

COMMITTEE OF CONFERENCE SUBSTITUTE TO SB 195

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 26 and Title 43 of the Official Code of Georgia Annotated, relating to food,
2 drugs, and cosmetics and professions and businesses, respectively, so as to provide for the
3 regulation of certain professions and businesses; to clarify that the applications submitted for
4 certain professions and businesses are to be made in the form prescribed and not necessarily
5 as a written document; to change the definition of the term "electronic data prescription drug
6 order"; to change provisions relating to examinations to obtain a license to engage in the
7 practice of pharmacy; to change certain provisions relating to "brand necessary" drug orders;
8 to provide that members of professional licensing boards shall serve until the expiration of
9 their term and until their successors have been appointed; to change certain provisions
10 relating to the general powers of the division director; to change certain provisions relating
11 to investigators for professional licensing boards; to change certain provisions relating to
12 veteran examinations; to provide for notification of current laws, rules, and regulations and
13 standards of conduct relating to the practice of architecture; to change certain provisions
14 relative to checks submitted as fees for licensure by actioneers; to provide that the service
15 upon the division director on behalf of the State Board of Barbers or the State Board of
16 Physical Therapy shall be at his or her office; to change certain provisions regarding the
17 training, utilization, and licensing of apprentices in barbershops; to revise certain provisions
18 relating to the record of revocation of chiropractic licenses; to change certain provisions
19 relating to the rules and regulations as to sanitary requirements and inspections relative to
20 cosmetologists; to revise certain requirements for application for low-voltage electrical
21 contracting licenses; to require the examination for the land surveyor-in-training certificate
22 be board approved; to change certain provisions relating to examinations relative to
23 geologists; to change provisions as to notice of meetings of the State Board of Hearing Aid
24 Dealers and Dispensers; to revise the general powers and duties of the State Board of
25 Hearing Aid Dealers and Dispensers and the division director; to change certain provisions
26 relating to the issuance of licenses relative to hearing aid dealers and dispensers; to amend
27 provisions relating to the qualifications and examination of hearing aid dispenser apprentices;
28 to provide for notice to the hearing aid dealer licensee or permit holder; to change certain

29 provisions relating to fees for licensure of landscape architects; to provide that applicants for
 30 licensure as dispensing opticians may be required to pass a board approved examination; to
 31 change certain provisions relating to examinations, examination fees, and education
 32 requirements relative to dispensing opticians; to change certain provisions relating to
 33 examinations relative to optometrists; to change certain provisions relating to examinations
 34 for licenses to practice podiatric medicine; to change certain provisions relating to the
 35 examination of applicants and appeals relative to psychologists; to change certain provisions
 36 relating to qualifying agents relative to residential and general contractors; to change certain
 37 provisions relating to the test an applicant for a used motor vehicle and parts dealer license
 38 must pass; to provide for board approved examinations for applicants for certification as
 39 operators or laboratory analysts of treatment plants; to provide for related matters; to provide
 40 for an effective date; to repeal conflicting laws; and for other purposes.

41 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

42 **SECTION 1.**

43 Title 26 of the Official Code of Georgia Annotated, relating to food, drugs, and cosmetics,
 44 is amended by revising paragraph (14.1) of Code Section 26-4-5, relating to definitions
 45 relative to pharmacists and pharmacies, as follows:

46 (14.1) 'Electronic data prescription drug order' means any digitalized prescription drug
 47 order transmitted to a pharmacy, by a means other than by facsimile, which contains the
 48 secure, personalized digital key, code, number, or other identifier used to identify and
 49 authenticate the prescribing practitioner in a manner required by state laws and board
 50 regulations and includes all other information required by state laws and board
 51 regulations. 'Electronic data prescription drug order' also includes any digitalized
 52 prescription drug order transmitted to a pharmacy that is converted into a visual image
 53 of a prescription order during the transmission process, is received by the pharmacy
 54 through a facsimile, and includes the practitioner's electronic signature."

55 **SECTION 2.**

56 Said title is further amended by revising subsections (a) and (b) of Code Section 26-4-41,
 57 relating to qualifications for license, examination, and internships and other training
 58 programs relative to pharmacists and pharmacies, as follows:

59 "(a) *Qualifications.* To obtain a license to engage in the practice of pharmacy, an applicant
 60 for licensure by examination shall:

- 61 (1) Have submitted ~~a written~~ an application in the form prescribed by the board;
 62 (2) Have attained the age of majority;

- 63 (3) Be of good moral character;
- 64 (4) Have graduated and received a professional undergraduate degree from a college or
65 school of pharmacy as the same may be approved by the board; provided, however, that,
66 since it would be impractical for the board to evaluate a school or college of pharmacy
67 located in another country, the board may accept a graduate from such a school or college
68 as so long as the graduate has completed all requirements of the Foreign Pharmacy
69 Equivalency Certification Program administered by the National Association of Boards
70 of Pharmacy. This shall include successful completion of all required examinations and
71 the issuance of the equivalency certificate and be based upon an individual evaluation by
72 the board of the applicant's educational experience, professional background, and
73 proficiency in the English language;
- 74 (5) Have completed an internship or other program that has been approved by the board
75 or demonstrated to the board's satisfaction that experience in the practice of pharmacy
76 which meets or exceeds the minimum internship requirements of the board;
- 77 (6) Have successfully passed an examination or examinations approved by the board;
78 and
- 79 (7) Have paid the fees specified by the board for the examination and any related
80 materials and have paid for the issuance of the license.

