submits a bid for, express  
23 or implied, or does the work of installing or maintaining fixtures, appurtenances,  
24 electrical wires, electrical wiring systems, or equipment that conveys electrical current.

25 (9) 'Electrical equipment' means any equipment or apparatus that directly uses, conducts,  
26 or is operated by electricity but does not mean plug-in household appliances.

27 (10) 'General construction' means to construct, alter, repair, add to, subtract from,  
28 improve, move, wreck or demolish, for another, any building, highway, road, railroad,  
29 excavation, or other structure, project development, or improvement attached to real  
30 estate.

31 (11) 'General system' means any electrical system, other than an alarm or  
32 telecommunication system, involving low-voltage wiring.

33 (12) 'HVAC/refrigeration' means heating, ventilation, air conditioning, and refrigeration.

34 (13) 'HVAC/refrigeration component' means electrical power and limited energy  
35 components within the HVAC/refrigeration system, including, but not limited to, pumps,  
36 compressors, motors, heating coils, controls, switches, thermostats, humidistats,  
37 low-voltage damper controls, outdoor sensing controls, outside air dampers, stand-alone

1 duct smoke detectors, air monitoring devices, zone control valves, and equipment for  
2 monitoring of HVAC/refrigeration control panels and low-voltage connections. This  
3 definition excludes equipment and components of non-HVAC/refrigeration control  
4 systems.

5 (14) 'HVAC/refrigeration control panel' means an enclosed, manufactured assembly of  
6 electrical components designed specifically for the control of a HVAC/refrigeration  
7 system. Line voltage equipment that has low-voltage, NEC class 2 control or monitoring  
8 components incidental to the designed purpose of the equipment is not an  
9 HVAC/refrigeration control panel, e.g., combination starters.

10 (15) 'HVAC/refrigeration control system' means a network system regulating and  
11 monitoring a HVAC/refrigeration system. Equipment of a HVAC/refrigeration control  
12 system includes, but is not limited to, control panels, data centers, relays, contractors,  
13 sensors, and cables related to the monitoring and control of a HVAC/refrigeration  
14 systems.

15 (16) 'HVAC/refrigeration equipment' means the central unit primary to the function of  
16 the HVAC/refrigeration system. HVAC/refrigeration includes, but is not limited to, heat  
17 pumps, coolers, furnaces, compressor packages, and boilers.

18 (17) 'HVAC/refrigeration journeyman' means a person who has been issued a  
19 journeyman HVAC/refrigeration license by the mechanical division of the board, which  
20 license shall give the named person to whom it is issued authority to engage in the trade  
21 of HVAC/refrigeration.

22 (18) 'HVAC/refrigeration system' means a system of HVAC/refrigeration equipment and  
23 HVAC/refrigeration components integrated to generate, deliver, or control heated,  
24 cooled, filtered, refrigerated, or conditioned air. This term includes equipment and  
25 components integral with HVAC/refrigeration control systems, and line voltage branch  
26 circuits, subfeeders, and disconnect switches supplying the HVAC/refrigeration system  
27 shall not exceed 300 volts.

28 (19) 'Journeyman' means a person who has been issued a license by a division of the  
29 board, which license shall give the named person to whom it is issued authority to engage  
30 in the activity prescribed thereon.

31 (20) 'Journeyman pipefitter' means a person who has been issued a license by the  
32 mechanical division of the board, which license shall give the named person to whom it  
33 is issued authority to engage in the activity prescribed thereon.

34 (21) 'Journeyman plumber' means a person who has been issued a license by the  
35 mechanical division of the board, which license shall give the named person to whom it  
36 is issued authority to engage in the activity prescribed thereon.

1 (22) 'License' means a valid and current certificate of registration issued by a division  
2 of the board, which certificate shall give the named person to whom it is issued authority  
3 to engage in the activity prescribed thereon.

4 (23) 'Low-voltage contracting' means the installation, alteration, service, or repair of  
5 alarm or general systems or low-voltage wiring systems.

6 (24) 'Low-voltage contractor' means a person or persons, firm, partnership, company,  
7 corporation, or other entity that offers to undertake, undertakes, submits a bid for, express  
8 or implied, or does the work of installing, servicing, repairing, or maintaining alarm or  
9 general systems or low-voltage wiring systems.

10 (25) 'Low-voltage journeyman' means a person who has been issued a license by the  
11 electrical division of the board, which license shall give the named person to whom it is  
12 issued authority to engage in the activity prescribed thereon.

13 (26) 'Low-voltage wiring system' means:

14 (A) NEC, Class 1 power limited circuits at 30 volts maximum: Wiring systems of 30  
15 volts or less and control circuits directly associated therein;

16 (B) NEC, Class 2 circuits powered by a Class 2 power supply as defined in Article  
17 725-4 1(a) NEC: Wiring systems having it voltage in excess of 50 volts, provided such  
18 systems consist solely of power limited circuits meeting the definition of a Class 2 and  
19 Class 3 wiring system as defined in Article 725 of the NEC; or

20 (C) NEC, Class 3 circuits powered by a class power supply as defined in Article  
21 725-41(a) NEC: Line voltage wiring having a voltage not in excess of 300 volts to  
22 ground and installed from the load-side terminals of a suitable connecting means which  
23 has been installed for the specific purpose of supplying the low-voltage wiring system  
24 involved or installed from a suitable junction box which has been installed for such  
25 specific purpose.

26 (27) 'Mechanical contractor' means a person, persons, firm, partnership, company,  
27 corporation, or other entity that offers to undertake, undertakes, submits a bid for, express  
28 or implied, or does the work of installing, servicing, repairing, or maintaining heating,  
29 ventilation, air-conditioning or refrigeration equipment, process water systems, fire  
30 suppression water systems, high and low-pressure water systems, high and low-pressure  
31 pneumatic systems, and medical gas piping systems.

32 (28) 'Mechanical contractor specific classification' means:

33 (A) Mechanical contractor: plumbing;

34 (B) Mechanical contractor: pipefitting; and

35 (C) Mechanical contracting: HVAC/refrigeration.

1 (29) 'Pipefitting system' means fixtures, appliances, and appurtenances in connection  
2 with process water systems, fire suppression water systems, high and low-pressure water  
3 systems, high and low-pressure pneumatic systems, and medical gas piping systems.

4 (30) 'Plumber' means any individual engaging in the business of plumbing under express  
5 or implied contract or who bids for, offers to perform, purports to have the capacity to  
6 perform, or does perform plumbing contracting services under express or implied  
7 contract.

8 (31) 'Plumbing' means the practice of installing, maintaining, altering, or repairing piping  
9 fixtures, appliances, and appurtenances in connection with sanitary drainage or storm  
10 drainage facilities, venting systems, medical gas piping systems, or public or private  
11 water supply systems within or adjacent to any building, structure, or conveyance;  
12 provided, however, that after July 1, 2003, only plumbers and journeyman plumbers who  
13 have been certified by the Division of Mechanical Contractors to perform such tasks shall  
14 be authorized to install, maintain, alter, or repair medical gas piping systems. The term  
15 plumbing also includes the practice of and materials used in installing, maintaining,  
16 extending, or altering the storm-water or sewerage and water supply systems of any  
17 premises to their connection with any point of public disposal or other acceptable  
18 terminal. Notwithstanding any other provision of this chapter, any person who holds a  
19 valid plumbing license or any company which holds a valid utility contractor license shall  
20 be qualified to construct, alter, or repair any plumbing system which extends from the  
21 property line up to but not within five feet of any building, structure, or conveyance,  
22 regardless of the cost or depth of any such plumbing system.

23 (32) 'Plumbing system' means plumbing fixtures, applicants, and appurtenances in  
24 connection with sanitary drainage or storm drainage facilities, venting systems, or public  
25 or private water supply systems.

26 (33) 'Residential contractor' means a person, persons, firm, partnership, company,  
27 corporation, or other entity that offers to undertake, undertakes, submits a bid for, express  
28 or implied, or does the work that requires the use of more than two unrelated building  
29 trades or crafts whose work the contractor shall superintend or do in whole or in part in  
30 the construction of single and multi-family dwellings not exceeding three levels above  
31 grade or at single project cost not exceeding \$10,000.00.

