

The Senate Regulated Industries and Utilities Committee offered the following substitute to HB 1105:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and
2 businesses, so as to authorize partners, officers, and employees of an individual licensee to
3 engage in the business of conditioned air contracting upon the licensee's death for 180 days;
4 to provide a fine and penalties for the unauthorized use of a license number of a conditioned
5 air contractor; to provide for related matters; to provide for an effective date; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

8 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
9 is amended by striking subsection (h) of Code Section 43-14-8, relating to licensing required
10 for electrical, plumbing, or conditioned air contracting, and inserting a new subsection (h)
11 to read as follows:
12

13 "(h) No partnership, limited liability company, or corporation shall have the right to engage
14 in the business of conditioned air contracting unless there is regularly connected with such
15 partnership, limited liability company, or corporation a person or persons actually engaged
16 in the performance of such business on a full-time basis who have valid licenses issued to
17 them as provided for in this chapter; provided, however, that partners, officers, and
18 employees of the individual who fulfilled the licensing requirements shall continue to be
19 authorized to engage in the business of conditioned air contracting under a license which
20 was valid at the time of the licensee's death for a period of ~~90~~ 180 days following the date
21 of such death."

SECTION 2.

22 Said title is further amended by striking subsection (e) of Code Section 43-14-12.1, relating
23 to evidence of violation of licensing requirements, and inserting in lieu thereof new
24 subsections (e) and (f) to read as follows:
25

1 application of his or her knowledge of the profession of residential contracting in the
 2 particular subcategory for which a license is sought; the applicant's qualifications in
 3 reading plans and specifications; his or her knowledge of building codes, estimating
 4 costs, construction, ethics, contracting, and other similar matters pertaining to such
 5 residential contracting business; his or her knowledge as to the responsibilities of a
 6 residential contractor to the public and to owners, subcontractors, and suppliers; and his
 7 or her knowledge of the requirements of the laws of this state relating to residential-basic
 8 and residential light-commercial contractors, construction, workers' compensation,
 9 insurance, and liens."

10 **SECTION 5.**

11 Said title is further amended by striking subsection (f) of Code Section 43-41-17, relating to
 12 the effective date of licensing and sanctioning provisions pertaining to residential and general
 13 contractors, compliance with local requirements, and certain exemptions and exceptions, and
 14 inserting in its place a new subsection (f) to read as follows:

15 "(f) Nothing in this chapter shall preclude a specialty contractor from offering or
 16 contracting to perform or undertaking or performing for an owner limited, specialty, or
 17 specific trade contractor work, ~~which does not entail the delegation or assignment to or~~
 18 ~~engagement of any other person or entity, other than direct employees, to supervise,~~
 19 ~~manage, or oversee the performance of any portion of the work undertaken.~~ However,
 20 nothing in this chapter shall permit a specialty contractor to perform work falling within
 21 the licensing requirements of Chapter 14 of this title where such specialty contractor is not
 22 duly licensed under such chapter to perform such work. The board shall by rule or policy
 23 identify specific trade work or specialty contractors that are eligible for exemption that
 24 would otherwise require a license under this chapter."

25 **SECTION 6.**

26 This Act shall become effective upon its approval by the Governor or upon its becoming law
 27 without such approval.

28 **SECTION 7.**

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