81 (b) *Examinations.*

- 82 (1) The examination for licensure required under paragraph (6) of subsection (a) of this
83 Code section shall be made available ~~by the board~~ at least two times during each year.
84 The board shall determine the content and subject matter of each examination, and the
85 place, time, and date of administration of the examination;
- 86 (2) The examination shall be prepared to measure the competence of the applicant to
87 engage in the practice of pharmacy. The board may employ, cooperate, and contract with
88 any organization or consultant in the preparation and grading of an examination, but shall
89 retain the sole discretion and responsibility for determining which applicants have
90 successfully passed such an examination; ~~and~~.
- 91 (3) Any person who takes the board approved examination and fails the examination may
92 repeat the examination at regular intervals of administration; however, a person ~~may~~
93 shall not take the examination more than three times without permission from the board.
94 A person who has taken the board approved examination and failed the examination for
95 the third time ~~may~~ shall not practice as a pharmacy intern. A person who takes the board
96 approved examination and successfully completes the examination must become licensed
97 within two years of the examination date or the results of the examination shall become
98 invalid."

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SECTION 3.

100 Said title is further amended by revising subsection (c) of Code Section 26-4-42, relating to
 101 license transfers for pharmacists licensed in another jurisdiction relative to pharmacists and
 102 pharmacies, as follows:

103 "(c) To obtain a license to engage in the practice of pharmacy in this state, a pharmacist
 104 who is a graduate of a pharmacy school or college located in another country must
 105 complete all requirements of the Foreign Pharmacy Equivalency Certification Program
 106 administered by the National Association of Boards of Pharmacy. This shall include
 107 without being limited to successful completion of all required examinations, ~~and~~ the
 108 issuance of the equivalency certificate, and an individual evaluation by the board of the
 109 applicant's proficiency in the English language. Additionally, a foreign pharmacy graduate
 110 applicant shall:

- 111 (1) Have submitted ~~a written~~ an application in the form prescribed by the board;
- 112 (2) Have attained the age of majority;
- 113 (3) Be of good moral character;
- 114 (4) Have possessed at the time of initial licensure as a pharmacist all qualifications
 115 necessary to have been eligible for licensure at that time in this state;
- 116 (5) Have graduated and been granted a pharmacy degree from a college or school of
 117 pharmacy recognized by the National Association of Boards of Pharmacy Foreign
 118 Pharmacy Graduate Examination Committee;
- 119 (6) Have successfully passed an examination approved by the board; and
- 120 (7) Have paid the fees specified by the board."

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SECTION 4.

122 Said title is further amended by revising subsection (a) of Code Section 26-4-46, relating to
 123 pharmacy interns, eligibility, and requirements for licenses, as follows:

124 "(a) To obtain a license as a pharmacy intern, an applicant shall:

- 125 (1) Have submitted ~~a written~~ an application in the form prescribed by the board of
 126 pharmacy;
- 127 (2) Have attained the age of majority;
- 128 (3) Be of good moral character; and
- 129 (4) Have paid the fees specified by the board for the issuance of the license."

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SECTION 5.

131 Said title is further amended by revising subsection (g) of Code Section 26-4-81, relating to
 132 substitution of generic drugs for brand named drugs, as follows:

133 "(g) A practitioner of the healing arts may instruct the pharmacist not to substitute a
 134 generic name drug in lieu of a brand name drug by including the words 'brand necessary'
 135 in the body of the prescription. When a prescription is a hard copy prescription drug order,
 136 such indication of brand necessary must be in the practitioner's own handwriting and shall
 137 not be printed, applied by rubber stamp, or any such similar means. When the prescription
 138 is an electronic prescription drug order, the words 'brand necessary' are not required to be
 139 in the practitioner's own handwriting and may be included on the prescription in any
 140 manner or by any method. When a practitioner has designated 'brand necessary' on an
 141 electronic prescription drug order, a generic drug shall not be substituted without the
 142 practitioner's express consent, which shall be documented by the pharmacist on the
 143 prescription and by the practitioner in the patient's medical record."

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SECTION 6.

145 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
 146 is amended by revising Code Section 43-1-2, relating to appointment and general powers of
 147 the division director, members and meetings of professional licensing boards, examination
 148 standards, roster of licenses, and funding, by adding a new subsection to read as follows:

149 "(h.1) Members of a professional licensing board shall serve until the expiration of the
 150 term for which they were appointed and until their successors have been appointed and
 151 qualified unless otherwise specified under the provisions of this title."

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SECTION 7.