32 (34) 'Residential homeowner' means an individual person or persons owning or leasing  
33 real property.

34 (35) 'Residential homeowner contractor' means being his or her own contractor or  
35 providing his or her own labor force an individual person or persons owning or leasing  
36 real property:

1 (A) Upon which one single-family residence is to be built and in which the owner or  
2 lessee intends to reside for a period of no less than 12 months upon completion of any  
3 construction; or

4 (B) Upon which there is a single-family residence to which improvements are to be  
5 made and in which the owner or lessee intends to reside for a period of no less than 12  
6 months upon completion of any construction.

7 (36) 'Trainee' means a person who is learning a trade and works under the direct  
8 supervision of a journeyman.

9 (37) 'Training certificate' means a certificate issued by a division of the board, which  
10 certificate shall give the named person to whom it is issued authority to engage in the  
11 activity prescribed while learning a trade.

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

21 (39) 'Utility' means a privately owned, publicly owned, or municipally owned or  
22 operated gas distribution system, electrical distribution system, communications systems,  
23 water supply system, sanitary sewerage system, and or drainage systems, provided for a  
24 fee, to the general public.

25 (40) 'Utility contracting' means a person or persons, firm, partnership, company,  
26 corporation, or other entity that offers to undertake, undertakes, submits a bid for, express  
27 or implied, or does the work of installing, servicing, repairing, or maintaining  
28 underground utility systems when individual project cost exceeds \$100,000.00.

29 (41) 'Utility contractor' means a person or persons, firm, partnership, company,  
30 corporation, or other entity that offers to undertake, undertakes, submits a bid for, express  
31 or implied, or does the work of installing, servicing, repairing, or maintaining  
32 underground utility systems.

33 (42) 'Utility journeyman' means a person who has been issued a license by the Division  
34 of Contractors, which license shall give the named person to whom it is issued authority  
35 to engage in the activity prescribed thereon.

1 43-14-3.

2 (a) There is created within the executive branch of state government the State  
3 Construction Industry Licensing Board. The board shall be assigned to the Secretary of  
4 State's office for administrative purposes and shall be under the jurisdiction of the division  
5 director. The board shall be composed of six members, four of whom shall be the  
6 chairpersons elected to represent each of the four divisions created under this chapter and  
7 two of whom shall be appointed by the Governor to serve at large, representing interests  
8 in consumer affairs and consumer protection.

9 (b) The two at-large members shall not have any connection with the electrical contracting,  
10 general contracting, residential contracting, mechanical contracting, plumbing, mechanical  
11 contracting, pipefitting, mechanical contracting, HVAC/refrigeration, or low-voltage  
12 contracting businesses whatsoever but shall have a recognized interest in consumer affairs  
13 and consumer protection concerns.

14 (c) The four divisions shall be composed of 25 members as follows:

15 (1) Seven members known as the Division of Electrical Contractors, one of whom shall  
16 be a consulting engineer engaged in electrical practice, one of whom shall be an electrical  
17 engineer engaged in the practice of electrical construction, two of whom shall be  
18 unrestricted electrical contractors engaged in the practice of electrical contracting  
19 business, two of whom shall be unrestricted low-voltage contractors engaged in the  
20 practice of low-voltage contracting business, and one of whom shall be the chief  
21 electrical inspector of a county or municipality and shall have served in such office for  
22 five years immediately preceding appointment to the board;

23 (2) Eight members known as the Division of Mechanical Contractors, one of whom shall  
24 be a mechanical engineer engaged in the practice of plumbing construction, one of whom  
25 shall be a mechanical engineer engaged in the practice of pipefitting construction, one of  
26 whom shall be a mechanical engineer engaged in the practice of HVAC/refrigeration  
27 construction, one of whom shall be an unrestricted plumbing contractor engaged in the  
28 practice of plumbing contracting business, one of whom shall be a unrestricted pipefitting  
29 contractor engaged in the practice of pipefitting contracting business, one of whom shall  
30 be a unrestricted HVAC/refrigeration contractor engaged in the HVAC/refrigeration  
31 contracting business, one of whom shall be the chief plumbing or pipefitting inspector of  
32 a county or municipality and shall have served in such office for five years immediately  
33 preceding appointment to the board, and one of whom shall be the chief  
34 HVAC/refrigeration inspector of a county or municipality and shall have served in such  
35 office for five years immediately preceding appointment to the board;

36 (3) Five members known as the Division of General contractors, one of whom shall be  
37 a professional architectural engineer engaged in the practice of construction design, one

1 of whom shall be a structural engineer engaged in the practice of structural design, one  
2 of whom shall be a general contractor engaged in the practice of industrial or commercial  
3 general contracting business, one of whom shall be a residential general contractor  
4 engaged in the practice general contracting business, and one of whom shall be the chief  
5 building inspector of a county or municipality and shall have served in such office for  
6 five years immediately preceding appointment to the board; and

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

11 (d) All division and board members shall be appointed by the Governor subject to  
12 confirmation by the Senate for four-year terms.

13 (e) A member shall serve until a successor has been duly appointed and qualified.

14 (f) The Governor shall make appointments to fill the unexpired portions of any terms  
15 vacated for any reason. In making such appointments, the Governor shall preserve the  
16 composition of the board as required by this chapter. Members shall be eligible for  
17 reappointment.

18 (g) Any appointive member who, during his or her term, shall cease to meet the  
19 qualifications for original appointment shall thereby forfeit membership on the board.

20 (h) Each member of the board and the divisions shall take an oath of office before the  
21 Governor to faithfully perform the duties of such office.

22 (i) The Governor may remove any member for failure to attend meetings, neglect of duty,  
23 incompetence, revocation or suspension of professional trade license, or other dishonorable  
24 conduct.

25 (j) Members of the board and the divisions shall be reimbursed as provided for in  
26 subsection (f) of Code Section 43-1-2.

27 43-14-4.

28 (1) The board shall meet at the call of the division director or any division chairperson  
29 or upon the recommendation of a majority of its members.

30 (2) Each division shall elect from its membership a chairperson who shall serve for a  
31 term of two years. Any vacancy in the office of chairperson shall be filled by one of the  
32 members for the unexpired term.

33 (3) Any member elected chairperson of a division shall not serve more than two  
34 consecutive terms of office.

35 (4) Each division shall carry out its powers and duties provided for in this chapter with  
36 the assistance of the division director and staff of the board.

1 (5) Each division shall meet at the call of its chairperson.

2 (6) Three members of each division shall constitute a quorum for the transaction of  
3 business of such division.

4 43-14-5.

5 The board shall have the power to:

6 (1) Request from the various state departments and other agencies and authorities of the  
7 state and its political subdivisions and their agencies and authorities such available  
8 information as it may require in its work; and all such agencies and authorities shall  
9 furnish such requested available information to the board within a reasonable time;

10 (2) Provide by regulation for reciprocity with other states in the registration and licensing  
11 of electrical contractors, journeymen electricians, general contractors  
12 (industrial/commercial), general contractors (residential), mechanical contractors  
13 (plumbing), journeymen plumbers, mechanical contractors (pipefitting), journeymen  
14 pipefitters, mechanical contractors (HVAC/refrigeration), HVAC/refrigeration  
15 journeymen, low-voltage contractors, low-voltage journeymen, utility contractors, and  
16 utility journeymen, provided that such other states have requirements substantially equal  
17 to the requirements in force in this state for registration, licensure, and certification;  
18 provided, further, that a similar privilege is offered to residents of this state;

19 (3) Adopt an official seal for its use and change it at pleasure;

20 (4) Establish the policies for regulating the businesses of electrical contracting, general  
21 contracting, mechanical contracting (plumbing), mechanical contracting (pipefitting)  
22 mechanical contracting (HVAC/refrigeration), low-voltage contracting, and utility  
23 contracting;

24 (5) Determine qualifications for licensure or certification including such experience  
25 requirements as a division deems necessary; and

26 (6) Promulgate and adopt rules and regulations necessary to carry out this chapter.