153 Said title is further amended by revising subsection (j) of Code Section 43-1-2, relating to
 154 appointment and general powers of division director, members and meetings of professional
 155 licensing boards, examination standards, roster of licenses, and funding, as follows:

156 "(j) The division director ~~shall~~ may establish administrative standards for the examination
 157 of applicants for licensure by the various professional licensing boards, notwithstanding
 158 any other provisions of law to the contrary. These administrative standards ~~shall~~ may
 159 include the setting of date, time, and location of examinations, subject to the approval of
 160 the respective professional licensing boards. Notwithstanding any other provisions of law
 161 to the contrary, examination criteria, examination grading procedures, examination fees,
 162 examination passing score requirements, and other matters pertaining to the examination
 163 of applicants for licensure may be adopted by rules of the respective professional licensing
 164 boards as necessary to implement such examination standards. Examination standards,
 165 including examination criteria, grading procedures, and passing score requirements,
 166 developed in agreement or in conjunction with a national association of state boards or
 167 other related national association for the administration of a nationally recognized uniform

168 examination may be adopted in lieu of state standards by the respective professional
 169 licensing boards."

170 **SECTION 8.**

171 Said title is further amended by revising Code Section 43-1-5, relating to investigators for
 172 professional licensing boards and office of division director, as follows:

173 "43-1-5.

174 (a) Persons hired for the purpose of conducting investigations for the professional
 175 licensing boards shall be designated as investigators and any person so designated shall
 176 have all the powers of a peace officer of this state when engaged in the enforcement of this
 177 title or of any of the laws creating or related to the professional licensing boards. Such
 178 investigators shall be authorized, upon the written approval of the division director,
 179 notwithstanding Code Sections 16-11-126, 16-11-128, and 16-11-129, to carry firearms of
 180 a caliber not greater than the standard police .38 handgun.

181 (b) ~~Any person designated as an investigator within the meaning of this Code section shall~~
 182 ~~be considered to be a peace officer."~~

183 **SECTION 9.**

184 Said title is further amended by revising Code Section 43-1-9, relating to point credit for
 185 veterans taking examination given by professional licensing boards, as follows:

186 "43-1-9.

187 Any applicant taking an examination ~~given~~ required by any professional licensing board
 188 except the State Board of Accountancy and the Georgia Board of Nursing shall receive
 189 points in the following manner:

190 (1) Any applicant who served on active duty in the armed forces of the United States or
 191 on active duty in a reserve component of the armed forces of the United States, including
 192 the National Guard, for a period of one year or more, of which at least 90 days were
 193 served during wartime or during any conflict when military personnel were committed
 194 by the President of the United States, shall be entitled to a credit of five points. Such
 195 points shall be added by the person grading the examination to the grade made by the
 196 applicant in answering the questions propounded in any such examination;

197 (2) Any applicant who is a disabled veteran and who served on active duty in the armed
 198 forces of the United States or on active duty in a reserve component of the armed forces
 199 of the United States, including the National Guard, during wartime or during any conflict
 200 when military personnel were committed by the President of the United States shall be
 201 entitled to a credit of five points if the disability was for an injury or illness incurred in
 202 the line of duty and such disability is officially rated at less than 10 percent at the time

203 of taking the examination. Such points shall be added by the person grading the
 204 examination to the grade made by the applicant in answering the questions propounded
 205 in any such examination; and

206 (3) Any applicant who is a disabled veteran who served on active duty in the armed
 207 forces of the United States or on active duty in a reserve component of the armed forces
 208 of the United States, including the National Guard, during wartime or during any conflict
 209 when military personnel were committed by the President of the United States shall be
 210 entitled to a credit of ten points if the disability was for an injury or illness incurred in the
 211 line of duty and such disability is officially rated at 10 percent or above at the time of
 212 taking the examination. Such points shall be added by the person grading the
 213 examination to the grade made by the applicant in answering questions propounded in
 214 any such examination."

215 **SECTION 10.**

216 Said title is further amended by revising Code Section 43-1-10, relating to credit to veteran's
 217 grades when examination given in parts or by subject, as follows:

218 "43-1-10.

219 If an examination given by a professional licensing board is ~~given~~ required in parts or by
 220 subjects and the applicant is required to make a minimum grade on each of the parts or
 221 subjects, the points to which the applicant is entitled shall be added to the grade made on
 222 each part or subject before the average of his or her grade on all of the parts or subjects is
 223 determined."

224 **SECTION 11.**

225 Said title is further amended by revising Code Section 43-1-11, relating to veteran's
 226 examination to be graded prior to determination of eligibility for credit, as follows:

227 "43-1-11.

228 A person grading an examination ~~given~~ required by a professional licensing board shall
 229 first grade the examination without reference to veteran credit, determining thereafter from
 230 the proof submitted whether an applicant is a veteran and is entitled to such credit; if so,
 231 the credit shall be added; and if after such addition the applicant equals or exceeds the
 232 grade required to pass the examination, the applicant shall be entitled to be certified as
 233 having passed the examination."

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SECTION 12.

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Said title is further amended by revising subsection (b) of Code Section 43-4-9, relating to adoption of rules, regulations, and standards of conduct and utilization of the Internet relative to architects, as follows:

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"(b) The board shall post all current laws, rules, regulations, and standards of conduct relating to the practice of architecture in this state on the board's official website. The board shall also provide on the website notification of recent changes in such laws, rules, regulations, or standards and information pertaining to disciplinary actions taken by the board. ~~Individual notice of changes in such laws, rules, regulations, or standards shall be sent by the board at least once a year to each registered architect and building official.~~ Individual notice may be sent by e-mail or regular mail."

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SECTION 13.

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Said title is further amended by revising subsection (d) of Code Section 43-6-13, relating to license fees and effect of nonpayment of checks submitted as fee relative to auctioneers, as follows:

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"(d) Any check presented to the division director as a fee for either an original or renewal license ~~or for examination for license~~, which is returned unpaid, shall be cause for revocation or denial of a license."

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SECTION 14.

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Said title is further amended by revising Code Section 43-7-7, relating to board meetings, secretary of the board, service of process and documents, and records relative to barbers, as follows:

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"43-7-7.

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The board shall meet at least six days a year but shall not meet more than 36 days in one year. All meetings shall be open to the public except that the board may hold restricted attendance sessions to prepare, give, and grade examinations and to deliberate in connection with the decision in a contested case. The division director shall be secretary of the board and, in addition to his or her duties as prescribed by Code Section 43-1-3, shall perform such other administrative duties as may be prescribed by the board. All legal process and all documents required by law to be served upon or filed with the board shall be served upon or filed with the division director at his or her office ~~in Atlanta~~. All official records of the board, or affidavits by the division director as to the content of such records, shall be prima-facie evidence of all matters required to be kept therein."

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SECTION 15.

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Said title is further amended by revising Code Section 43-7-12 , relating to requirements for license to operate a barbershop, as follows:

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"43-7-12.

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A license to operate a barbershop shall be issued, renewed, or restored to any person who can show that such barbershop:

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(1) Provides and maintains such physical and sanitary facilities and equipment as may be required by the rules and regulations of the board;

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~~(2) Does not train more than one apprentice at any one time, which apprentice shall be under the supervision of a master barber~~ Trains and utilizes apprentices in a manner and

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number as required by the board; and

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(3) Does business only at the location shown on the application for licensure."

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SECTION 16.

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Said title is further amended by revising subsection (a) of Code Section 43-7-16 , relating to requirement for license as apprentice barber and limitation on renewal, as follows:

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"(a) A license to practice barbering as an apprentice shall be issued to any person applicant who shall furnish the board evidence that such applicant:

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(1) ~~Evidence that he will~~ Will practice under the supervision of a licensed barber with at least 18 months' experience in the practice of barbering; and

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~~(2) Evidence that he has completed the fifth grade of school instruction or its equivalent~~ Is 16 years of age or older."

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SECTION 17.

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Said title is further amended by revising subsections (a), (b), and (c) of Code Section 43-9-7, relating to qualifications of applicants for license to practice chiropractic, as follows:

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"(a) Any person wishing to practice chiropractic in this state shall make ~~written~~ application to the board through the division director in such form as may be adopted and directed by the board.

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~~(b) Application shall be in writing and shall be signed by the applicant in his own handwriting; shall be sworn to before some officer authorized under the laws to administer oaths;~~ The application shall recite the history of the applicant's educational qualifications,

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how long he or she has studied chiropractic, what collateral branches, if any, he or she has studied, and the length of time he or she has engaged in clinical practice, with proof thereof

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in the form of diplomas, certificates, etc.; and other information, and shall accompany the application with satisfactory evidence of good character and reputation.

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301 (c) Each applicant shall ~~send~~ provide with his or her application an application fee in an
 302 amount established by the board."

303 **SECTION 18.**

304 Said title is further amended by revising Code Section 43-9-14, relating to record of license
 305 revocation relating to chiropractors, as follows:

306 "43-9-14.

307 ~~In all cases wherein a license has been revoked and no appeal has been taken within the~~
 308 ~~time allowed by law, it shall be the duty of the division director, immediately after the~~
 309 ~~expiration of the time allowed for appeal, to transmit to the clerk of the superior court in~~
 310 ~~whose office the revoked license is recorded a copy of the order of the board revoking the~~
 311 ~~license, certified by the division director, and it shall be the duty of the clerk to cancel the~~
 312 ~~record of the license by entering upon the face thereof a copy of the certified order. In cases~~
 313 ~~wherein appeal proceedings are had and not sustained, the revoked license shall be~~
 314 ~~canceled in the manner provided in this Code section immediately after the final~~
 315 ~~termination of such case. Reserved.~~"

316 **SECTION 19.**

317 Said title is further amended by revising Code Section 43-10-6, relating to rules and
 318 regulations as to sanitary requirements, instruction on HIV and AIDS, inspections, and
 319 unsanitary conditions as nuisances relative to cosmetologists, as follows:

320 "43-10-6.