27 43-14-6.

28 (a) The Division of Electrical Contractors, with respect to applicants for a license to  
29 engage in or licensees engaging in the business of electrical contractor or journeyman  
30 electrician, low-voltage contractor or low-voltage journeyman; the Division of General  
31 Contractors, with respect to applicants for a license in or licensees engaging in the business  
32 of general construction as a general contractor (industrial/commercial) or general  
33 contractor (residential); the Division of Mechanical Contractors (plumbing), with respect  
34 to applicants for a license to engage in or licensees engaging in the business of plumbing  
35 as contractor or journeyman plumber; the Division of Mechanical Contractors (pipefitting),

1 with respect to applicants for a license to engage in or licensees engaging in the business  
2 of pipefitting as a contractor or journeyman pipefitter; the Division of Mechanical  
3 Contractors (HVAC/refrigeration), with respect to applicants for a license in or licensees  
4 engaging in the business of HVAC/refrigeration or HVAC/refrigeration journeymen, the  
5 Division of Utility Contractors, with respect to applicants for a license in or licensees  
6 engaging in the business of utility contracting or utility journeyman, shall:

7 (1) Approve examinations for all applicants for licenses or certificates. The Division of  
8 Electrical Contractors shall approve separate examinations for Class I and Class II  
9 licenses and journeymen electrician licenses. Class I licenses shall be restricted to  
10 electrical contracting involving single-phase electrical installations which do not exceed  
11 200 amperes at the service drop or the service lateral and single-family dwellings not  
12 exceeding 800 amperes; Class II licenses shall be unrestricted; and the journeyman  
13 electrician license shall be restricted to the trade of electrical construction. The Division  
14 of General Contractors shall approve separate examinations for Class I and Class II  
15 licenses. Class I contractors (residential) licenses shall be restricted to single and  
16 multi-family dwellings not to exceed three levels above grade or single project cost not  
17 exceeding \$10,000.00, and Class II contractors (industrial/commercial) licenses shall be  
18 unrestricted. The Division of Mechanical Contractors (plumbing) shall approve separate  
19 examinations for Class I and Class II licenses and journeyman plumbers licenses. Class  
20 I contractors licenses shall be restricted to plumbing involving single-family dwellings  
21 and one-level dwellings designed for not more than two families and commercial  
22 structures not to exceed 10,000 square feet in area; Class II licenses shall be unrestricted;  
23 and the journeyman plumbers licenses shall be restricted to the trade of plumbing  
24 construction. The Division of Mechanical Contractors (pipefitting) shall approve separate  
25 examinations for Class I licenses and journeyman pipefitter licenses. Class I contractors  
26 licenses shall be unrestricted, and the journeyman pipefitters licenses shall be restricted  
27 to the trade of pipefitting construction. The Division of Mechanical contractors  
28 (HVAC/refrigeration) shall approve separate examinations for Class I and Class II  
29 licenses and HVAC/refrigeration journeyman licenses. Class I contractors licenses shall  
30 be restricted to the installation, repair, or service of HVAC/refrigeration air systems or  
31 equipment not exceeding 175,000 BTU (net) of heating and five tons (60,000 BTU) of  
32 cooling; Class II contractors licenses shall be unrestricted; and HVAC/refrigeration  
33 journeyman licenses shall be restricted to the trade of HVAC/refrigeration construction.  
34 The Division of Electrical Contractors shall approve separate examinations for  
35 Low-voltage Contractor Class LV-A, Low-voltage Contractor Class LV-G, Low-Voltage  
36 Contractor Class LV-T, Low-voltage Contractor Class LV-U, and Low-voltage  
37 Contractor licenses and Low-voltage journeyman licenses. Class LV-G and Class LV-A

1 licenses shall be restricted to alarm and general system low-voltage contracting; Class  
 2 LV-T licenses shall be restricted to telecommunication and general system low-voltage  
 3 contracting; Class LV-G licenses shall be restricted to general system low-voltage  
 4 contracting; and Class LV-U licenses shall be unrestricted and permit the performance  
 5 of alarm, telecommunication, and general system low-voltage contracting, Low-voltage  
 6 journeyman licenses shall be restricted to the trade of low-voltage construction. The  
 7 Division of Utility Contractors shall approve separate examinations for Class I and Class  
 8 II licenses and utility journeyman licenses. Class I licenses shall be restricted to single  
 9 project cost not exceeding \$100,000.00; Class II licenses shall be unrestricted; and utility  
 10 journeyman licenses shall be restricted to the trade of utility construction;

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

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

- 14 (A) Electrical Contractor Class I;
- 15 (B) Electrical Contractor Class II;
- 16 (C) Journeyman Electrician;
- 17 (D) General Contractor Class I;
- 18 (E) General Contractor Class II;
- 19 (F) Mechanical Contractor: Plumbing, Class I;
- 20 (G) Mechanical Contractor: Plumbing Class II;
- 21 (H) Journeyman Plumber;
- 22 (I) Mechanical Contractor: Pipefitting Class I;
- 23 (J) Journeyman Pipefitter;
- 24 (K) Mechanical Contractor: HVAC/refrigeration Class I;
- 25 (L) Mechanical Contractor: HV AC/refrigeration Class II;
- 26 (M) HVAC/refrigeration Journeyman;
- 27 (N) Low-voltage Contractor Class LV-A;
- 28 (O) Low-voltage Contractor Class LV-T;
- 29 (P) Low-voltage Contractor Class LV-G;
- 30 (Q) Low-voltage Contractor Class LV-U;
- 31 (R) Utility Contractor; Class I;
- 32 (S) Utility Contractor; Class II; and
- 33 (T) Utility Journeyman.

34 Each division shall be directed by the division director to develop, create, and administer  
 35 rules and regulations for trainees wanting to learn a construction trade. To ensure proper  
 36 field training of a trainee, each division shall adopt a working ratio of trainees to  
 37 journeymen not to exceed six trainees to one journeyman.

- 1 (3) Require submission of the following:
- 2 (A) Corporate registration, listing the business address, including the owners, partners,  
3 or officers of the applicant;
- 4 (B) Federal employee registration certificate;
- 5 (C) Georgia employee registration certificate;
- 6 (D) Certificate of insurance (workers' compensation); and  
7 (D) Surety bond;
- 8 (4) Investigate, with the aid of the division director, alleged violations of this chapter or  
9 other laws and rules and regulations of the board relating to a profession;
- 10 (5) After notice and hearing, have the power to reprimand any person, licensee, or  
11 certificate holder or to suspend, revoke, or cancel the license or certificate of or refuse to  
12 grant, renew, or restore a license or certificate to any person, licensee, or certificate  
13 holder upon any one of the following grounds:
- 14 (A) The commission of any false, fraudulent, or deceitful act or the use of any forged,  
15 false, or fraudulent document in connection with the license or certificate requirements  
16 of this chapter or the rules and regulations of the board;
- 17 (B) Failure at any time to comply with the requirements for a license or certificate  
18 under this chapter or the rules and regulations of the board;
- 19 (C) Habitual intemperance in the use of alcoholic spirits, narcotics, or stimulants to  
20 such an extent as to render the licensee or certificate holder unsafe or unfit to practice  
21 any profession licensed or certified under this chapter;
- 22 (D) Engaging in any dishonorable or unethical conduct likely to deceive, defraud, or  
23 harm the public;
- 24 (E) Knowingly performing any act which in any way assists an unlicensed or  
25 noncertified person to practice such profession;
- 26 (F) Violating, directly or indirectly, or assisting in or abetting any violation of any  
27 provision of this chapter or any rule or regulation of the board;
- 28 (G) The performance of any faulty, inadequate, inefficient, or unsafe electrical,  
29 mechanical (plumbing), mechanical (pipefitting), mechanical (HVAC/refrigeration),  
30 low-voltage, or utility contracting work likely to endanger life, health, or property. The  
31 performance of any work that does not comply with the standards set by state codes or  
32 by local codes in jurisdictions where such codes are adopted, provided that such local  
33 codes are as stringent as the state codes, or by other codes or regulations which have  
34 been adopted by the board, shall be prima-facie evidence of the faulty, inadequate,  
35 inefficient, or unsafe character of such electrical, mechanical (plumbing), mechanical  
36 (pipefitting), mechanical (HVAC/refrigeration), low-voltage, or utility contracting  
37 work; provided, however, that the board, in its sole discretion, for good cause shown

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

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

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

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

11 (7) Do all other things necessary and proper to exercise their powers and perform their  
12 duties in accordance with this chapter.