321 (a) The board is authorized to adopt reasonable rules and regulations prescribing the
 322 sanitary requirements of beauty shops, beauty salons, schools of cosmetology, schools of
 323 esthetics, schools of hair design, and schools of nail care, subject to the approval of the
 324 Department of Community Health, and to cause the rules and regulations or any subsequent
 325 revisions to be in suitable form, ~~and to transmit a copy thereof. The board shall make the~~
 326 ~~rules and regulations available~~ to the proprietor of each beauty shop, beauty salon, school
 327 of cosmetology, school of esthetics, school of hair design, or school of nail care. It shall
 328 be the duty of every proprietor or person operating a beauty shop, salon, school of
 329 cosmetology, school of esthetics, school of hair design, and school of nail care in this state
 330 to keep a copy of such rules and regulations posted in a conspicuous place in his or her
 331 business, so as to be easily read by his or her customers.

332 (b) The board is authorized to adopt reasonable rules and regulations requiring that persons
 333 licensed under this chapter undergo instruction on Human Immunodeficiency Virus and
 334 Acquired Immune Deficiency Syndrome.

335 (c) Any inspector employed by the ~~division director~~ Secretary of State shall have the
 336 power to enter and make reasonable examination of any beauty shop, salon, ~~and~~ or school
 337 in the state during business hours for the purpose of enforcing the rules and regulations of
 338 the board and for the purpose of ascertaining the sanitary conditions thereof.

339 (d) Any beauty shop, salon, or school in which tools, appliances, and furnishings used
 340 therein are kept in an unclean and unsanitary condition so as to endanger health is declared
 341 to be a public nuisance."

342 **SECTION 20.**

343 Said title is further amended by revising subsection (c) of Code Section 43-14-8.1, relating
 344 to license requirement for low-voltage electrical contracting, businesses conducted by
 345 partnerships, limited liability companies, and corporations, and applications relative to
 346 electrical contracting, as follows:

347 "(c) Any person desiring to qualify under the provisions of this subsection who meets the
 348 requirements of this subsection, submits proper application prior to and including
 349 December 31, 1984, and pays or has paid the required fees and is not otherwise in violation
 350 of this chapter shall be issued a state-wide Low-voltage Contractor Class LV-A, LV-G,
 351 LV-U, or LV-T license without examination. An individual desiring to obtain Low-voltage
 352 Contractor Class LV-T shall submit to the division an affidavit ~~sworn before a notary~~
 353 ~~public~~ which outlines the experience of said individual in the practice of low-voltage
 354 wiring relating to telecommunication systems. An individual desiring to obtain a
 355 Low-voltage Contractor Class LV-A license shall submit to the division an affidavit, ~~sworn~~
 356 ~~before a notary public~~, which outlines the experience of said individual in the practice of
 357 low-voltage wiring relating to alarm systems. An individual desiring to obtain a
 358 Low-voltage Contractor Class LV-G license shall submit to the division an affidavit, ~~sworn~~
 359 ~~before a notary public~~, which outlines the experience of said individual in the practice of
 360 low-voltage wiring relating to general systems. Each such affidavit for licensure shall
 361 describe in detail the installation of at least three complete low-voltage wiring jobs which
 362 shall demonstrate that the individual has successfully performed low-voltage wiring in the
 363 area of licensure requested for a period of at least one year immediately prior to the time
 364 of application. An individual desiring to obtain a Low-voltage Contractor Class LV-U
 365 license shall submit to the division an affidavit, ~~sworn before a notary public~~, which
 366 outlines the experience of said individual in the practice of low-voltage wiring relating to
 367 alarm and telecommunication systems and which describes in detail the installation of at
 368 least six complete low-voltage wiring jobs, three in alarm and three in telecommunication
 369 systems, which shall demonstrate that the individual has successfully performed

370 low-voltage wiring in those areas for a period of at least one year immediately prior to the
371 time of application."

372 **SECTION 21.**

373 Said title is further amended by revising Code Section 43-15-12, relating to land
374 surveyor-in-training certificate and eligibility, as follows:

375 "43-15-12.

376 To be eligible for certification as a land surveyor-in-training, an applicant must meet the
377 following minimum requirements:

- 378 (1)(A) Earn a bachelor's degree in a curriculum approved by the board; ~~or~~
379 (B) Earn an associate degree, or its equivalent, in a curriculum approved by the board
380 and acquire not less than two years of combined office and field experience in land
381 surveying of a nature satisfactory to the board; or
382 (C) Earn a high school diploma, or its equivalent, and acquire not less than four years'
383 experience in land surveying of a nature satisfactory to the board; ~~and~~
384 (2) Acquire a minimum of 15 quarter hours' credit, or its equivalent, in land surveying
385 subjects in a course of study approved by the board; provided, however, that on and after
386 January 1, 1995, the minimum requirement shall be 20 quarter hours' credit, five of which
387 shall be in hydrology; and
388 (3) Subsequently pass the ~~board's written~~ board approved examination in the
389 fundamentals of land surveying (land surveyor-in-training examination)."

390 **SECTION 22.**

391 Said title is further amended by revising subsection (c) of Code Section 43-18-41, relating
392 to qualifications of embalmer or funeral director applicants, as follows:

393 "(c) In addition to the qualifications set out in subsection (a) of this Code section, an
394 applicant for a funeral director's license shall have, prior to the issuance of said license, a
395 valid embalmer's license; shall furnish an affidavit which lists the names of the 50 funerals
396 at which the apprentice assisted as provided in Code Section 43-18-50; and, effective
397 January 1, 1991, must pass a ~~written~~ an examination approved by the board which tests
398 knowledge of the law of this state relating to funeral directors."

399 **SECTION 23.**

400 Said title is further amended by revising paragraph (1) of subsection (a) Code Section
401 43-18-42, relating to reciprocity and examination upon meeting qualifications relative to
402 funeral directors and establishments, as follows:

- 436 ~~(3)~~(2) License persons who make proper application to the division director and who
 437 meet the qualifications for licensure;
- 438 ~~(4) Purchase and maintain or rent facilities necessary to carry out the examination of~~
 439 ~~applicants as provided in this chapter;~~
- 440 ~~(5)~~(3) Issue and renew licenses;
- 441 ~~(6)~~(4) Suspend, revoke, or otherwise sanction licenses in the manner provided in this
 442 chapter;
- 443 ~~(7)~~(5) Appoint representatives to conduct or supervise examinations; and
- 444 ~~(8)~~(6) ~~Provide to each licensed dealer~~ Make available to the public a copy of this chapter,
 445 any amendments thereto, and all adopted rules.
- 446 (c) The division director shall be guided by the recommendations of the board in all
 447 matters relating to this chapter and shall assist the board in carrying out this chapter.
- 448 (d) In the administration and enforcement of this chapter, the board shall have the power
 449 to adopt reasonable rules and regulations not inconsistent with this chapter and the
 450 Constitution and laws of this state or of the United States for governing its times and places
 451 of meetings; for organization and reorganization; for the holding of examinations; for
 452 governing all other matters requisite to the exercising of its powers; for the performance
 453 of its duties relating to examinations; for granting, suspending, revoking, or otherwise
 454 sanctioning licenses; and for the transaction of its business under this chapter.
- 455 (e) The board may provide, by regulation, for the general scope of the examination
 456 described in Code Section 43-20-9. The board may approve the examination and obtain
 457 advice and assistance in providing for and grading such examination; and the division
 458 director may contract with third parties to perform administrative services related to the
 459 examination as he or she deems appropriate."

460 SECTION 27.

461 Said title is further amended by revising subsection (b) of Code Section 43-20-8, relating to
 462 issuance of licenses and fees relative to hearing aid dealers and dispensers, as follows:

463 "(b) The board may issue a dispenser's license to an applicant only when the applicant has
 464 satisfactorily completed ~~an a board approved~~ examination ~~administered under the direction~~
 465 ~~of the board~~ and when proof of age has been verified. The license shall authorize the holder
 466 to dispense hearing aids under the general supervision of a licensed dealer."

467 SECTION 28.

468 Said title is further amended by revising Code Section 43-20-9, relating to qualifications,
 469 examinations, and apprentice dispensers relative to hearing aid dealers and dispensers, as
 470 follows:

471 "43-20-9.

472 (a) An applicant may obtain a license by successfully passing a qualifying board approved
 473 examination ~~administered by the board~~, provided that the applicant:

474 (1) Is at least 18 years of age; and

475 (2) Is of good moral character.

476 (b) ~~The division director shall schedule at least four examinations each year, one of which~~
 477 ~~will be in each calendar quarter.~~

478 (c) ~~The division director shall schedule every~~ Every apprentice dispenser who has held the
 479 permit over 30 days shall be scheduled to stand for the written examination at every
 480 scheduled examination until all sections have been passed, the permit has been revoked by
 481 the board, or the permit has expired. The board shall have the power to revoke a permit
 482 without a hearing if the holder of an apprentice dispenser permit fails to stand for the
 483 examination. The board shall also have the power to revoke a permit without a hearing if
 484 the holder of an apprentice dispenser permit fails to pass the written portion of the
 485 examination on two occasions. The board may include the fee for an initial examination
 486 as a condition for approval of an applicant for an apprentice dispenser's permit.

487 (d) ~~Each applicant desiring to become licensed as a dispenser, other than holders of~~
 488 ~~apprentice dispensers' permits, shall make application for examination to the division~~
 489 ~~director, accompanied by the examination fee as provided by the board in its rules and~~
 490 ~~regulations.~~

491 (e) ~~The qualifying examination shall be compiled by or at the direction of the board.~~

492 (f)(c) The board shall establish uniform criteria for passing and failing candidates."

493

SECTION 29.

494 Said title is further amended by revising Code Section 43-20-12, relating to notice to division
 495 director of place of practice and identification of dispensers, apprentice dispensers, and
 496 trainees, and notice to holders of licenses and permits, as follows:

497 "43-20-12.

498 (a) A person holding a dealer's license shall notify the division director in writing of the
 499 regular addresses of places of business operated by the dealer for dispensing hearing aids.
 500 Furthermore, the dealer is required to notify the division director in writing as to the names
 501 and license or permit numbers of all dispensers, apprentice dispensers, and trainees
 502 employed or otherwise practicing at each of his or her places of business. The dealer is
 503 required to notify the division director in writing of any changes of the foregoing within
 504 seven calendar days of such change. Any failure shall be considered a violation of this
 505 chapter by the dealer.