13 (b) A division of the board may also provide, by rules and regulations, for the issuance of  
14 certificates of competency pertaining to financial responsibility and financial disclosure;  
15 provided, however, that such rules and regulations are adopted by the board. A division  
16 shall issue certificates of competency and renewal certificates to persons meeting the  
17 qualifications therefor.

18 (c) A division of the board shall also hear appeals resulting from the suspension of licenses  
19 by approved municipal or county licensing or inspection authorities pursuant to Code  
20 Section 43-14-15.

21 (d)(1) With respect to electrical contractors Class I and Class II licenses, journeyman  
22 electrician licenses, and training certificates, the Division of Electrical Contractors shall  
23 be authorized to require persons seeking renewal of certificates and licenses to complete  
24 board approved continuing education of not more than eight hours annually. A division  
25 shall be authorized to approve courses offered by institutions of higher learning,  
26 vocational- technical schools, and trade, technical, or professional organizations; provided,  
27 however, that continuing education courses or programs related to electrical construction  
28 provided or conducted by public utilities, equipment manufacturers, or institutions under  
29 the State Board of Technical and Adult Education shall constitute acceptable continuing  
30 professional education programs for the purposes of this subsection. Continuing education  
31 courses or programs shall be based on:

32 (A) The currently adopted edition of the National Electrical Code;

33 (B) Currently adopted administrative business rules and government regulations;

34 (C) Materials and methods as they pertain to electrical construction, building  
35 management systems, and electrical management systems; and

36 (D) Workplace health and safety.

1 Courses or programs conducted by manufacturers specifically to promote their products  
2 shall not be approved.

3 (2) All provisions of this subsection relating to continuing professional education shall  
4 be administered by the division.

5 (3) The division shall be authorized to promulgate rules and regulations to implement  
6 and ensure compliance with the requirements of this subsection.

7 (4) The continuing education requirements of this subsection shall not be required of any  
8 licensed electrical contractor or low-voltage contractor who is a registered professional  
9 electrical engineer.

10 (e)(1) With respect to general contractors Class I and Class II licenses, the Division of  
11 General Contractors shall be authorized to require persons seeking renewal of certificates  
12 and licenses to complete board approved continuing education of not more than eight  
13 hours annually. The division shall be authorized to approve courses offered by  
14 institutions of higher learning, vocational-technical schools, and trade, technical, or  
15 professional organizations; provided, however, that continuing education courses or  
16 programs related to general construction provided or conducted by public utilities,  
17 equipment manufacturers, or institutions under the State Board of Technical and Adult  
18 Education shall constitute acceptable continuing professional education programs for the  
19 purposes of this subsection. Continuing education courses or programs shall be based on:

20 (A) The currently adopted edition of the National Building Standards and Code;

21 (B) Currently adopted administrative business rules and government regulations;

22 (C) Materials and methods as they pertain to general construction and building  
23 management systems; and

24 (D) Workplace health and safety.

25 Courses or programs conducted by manufacturers specifically to promote their products  
26 shall not be approved.

27 (2) All provisions of this subsection relating to continuing professional education shall  
28 be administered by the division.

29 (3) The division shall be authorized to promulgate rules and regulations to implement  
30 and ensure compliance with the requirements of this subsection.

31 (f)(1) With respect to mechanical contractors (plumbing) Class I and Class II licenses,  
32 journeyman plumber licenses, and training certificates, the Division of Mechanical  
33 Contractors (Plumbing) shall be authorized to require persons seeking renewal of  
34 certificates and licenses to complete board approved continuing education of not more  
35 than eight hours annually. The division shall be authorized to approve courses, offered  
36 by institutions of higher learning, vocational-technical schools, and trade, technical, or  
37 professional organizations; provided, however, that continuing education courses or

1 programs related to general construction provided or conducted by public utilities,  
 2 equipment manufacturers, or institutions under the State Board of Technical and Adult  
 3 Education shall constitute acceptable continuing professional education programs for the  
 4 purposes of this subsection. Continuing education courses or programs shall be based on:

- 5 (A) The currently adopted edition of the National Plumbing Standards and Code;
- 6 (B) Currently adopted administrative business rules and government regulations;
- 7 (C) Materials and methods as they pertain to plumbing construction, building  
 8 management systems, and plumbing systems; and
- 9 (D) Workplace health and safety.

10 Courses or programs conducted by manufacturers specifically to promote their products  
 11 shall not be approved.

12 (2) All provisions of this subsection relating to continuing professional education shall  
 13 be administered by the division.

14 (3) The division shall be authorized to promulgate rules and regulations to implement  
 15 and ensure compliance with the requirements of this subsection.

16 (4) The continuing education requirements of this subsection shall not be required of any  
 17 licensed mechanical contractor who is a registered professional mechanical engineer.

18 (g)(1) With respect to mechanical contractors (pipefitting) unrestricted licenses,  
 19 journeyman licenses and training certificates, the Division of Mechanical Contractors  
 20 (pipefitting) shall be authorized to require persons seeking renewal of certificates and  
 21 licenses to complete approved continuing education of not more than eight hours  
 22 annually. The division shall be authorized to approve courses offered by institutions of  
 23 higher learning, vocational-technical schools, and trade, technical, or professional  
 24 organizations; provided, however, that continuing education courses or programs related  
 25 to general construction provided or conducted by public utilities, equipment  
 26 manufacturers, or institutions under the State Board of Technical and Adult Education  
 27 shall constitute acceptable continuing professional education programs for the purposes  
 28 of this subsection. Continuing education courses or programs shall be based on:

- 29 (A) The currently adopted edition of the National Piping and Gas Standards and Code;
- 30 (B) Currently adopted administrative business rules and government regulations;
- 31 (C) Materials and methods as they pertain to pipefitting, building management systems  
 32 and pipefitting systems; and
- 33 (D) Workplace health and safety.

34 Courses or programs conducted by manufacturers specifically to promote their products  
 35 shall not be approved.

36 (2) All provisions of this subsection relating to continuing professional education shall  
 37 be administered by the division.

1 (3) The division shall be authorized to promulgate rules and regulations to implement  
2 and ensure compliance with the requirements of this subsection.

3 (h)(1) With respect to mechanical contractors (HVAC/refrigeration) Class I and Class  
4 II licenses, HVAC/refrigeration journeyman licenses, and training certificates, the  
5 Division of Mechanical Contractors (HVAC/refrigeration) shall be authorized to require  
6 persons seeking renewal of certificates and licenses to complete board approved  
7 continuing education of not more than eight hours annually. The division shall be  
8 authorized to approve courses offered by institutions of higher learning,  
9 vocational-technical schools, and trade, technical, or professional organizations;  
10 provided, however, that continuing education courses or programs related to general  
11 construction provided or conducted by public utilities, equipment manufacturers, or  
12 institutions under the State Board of Technical and Adult Education shall constitute  
13 acceptable continuing professional education programs for the purposes of this  
14 subsection. Continuing education courses or programs shall be based on:

15 (A) The currently adopted edition of the National HVAC and Refrigeration Standards  
16 and Code;

17 (B) Currently adopted administrative business rules and government regulations;

18 (C) Materials and methods as they pertain to HVAC and refrigeration of building  
19 management systems; and

20 (D) Workplace health and safety.

21 Courses or programs conducted by manufacturers specifically to promote their products  
22 shall not be approved.

23 (2) All provisions of this subsection relating to continuing professional education shall  
24 be administered by the division.

25 (3) The division shall be authorized to promulgate rules and regulations to implement  
26 and ensure compliance with the requirements of this subsection.

27 (4) The continuing education requirements of this subsection shall not be required of any  
28 certified HVAC/refrigeration contractor who is a registered professional mechanical  
29 engineer.