506 (b) Any notice required to be given by the division director or by the board to any person
 507 who holds a license or permit issued by the board shall be mailed to such licensee or permit
 508 holder ~~by certified mail or statutory overnight delivery~~ to the address of the place of
 509 practice last recorded with the division director; and such mailing shall constitute sufficient
 510 notice to such licensee."

511 SECTION 30.

512 Said title is further amended by revising subsection (a) of Code Section 43-23-8, relating to
 513 examination fee, issuance of licenses, biennial renewal of licenses, renewal fee, and effect
 514 of nonpayment of check submitted as license fee relative to landscape architects, as follows:

515 "(a) Every applicant for licensure as a landscape architect shall submit with his or her
 516 application for such licensure a fee in an amount established by the board, ~~which shall be~~
 517 ~~sufficient to cover the costs of examination~~. If the applicant successfully passes the
 518 examination and is otherwise qualified for licensure as a landscape architect, the board
 519 shall thereafter, upon payment of a license fee to be determined by the board, issue a
 520 license to the applicant, which shall be valid for up to two years and shall be renewable
 521 biennially. All licenses shall expire on the renewal date established by the division director.
 522 The biennial license renewal fees shall be an amount established by the board."

523 SECTION 31.

524 Said title is further amended by revising Code Section 43-28-9, relating to qualifications of
 525 license applicants and waiver relative to occupational therapists, as follows:

526 "43-28-9.

527 (a) An applicant applying for a license as an occupational therapist or as an occupational
 528 therapy assistant shall file ~~written~~ an application, on forms provided by the board, showing
 529 to the satisfaction of the board that such applicant ~~meets the following requirements~~:

530 (1) Is of good moral character;

531 (2) Has successfully completed the academic requirements of an educational program
 532 in occupational therapy recognized by the board, with concentration in biological or
 533 physical science, psychology, and sociology and with education in selected manual skills.
 534 For an occupational therapist or occupational therapy assistant, such a program shall be
 535 accredited by a recognized accrediting agency acceptable to the board. Other comparable
 536 educational programs such as those approved by the World Federation of Occupational
 537 Therapists may be recognized by the board upon evaluation of detailed program and
 538 course content;

539 (3) Has successfully completed a period of supervised field work experience at a
 540 recognized educational institution or a training program accredited as provided in

541 paragraph (2) of this ~~Code section~~ subsection. For an occupational therapist, a minimum
 542 of six months of supervised field work experience is required. For an occupational
 543 therapy assistant, a minimum of two months of supervised field work experience is
 544 required; and

545 (4) Has passed an examination as provided for in Code Section 43-28-10.

546 (b) An applicant not meeting the requirements of subsection (a) of this Code section must
 547 indicate to the board that he or she has obtained a waiver of such requirements pursuant to
 548 Code Section 43-28-11."

549 **SECTION 32.**

550 Said title is further amended by revising subsection (e) of Code Section 43-29-7, relating to
 551 license requirements, qualifications of applicants, subjects to be listed on examination, and
 552 issuance and display of license relative to dispensing opticians, as follows:

553 "(e) Applicants for examination may be examined ~~by the board~~ upon matters pertaining
 554 to mathematics and physics, ophthalmic materials and laboratory technique, ophthalmic
 555 optics, ophthalmic dispensing, and practical subjects. When any applicant passes the
 556 necessary examination and meets the qualifications set out, the board shall issue a license
 557 to such person to practice the trade or occupation of dispensing optician."

558 **SECTION 33.**

559 Said title is further amended by revising Code Section 43-29-8, relating to examination,
 560 examination fee, and the effect of failure of two examinations relative to dispensing
 561 opticians, as follows:

562 "43-29-8.

563 (a) ~~Examination of applicants~~ An applicant applying for a license to practice the trade or
 564 occupation of dispensing optician shall be required to pass a board approved examination
 565 made by the board according to the methods and covering subject matter deemed by the
 566 board to be the most practical and expeditious to test the applicant's specific job
 567 performance requirements. Such examinations shall be written.

568 (b) ~~There shall be paid to the division director by each applicant for a license an~~
 569 ~~examination fee in an amount determined by the board, which fee shall accompany the~~
 570 ~~application for examination.~~

571 (c) Failure to pass a satisfactory examination shall not prevent any applicant from
 572 participating in subsequent examinations ~~before the board~~ upon complying with this
 573 chapter, but any applicant who has failed two examinations shall not be permitted to take
 574 any further examination for licensure under this chapter until such applicant has furnished

575 sufficient proof of having taken such additional education and training as shall be required
576 by the board."

577 **SECTION 34.**

578 Said title is further amended by revising Code Section 43-29-11, relating to continuing
579 education requirement, waiver, and effect of failure to complete required course hours
580 relative to dispensing opticians, as follows:

581 "43-29-11.

582 (a) Each person who holds a license as a dispensing optician shall be required to complete
583 ten hours of continuing education prior to each renewal of such license.