30 (i)(1) With respect to low-voltage contractor Class LV-A, Class LV-T, Class LV-G, and  
31 Class LV-U licenses, low-voltage journeyman licenses, and training certificates, the  
32 Division of Electrical Contractors shall be authorized to require persons seeking renewal  
33 of certificates and licenses to complete board approved continuing education of not more  
34 than eight hours annually. The division shall be authorized to approve courses offered  
35 by institutions of higher learning, vocational-technical schools, and trade, technical, or  
36 professional organizations; provided, however, that continuing education courses or  
37 programs related to electrical construction provided or conducted by public utilities,

1 equipment manufacturers, or institutions under the State Board of Technical and Adult  
 2 Education shall constitute acceptable continuing professional education programs for the  
 3 purposes of this subsection. Continuing education courses or programs shall be based  
 4 on:

- 5 (A) The currently adopted edition of the National Electrical Code;
- 6 (B) Currently adopted administrative business rules and government regulations;
- 7 (C) Materials and methods as they pertain to electrical and low-voltage construction  
 8 and electrical management systems; and
- 9 (D) Workplace health and safety.

10 Courses or programs conducted by manufacturers specifically to promote their products  
 11 shall not be approved.

12 (2) All provisions of this subsection relating to continuing professional education shall  
 13 be administered by the division.

14 (3) The division shall be authorized to promulgate rules and regulations to implement  
 15 and ensure compliance with the requirements of this subsection.

16 (4) The continuing education requirements of this subsection shall not be required of  
 17 any certified low-voltage contractor who is a registered professional electrical engineer.

18 (j)(1) With respect to utility contractors Class I and Class II licenses, journeyman  
 19 licenses, and training certificates, the Division of Utility Contractors shall be authorized  
 20 to require persons seeking renewal of certificates and licenses to complete board  
 21 approved continuing education of not more than eight hours annually. The division shall  
 22 be authorized to approve courses offered by institutions of higher learning,  
 23 vocational-technical schools, and trade, technical, or professional organizations;  
 24 provided, however, that continuing education courses or programs related to utility  
 25 construction provided or conducted by public utilities, equipment manufacturers, or  
 26 institutions under the State Board of Technical and Adult Education shall constitute  
 27 acceptable continuing professional education programs for the purposes of this  
 28 subsection. Continuing education courses or programs shall be based on:

- 29 (A) The currently adopted edition of the National Mining and Trenching Standards and  
 30 Code;
- 31 (B) Currently adopted administrative business rules and government regulations;
- 32 (C) Materials and methods as they pertain to underground utilities and underground  
 33 utility systems; and
- 34 (D) Workplace health and safety.

35 Courses or programs conducted by manufacturers specifically to promote their products  
 36 shall not be approved.

1 (2) All provisions of this subsection relating to continuing professional education shall  
2 be administered by the division.

3 (3) The division shall be authorized to promulgate rules and regulations to implement  
4 and ensure compliance with the requirements of this subsection.

5 (k) The board shall notify each local government in this state of the provisions of this Code  
6 section.

7 43-14-7.

8 (a) All orders and processes of the board and the divisions of the board shall be signed and  
9 attested by the division director; and any notice or legal process necessary to be served  
10 upon the board or the divisions may be served upon the chairperson.

11 (b) The division director or his or her designee is vested with the power and authority to  
12 make such investigations in connection with the enforcement of this chapter and the rules  
13 and regulations of the board as he or she, the board, the divisions of the board, or any  
14 district attorney may deem necessary or advisable.

15 43-14-8.

16 (a) For purposes of this Code section only, 'division' means the Division of Electrical  
17 Contractors.

18 (b) No person shall engage in the electrical contracting or low-voltage business as an  
19 electrical contractor or low-voltage contractor unless such person has a valid license from  
20 the Division of Electrical Contractors and a certificate of competency, if such certificates  
21 are issued by the division pursuant to subsection (b) of Code Section 43-14-6.

22 (c) No person shall engage in the trade of electrical construction as a journeyman  
23 electrician unless such person has a valid license from the Division of Electrical  
24 Contractors.

25 (d) No person shall engage in the trade of low-voltage construction as a low-voltage  
26 journeyman unless such person has a valid license from the Division of Electrical  
27 Contractors. No person shall engage in learning the trade of electrical construction unless  
28 such person has a valid certificate from the Division of Electrical Contractors.

29 (e) A person who is not licensed as an electrical contractor shall be prohibited from  
30 advertising in any manner that such person is in the business or profession of an electrical  
31 contractor unless the work is performed by a licensed electrical contractor.

32 (f) In order to protect the public from damages arising from any work by a licensed  
33 electrical contractor which work fails to comply with the ordinances or building and  
34 construction codes adopted by any county or municipal corporation, the electrical  
35 contractor shall execute and deposit with the Secretary of State a bond in the sum of

1 \$20,000.00. Such bond shall be a cash bond of \$20,000.00 or executed by a surety  
2 authorized and qualified to write surety bonds in the State of Georgia and shall be approved  
3 by the Secretary of State's office. Such bond shall be conditioned upon all work being  
4 done or supervised by such licensee complying with the provisions of any ordinances or  
5 building and construction codes of any county or municipal corporation wherein the work  
6 is performed. Action on such bond may be brought against the principal and surety thereon  
7 in the name of and for the benefit of any person who suffers damages as a consequence of  
8 said licensee's work not conforming to the requirements of any ordinances or building and  
9 construction codes; provided, however, that the aggregate liability of the surety to all  
10 persons so damaged shall in no event exceed the sum of such bond.

11 (g) Notwithstanding any other provision of this chapter, prior to and including July 1,  
12 2004, the following persons, desiring to qualify under the provisions stated in this Code  
13 section, shall be issued a state-wide license without restriction by the division, provided  
14 that such individual submits proper application and pays or has paid the required fees and  
15 is not otherwise in violation of this chapter:

16 (1) Any individual holding a license issued by the State Construction Industry Licensing  
17 Board prior to July 1, 2003;

18 (2) Any individual holding a license issued by the State Board of Electrical Contractors;

19 (3) Any individual holding a license to engage in such vocation issued to him or her by  
20 any governing authority of any political subdivision; and

21 (4) Any individual who has successfully and efficiently engaged in such vocation in a  
22 local jurisdiction, which did not issue local licenses, for a period of at least two  
23 consecutive years immediately prior to the time of application. To prove that he or she  
24 has successfully engaged in said vocation, the individual shall only be required to give  
25 evidence of three successful jobs completed over such period. Such applicant shall swear  
26 before a notary public that such evidence is true and accurate prior to its submission to  
27 the division.

28 (h) The decision of the division as to the necessity of taking the examination or as to the  
29 qualifications of applicants taking the required examination shall, in the absence of fraud,  
30 be conclusive.

31 (i) All individuals, partnerships, limited liability companies, or corporations desiring to  
32 engage in such vocation after July 1, 2004, shall take the examination and qualify under  
33 this chapter before engaging in such vocation or business, including such vocation or  
34 business at the local level.

35 (j) No partnership, limited liability company, or corporation shall have the right to engage  
36 in the business of electrical contracting unless there is regularly connected with such  
37 partnership, limited liability, company, or corporation a person or persons actually engaged

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

3 (k) It shall be the duty of all partnerships, limited liability companies, and corporations  
4 qualified under this chapter to notify the division immediately of the severance of  
5 connection with such partnership, limited liability company, or corporation of any person  
6 or persons upon whom such qualification rested.

7 (l) All applicants for examinations and licenses provided for by this Code section and all  
8 applicants for renewal of licenses under this Code section shall be required to fill out a  
9 form which shall be provided by the division, which form shall show whether or not the  
10 applicant is an individual, partnership, limited liability company, or corporation and, if a  
11 partnership, limited liability company, or corporation, the names and addresses of the  
12 partners or members or the names and addresses of the officers, when and where formed  
13 or incorporated, and such other information as the division may require. All forms of  
14 applications for renewal of licenses shall also show whether or not the applicant, if it is a  
15 partnership, limited liability company, or corporation, still has connected with it a duly  
16 qualified person holding a license issued by the division.

17 (m) The board shall notify each local governing authority in this state of the provisions of  
18 this Code section relating to licensure. The board shall notify such governing authorities  
19 that after July 1, 2004, any person desiring a license to engage in a profession covered by  
20 this Code section shall be required to pass an examination as provided in this Code section.

21 (n) Any applicant for licensure standing the examination on and after July 1, 2004, who  
22 fails the examination for licensure twice after such date shall be required to present  
23 satisfactory evidence to the division that the applicant has completed a board approved  
24 review course before such applicant will be admitted to a third examination. If such  
25 applicant fails the examination a third time, the applicant shall not be required to complete  
26 additional board approved review courses prior to taking subsequent examinations.

27 43-14-9.

28 (a) For purposes of this Code section only, 'division' means the Division of General  
29 Contractors.

30 (b) No person shall engage in the general contracting business as a general contractor  
31 unless such person has a valid license from the Division of General Contractors and a  
32 certificate of competency, if such certificates are issued by the division pursuant to  
33 subsection (b) of Code Section 43-14-6.

34 (c) A person who is not licensed as a general contractor shall be prohibited from  
35 advertising in any manner that such person is in the business or profession of a general  
36 contractor unless the work is performed by a licensed general contractor.

1 (d) In order to protect the public from damages arising from any work by a licensed  
2 general contractor which work fails to comply with the ordinances or building and  
3 construction codes adopted by any county or municipal corporation, a general contractor  
4 (industrial/commercial) shall execute and deposit with the Secretary of State a bond in the  
5 sum of \$250,000.00 and a general contractor (residential) shall execute and deposit with  
6 the Secretary of State's office a bond in the sum of \$50,00.00. Such bond shall be a cash  
7 bond or executed by a surety authorized and qualified to write surety bonds in the State of  
8 Georgia and shall be approved by the Secretary of State's office. Such bond shall be  
9 conditioned upon all work being done or supervised by such licensee complying with the  
10 provisions of any ordinances or building and construction codes of any county or municipal  
11 corporation wherein the work is performed. Action on such bond may be brought against  
12 the principal and surety thereon in the name of and for the benefit of any person who  
13 suffers damages as a consequence of said licensee's work not conforming to the  
14 requirements of any ordinances or building and construction codes; provided, however, that  
15 the aggregate liability of the surety to all persons so damaged shall in no event exceed the  
16 sum of such bond.

17 (e) Notwithstanding any other provision of this chapter, prior to and including July 1,  
18 2004, the following persons, desiring to qualify under the provisions stated in this Code  
19 section, shall be issued a state-wide license without restriction by the division, provided  
20 that such individual submits proper application and pays or has paid the required fees and  
21 is not otherwise in violation of this chapter:

22 (1) Any individual holding a license issued by the State Construction Industry Licensing  
23 Board, prior to July 1, 2003;

24 (2) Any individual holding a license issued by the State Board of General Contractors;

25 (3) Any individual holding a license to engage in such vocation issued to him or her by  
26 any governing authority of any political subdivision; and

27 (4) Any individual who has successfully and efficiently engaged in such vocation in a  
28 local jurisdiction, which did not issue local licenses, for a period of at least two  
29 consecutive years immediately prior to the time of application. To prove that he or she  
30 has successfully engaged in said vocation, the individual shall only be required to give  
31 evidence of five successful jobs completed over such period. Such applicant shall swear  
32 before a notary public that such evidence is true and accurate prior to its submission to  
33 the division.

34 (f) The decision of the division as to the necessity of taking the examination or as to the  
35 qualifications of applicants taking the required examination shall, in the absence of fraud,  
36 be conclusive.

1 (g) All individuals, partnerships, limited liability companies, or corporations desiring to  
2 engage in such vocation after July 1, 2004, shall take the examination and qualify under  
3 this chapter before engaging in such vocation or business, including such vocation or  
4 business at the local level.

5 (h) No partnership, limited liability company, or corporation shall have the right to engage  
6 in the business of general contracting unless there is regularly connected with such  
7 partnership, limited liability, company, or corporation a person or persons actually engaged  
8 in the performance of such business on a full-time basis who have valid licenses issued to  
9 them as provided for in this chapter.

10 (i) It shall be the duty of all partnerships, limited liability companies, and corporations  
11 qualified under this chapter to notify the division immediately of the severance of  
12 connection with such partnership, limited liability company, or corporation of any person  
13 or persons upon whom such qualification rested.

14 (j) All applicants for examinations and licenses provided for by this Code section and all  
15 applicants for renewal of licenses under this Code section shall be required to fill out a  
16 form which shall be provided by the division, which form shall show whether or not the  
17 applicant is an individual, partnership, limited liability company, or corporation and, if a  
18 partnership, limited liability company, or corporation, the names and addresses of the  
19 partners or members or the names and addresses of the officers, when and where formed  
20 or incorporated, and such other information as the division may require. All forms of  
21 applications for renewal of licenses shall also show whether or not the applicant, if it is a  
22 partnership, limited liability company, or corporation, still has connected with it a duly  
23 qualified person holding a license issued by the division.

24 (k) The board shall notify each local governing authority in this state of the provisions of  
25 this Code section relating to licensure. The board shall notify such governing authorities  
26 that after July 1, 2004, any person desiring a license to engage in a profession covered by  
27 this Code section shall be required to pass an examination as provided in this Code section.

28 (l) Any applicant for licensure standing the examination, who fails the examination for  
29 licensure twice after such date shall be required to present satisfactory evidence to the  
30 division that the applicant has completed a board approved review course before such  
31 applicant will be admitted to a third examination. If such applicant fails the examination  
32 a third time, the applicant shall not be required to complete additional board approved  
33 review courses prior to taking subsequent examinations.

34 43-14-10.

35 (a) For purposes of this Code section only, 'division' means the Division of Mechanical  
36 Contractors.

1 (b) No person shall engage in the mechanical contracting business as a mechanical  
2 contractor (plumbing), mechanical contractor (pipefitting), or mechanical contractor  
3 (HVAC/refrigeration) unless such person has a valid license from the Division of  
4 Mechanical Contractors and a certificate of competency, if such certificates are issued by  
5 the division pursuant to Code Section 43-14-6.

6 (c) No person shall engage in the trade of mechanical construction (plumbing) as a  
7 journeyman plumber unless such person has a valid license from the Division of  
8 Mechanical Contractors.

9 (d) No person shall engage in the trade of mechanical construction (pipefitting) as a  
10 journeyman pipefitter unless such person has a valid license from the Division of  
11 Mechanical Contractors.

12 (e) No person shall engage in the trade of mechanical construction (HVAC/refrigeration)  
13 as a HVAC/refrigeration journeyman unless such person has a valid license from the  
14 Division of Mechanical Contractors.

15 (f) No person shall engage in learning of the trade of mechanical construction unless such  
16 person has a valid certificate from the Division of Mechanical Contractors.

17 (g) A person who is not licensed as a mechanical contractor shall be prohibited from  
18 advertising in any manner that such person is in the business or profession of a mechanical  
19 contractor unless the work is performed by a licensed mechanical contractor.

20 (h) In order to protect the public from damages arising from any work by a licensed  
21 mechanical contractor which work fails to comply with the ordinances or building and  
22 construction codes adopted by any county or municipal corporation, the mechanical  
23 contractor shall execute and deposit with the Secretary of State a bond in the sum of  
24 \$20,000.00. Such bond shall be a cash bond of \$20,000.00 or executed by a surety  
25 authorized and qualified to write surety bonds in the State of Georgia and shall be approved  
26 by the Secretary of State's office. Such bond shall be conditioned upon all work being  
27 done or supervised by such licensee complying with the provisions of any ordinances or  
28 building and construction codes of any county or municipal corporation wherein the work  
29 is performed. Action on such bond may be brought against the principal and surety thereon  
30 in the name of and for the benefit of any person who suffers damages as a consequence of  
31 said licensee's work not conforming to the requirements of any ordinances or building and  
32 construction codes; provided, however, that the aggregate liability of the surety to all  
33 persons so damaged shall in no event exceed the sum of such bond.

34 (i) Notwithstanding any other provision of this chapter, prior to and including July 1, 2004,  
35 the following persons, desiring to qualify under the provisions stated in this Code section,  
36 shall be issued a state-wide license without restriction by the division, provided that such

1 individual submits proper application and pays or has paid the required fees and is not  
2 otherwise in violation of this chapter:

3 (1) Any individual holding a license issued by the State Construction Industry Licensing  
4 Board, prior to July 1, 2003;

5 (2) Any individual holding a license issued by the State Board of Mechanical  
6 Contractors;

7 (3) Any individual holding a license to engage in such vocation issued to him or her by  
8 any governing authority of any political subdivision; and

9 (4) Any individual who has successfully and efficiently engaged in such vocation in a  
10 local jurisdiction, which did not issue local licenses, for a period of at least two  
11 consecutive years immediately prior to the time of application. To prove that he or she  
12 has successfully engaged in said vocation, the individual shall only be required to give  
13 evidence of three successful jobs completed over such period. Such applicant shall swear  
14 before a notary public that such evidence is true and accurate prior to its submission to  
15 the division.

16 (j) The decision of the division as to the necessity of taking the examination or as to the  
17 qualifications of applicants taking the required examination shall, in the absence of fraud,  
18 be conclusive.

19 (k) All individuals, partnerships, limited liability companies, or corporations desiring to  
20 engage in such vocation after July 1, 2004, shall take the examination and qualify under  
21 this chapter before engaging in such vocation or business, including such vocation or  
22 business at the local level.

23 (l) No partnership, limited liability company, or corporation shall have the right to engage  
24 in the business of mechanical contracting unless there is regularly connected with such  
25 partnership, limited liability, company, or corporation a person or persons actually engaged  
26 in the performance of such business on a full-time basis who have valid licenses issued to  
27 them as provided for in this chapter.

28 (m) It shall be the duty of all partnerships, limited liability companies, and corporations  
29 qualified under this chapter to notify the division immediately of the severance of  
30 connection with such partnership, limited liability company, or corporation of any person  
31 or persons upon whom such qualification rested.

32 (n) All applicants for examinations and licenses provided for by this Code section and all  
33 applicants for renewal of licenses under this Code section shall be required to fill out a  
34 form which shall be provided by the division, which form shall show whether or not the  
35 applicant is an individual, partnership, limited liability company, or corporation and, if a  
36 partnership, limited liability company, or corporation, the names and addresses of the  
37 partners or members or the names and addresses of the officers, when and where formed

1 or incorporated, and such other information as the division may require. All forms of  
2 applications for renewal of licenses shall also show whether or not the applicant, if it is a  
3 partnership, limited liability company, or corporation, still has connected with it a duly  
4 qualified person holding a license issued by the division.

5 (o) The board shall notify each local governing authority in this state of the provisions of  
6 this Code section relating to licensure. The board shall notify such governing authorities  
7 that after July 1, 2004, any person desiring a license to engage in a profession covered by  
8 this Code section shall be required to pass an examination as provided in this Code section.

9 (p) Any applicant for licensure standing the examination on and after July 1, 2004, who  
10 fails the examination for licensure twice after such date shall be required to present  
11 satisfactory evidence to the division that the applicant has completed a board approved  
12 review course before such applicant will be admitted to a third examination. If such  
13 applicant fails the examination a third time, the applicant shall not be required to complete  
14 additional board approved review courses prior to taking subsequent examinations.

15 43-14-11.

16 (a) For purposes of this Code section only, 'division' means the Division of Utility  
17 Contractors.

18 (b) No person shall engage in the utility business as an utility contractor unless such  
19 person has a valid license from the Division of Utility Contractors and a certificate of  
20 competency, if such certificates are issued by the division pursuant to subsection (b) of  
21 Code Section 43-14-6.

22 (c) No person shall engage in the trade of utility contracting as a utility journeyman unless  
23 such person has a valid license from the Division of Utility Contractors.

24 (d) No person shall engage in learning of the trade of utility contracting unless such person  
25 has a valid certificate from the Division of Utility Contractors.

26 (e) A person who is not licensed as a utility contractor shall be prohibited from advertising  
27 in any manner that such person is in the business or profession of a utility contractor unless  
28 the work is performed by a licensed utility contractor.

29 (f) In order to protect the public from damages arising from any work by a licensed utility  
30 contractor which work fails to comply with the ordinances or building and construction and  
31 safety codes adopted by any county or municipal corporation, the utility contractor shall  
32 execute and deposit with the Secretary of State a bond in the sum of \$50,000.00. Such  
33 bond shall be a cash bond of \$50,000.00 or executed by a surety authorized and qualified  
34 to write surety bonds in the State of Georgia and shall be approved by the Secretary of  
35 State's office. Such bond shall be conditioned upon all work being done or supervised by  
36 such licensee complying with the provisions of any ordinances or building and construction

1 codes of any county or municipal corporation wherein the work is performed. Action on  
2 such bond may be brought against the principal and surety thereon in the name of and for  
3 the benefit of any person who suffers damages as a consequence of said licensee's work  
4 not conforming to the requirements of any ordinances or building and construction codes;  
5 provided, however, that the aggregate liability of the surety to all persons so damaged shall  
6 in no event exceed the sum of such bond.

7 (g) Notwithstanding any other provision of this chapter, prior to and including July 1,  
8 2004, the following persons, desiring to qualify under the provisions stated in this Code  
9 section, shall be issued a state-wide license without restriction by the division, provided  
10 that such individual submits proper application and pays or has paid the required fees and  
11 is not otherwise in violation of this chapter:

12 (1) Any individual holding a license issued by the State Construction Industry Licensing  
13 Board, prior to July 1, 2003;

14 (2) Any individual holding a license issued by the State Board of Utility Contractors;

15 (3) Any individual holding a license to engage in such vocation issued to him or her by  
16 any governing authority of any political subdivision; and

17 (4) Any individual who has successfully and efficiently engaged in such vocation in a  
18 local jurisdiction, which did not issue local licenses, for a period of at least two  
19 consecutive years immediately prior to the time of application. To prove that he or she  
20 has successfully engaged in said vocation, the individual shall only be required to give  
21 evidence of five successful jobs completed over such period. Such applicant shall swear  
22 before a notary public that such evidence is true and accurate prior to its submission to  
23 the division.

24 (h) The decision of the division as to the necessity of taking the examination or as to the  
25 qualifications of applicants taking the required examination shall, in the absence of fraud,  
26 be conclusive.

27 (i) All individuals, partnerships, limited liability companies, or corporations desiring to  
28 engage in such vocation after July 1, 2004, shall take the examination and qualify under  
29 this Code section before engaging in such vocation or business, including such vocation  
30 or business at the local level.

31 (j) No partnership, limited liability company, or corporation shall have the right to engage  
32 in the business of utility contracting unless there is regularly connected with such  
33 partnership, limited liability, company, or corporation a person or persons actually engaged  
34 in the performance of such business on a full-time basis who have valid, licenses issued to  
35 them as provided for in this Code section.

36 (k) It shall be the duty of all partnerships, limited liability companies, and corporations  
37 qualified under this chapter to notify the division immediately of the severance of

1 connection with such, partnership, limited liability company, or corporation of any person  
2 or persons upon whom such qualification rested.

3 (l) All applicants for examinations and licenses provided for by this Code section and all  
4 applicants for renewal of licenses under this Code section shall be required to fill out a  
5 form which shall be provided by the division, which form shall show whether or not the  
6 applicant is an individual, partnership, limited liability company, or corporation and, if a  
7 partnership, limited liability company, or corporation, the names and addresses of the  
8 partners or members or the names and addresses of the officers, when and where formed  
9 or incorporated, and such other information as the division may require. All forms of  
10 applications for renewal of licenses shall also show whether or not the applicant, if it is a  
11 partnership, limited liability company, or corporation, still has connected with it a duly  
12 qualified person holding a license issued by the division.

13 (m) The board shall notify each local governing authority in this state of the provisions of  
14 this Code section relating to licensure. The board shall notify such governing authorities  
15 that after July 1, 2004, any person desiring a license to engage in a profession covered by  
16 this Code section shall be required to pass an examination as provided in this Code section.

17 (n) Any applicant for licensure standing the examination on and after July 1, 2004, who  
18 fails the examination for licensure twice after such date shall be required to present  
19 satisfactory evidence to the division that the applicant has completed a board approved  
20 review course before such applicant will be admitted to a third examination. If such  
21 applicant fails the examination a third time, the applicant shall not be required to complete  
22 additional board approved review courses prior to taking subsequent examinations.

23 43-14-12.

24 (a) Every person holding a license issued by a division of the board shall display it in a  
25 conspicuous manner at his or her place of business.

26 (b) All commercial vehicles used by licensees and certificate holders exclusively in the  
27 daily operation of their business shall have prominently displayed thereon the company or  
28 business registration number issued by the Secretary of State's office. Such registration  
29 number shall also be prominently displayed on any advertising in telephone yellow pages  
30 and newspapers relating to work which a licensee or certificate holder purports to have the  
31 capacity to perform. Said registration number shall also be printed on all invoices and  
32 proposal forms.

33 43-14-13.

34 This chapter shall be administered in accordance with Chapter 13 of Title 50, the 'Georgia  
35 Administrative Procedure Act.'

1 43-14-14.

2 Whenever it shall appear to a division of the board or to the division director or to a county  
3 or municipal inspection authority that any person is or has been violating this chapter or  
4 any of the lawful rules, regulations, or orders of the board, a division of the board, the local  
5 inspection authority, or the appropriate prosecuting attorney may file a petition for an  
6 injunction in the proper superior court of this state against such person for the purpose of  
7 enjoining any such violation. It shall not be necessary to allege or prove that there is no  
8 adequate remedy at law. The right of injunction provided for in this Code section shall be  
9 in addition to any other legal remedy which the board has and shall be in addition to any  
10 right of criminal prosecution provided for by law.

11 43-14-15.

12 (a) Any municipal or county inspection authority which meets the standards established  
13 by the board shall be authorized, after notice and hearing, to suspend the license or  
14 certificate of competency of, or refuse to restore a license or certificate of competency to,  
15 any person or licensee upon the grounds set out in Code Section 43-14-6; provided,  
16 however, that such suspension of a license by a local inspection authority shall be  
17 applicable only within the jurisdiction of such local authority. Any person aggrieved by  
18 an action of a local authority shall be entitled to an appeal to the appropriate division of the  
19 board and shall be entitled to a hearing.

20 (b)(1) This chapter shall not be construed to prohibit the governing authority of any  
21 county or municipality in the state from adopting and enforcing codes at the local level;  
22 provided, however, that no county or municipality may require any licensed contractor  
23 who has executed and deposited a bond, as provided in Code Sections 43-14-8, 43-14-9,  
24 43-14-10, and 43-14-11 to give or furnish or execute any code compliance bond or  
25 similar bond for the purpose of ensuring that all construction, installation, or  
26 modifications are made or completed in compliance with the county or municipal  
27 ordinances or building and construction codes.

28 (2) In any case where a bond is required under this chapter, the contractor shall file a  
29 copy of the bond with the building official in the political subdivision wherein the work  
30 is being performed.

31 (3) The provisions of this Code section shall not apply to or affect any bonding  
32 requirements involving contracts for public works as provided in Chapter 10 of Title 13.

33 (c) No provision of this chapter shall be construed as prohibiting or preventing a  
34 municipality or county from fixing or charging any registration fee, tax, or gross receipt tax  
35 on any related business or on anyone engaged in any related business governed by this  
36 chapter.

1 43-14-16.

2 (a) If a person is in violation of contracting without a license or making installations  
3 without a license, it shall not be necessary for an investigator to observe or witness the  
4 unlicensed person engaged illegally in the process of work or to show work in progress or  
5 work completed in order to prove the unlawful practice of contracting by an unlicensed  
6 person.

7 (b) It shall be prima-facie evidence of a violation of this chapter if any person not licensed  
8 as an electrical contractor, general contractor, mechanical contractor, low-voltage  
9 contractor, or utility contractor advertises that such person is in the business or profession  
10 of an electrical contractor, general contractor, mechanical contractor, low-voltage  
11 contractor, or utility contractor or advertises in a manner such that the general public would  
12 believe that such person is a licensed electrical contractor, general contractor, mechanical  
13 contractor, low-voltage contractor, or utility contractor or in the business or profession of  
14 an electrical contractor, general contractor, mechanical contractor, low- voltage contractor,  
15 or utility contractor. Advertising under this subsection includes, but is not limited to,  
16 newspaper, television, radio, telephone directory, mailings, business cards, or sign at place  
17 of business or attached to a vehicle.

18 (c) In accordance with the provisions of Code Section 43-1-20.1, after notice and hearing,  
19 the board may issue a cease and desist order prohibiting any person from violating the  
20 provisions of this chapter by engaging in the business or profession of an electrical  
21 contractor, general contractor, mechanical contractor, low-voltage contractor, or utility  
22 contractor without a license as required under this chapter.

23 (d) The violation of any cease and desist order of the board issued under subsection (c) of  
24 this Code section shall subject the person violating the order to further proceedings before  
25 the board, and the board shall be authorized to impose a fine not to exceed \$500.00 for each  
26 violation thereof. Each day that a person practices in violation of this Code section and  
27 chapter shall constitute a separate violation.

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

31 43-14-17.

32 (a) This chapter shall apply to all installations, alterations, and repairs of electrical, general  
33 construction, plumbing, pipefitting, air-conditioning, refrigeration, low-voltage wiring, and  
34 utility systems within or on public or private buildings, structures, or premises except as  
35 otherwise provided in this Code section.

1 (b) Any person who holds a license or certificate under this chapter may engage in the  
2 business of electrical contracting, general contracting, mechanical contracting, low-voltage  
3 contracting, or utility contracting but only as prescribed by the license throughout the state;  
4 and except as provided in Code Section 43-14-15, no municipality or county shall require  
5 such person to comply with any additional licensing requirements imposed by such  
6 municipality or county.

7 (c) This chapter shall not apply to the installation, alteration, or repair of electrical,  
8 mechanical, utility systems, or electrical services, except low-voltage wiring services, up  
9 to and including the meters where such work is performed by and is an integral part of the  
10 system owned or operated by a public service corporation, an electrical, water, or gas  
11 department of any municipality in this state, a railroad company, a pipeline company, or  
12 a mining company in the exercise of its normal function as such.

13 (d) This chapter shall not prohibit an householder from assisting or receiving assistance  
14 from a friend, neighbor, relative or other person when none of the individuals providing  
15 these services holds himself or herself out as a being engaged in such a business; provided,  
16 however, that all such work must be done in conformity with all other provisions of this  
17 chapter, the rules and regulations of the board, and any applicable county or municipal  
18 resolutions, ordinances, codes, or inspection requirements.

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

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

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

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

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

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

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

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

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

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

19 (l) Any person qualified by the Department of Transportation to perform work for the  
20 department shall not be required to be licensed under Code Section 43-14-10 or certified  
21 under Code Sections 43-14-11 and 43-14-12 in order to perform work for the department.  
22 Any person qualified by the Department of Transportation to perform work for the  
23 department shall not be required to be licensed under Code Section 43-14-10 or certified  
24 under Code Sections 43-14-11 and 43-14-12 in order to perform work for a county,  
25 municipality, authority, or other political subdivision when such work is of the same nature  
26 as that for which the person is qualified when performing department work; provided,  
27 however, that such work is not performed on a utility system as defined in Code Section  
28 43-14-2 for which the person receives compensation.

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

34 (n) Any person who contracts with a licensed contractor to install, repair, alter, or to  
35 replace an electrical system, mechanical system, low-voltage system, or utility system shall  
36 be required to hold a license from a division of the board. The contractor shall retain  
37 responsibility for completion of the contract, including any subcontracted work.

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

7 43-14-18.

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

11 **SECTION 2.**

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