584 (b) With his or her application for license renewal, each licensed dispensing optician ~~must~~
585 shall submit ~~a certificate or certificates of attendance for~~ an affidavit of course hours
586 completed as proof that his or her education requirements have been satisfied. The board
587 shall give credit for any course given by any recognized national, regional, or state
588 dispensing society or association if such course increases the education of a dispensing
589 optician and is made available to all licensed opticians on a reasonably nondiscriminatory
590 fee basis. The board may also approve, in accordance with the objectives of this chapter,
591 other courses held within or outside of this state which are available to all persons on a
592 reasonably nondiscriminatory fee basis. Any group of ten or more licensed opticians may
593 arrange for an educational course and request board approval thereof. Any such request
594 shall be made at least 90 days prior to the proposed date of the course and shall include full
595 details as to the contents of the course, the instructors, and the charge to be made for
596 attendance, as well as any other information which the board may require. The board shall
597 endeavor to act upon any request for approval at least 45 days prior to the proposed date
598 therefor and shall thereupon notify all licensed opticians of the time, place, contents, and
599 charges for any such approved course. The certificate of attendance required under this
600 ~~chapter~~ Code section shall be issued to the optician upon completion of the approved
601 course. Credit ~~will~~ shall be allowed on the basis of an hour for an hour. To receive one hour
602 of credit, one must attend one full hour. No fractional hour credits ~~will~~ shall be allowed.

603 (c) The board may waive the requirements of this Code section for any license period for
604 any dispensing optician upon proof of such optician's hardship or disability, provided that
605 such optician's license may be revoked upon failure of the licensee to complete the required
606 number of hours, not to exceed 20 hours, of continuing education within 12 months
607 immediately following renewal.

608 (d) A dispensing optician failing to complete the course hours required under this Code
609 section shall have his or her license restored upon proof of subsequent completion of

610 required course hours and, except in the case of a waiver granted under subsection (c) of
611 this Code section, upon payment of a penalty fee in an amount established by the board."

612 **SECTION 35.**

613 Said title is further amended by revising subsection (c) of Code Section 43-30-7, relating to
614 certification and registration requirement, comity, and qualifications examination relative to
615 optometrists, as follows:

616 "(c) Any other applicant for registration under this chapter shall be required to pass an
617 examination approved by the board. In addition, each such applicant shall ~~meet the~~
618 ~~following requirements:~~

- 619 (1) Be 21 years of age and of good moral character;
- 620 (2) Possess a high school education of not less than 16 Carnegie units; or the equivalent
621 thereof to be determined by the board;
- 622 (3) Have completed not less than two years of preoptometry college work in a college
623 of arts and sciences approved by the board; or the equivalent thereof to be determined by
624 the board; and
- 625 (4) Hold a certificate of graduation from an accredited college or university teaching
626 optometry, acceptable to the board, requiring a course of study therein of at least four
627 school years.

628 ~~Failure to pass a satisfactory examination shall not debar the applicant from participating~~
629 ~~in subsequent examinations before the board upon his or her complying with this chapter~~
630 ~~and upon payment of a reexamination fee as established by the board."~~

631 **SECTION 36.**

632 Said title is further amended by revising Code Section 43-33-9, relating to division director
633 as secretary of board, subpoena power, service of process and documents, and official
634 records as prim-facie evidence relative to physical therapists, as follows:

635 "43-33-9.

636 The division director shall be secretary of the board and shall perform such other
637 administrative duties as may be prescribed by the board. In a contested case, the division
638 director on behalf of the board shall have the power to subpoena, throughout the state,
639 witnesses, designated documents, papers, books, accounts, letters, photographs, objects,
640 or other tangible things. All legal process and all documents required by law to be served
641 upon or filed with the board shall be served upon or filed with the division director at his
642 or her office ~~in Atlanta~~. All official records of the board or affidavits by the division
643 director certifying the content of such records shall be prima-facie evidence of all matters
644 required to be kept therein."

645

SECTION 37.

646

Said title is further amended by revising 43-35-12, relating to eligibility for license relative to podiatry practice, as follows:

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648

"43-35-12.

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A license to practice podiatric medicine shall be issued to any person who:

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(1) Is a graduate of an accredited college of podiatric medicine approved by the board;

651

(2) Holds a doctoral degree or its equivalent;

652

(3) Satisfactorily passes ~~an examination prepared or approved~~ a board approved examination, if an examination is required by the board;

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(4) Successfully completes postdoctoral training of no less than 12 months as a resident in podiatric medicine and surgery in a program or institution approved by, and in good standing with, the board;

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(5) Has attained the age of 21 years;

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(6) Is not disqualified to receive a license under the provisions of Code Section 43-35-16; and

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(7) Pays the required fee to the board."

661

SECTION 38.

662

Said title is further amended by revising Code Section 43-35-14, relating to examination of applicants relative to podiatry practice, as follows:

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664

"43-35-14.

665

The board ~~shall examine applicants~~ may require applicants to be examined upon the subjects required for the practice of podiatric medicine ~~at least twice each year and shall use any method or procedure which the board deems necessary to test the applicant's qualifications to practice podiatric medicine.~~ Any standardized examination which the board shall approve may be administered to all applicants in lieu of or in conjunction with any other examination which the board ~~shall administer~~ may require."

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SECTION 39.

672

Said title is further amended by revising subsections (a), (c), and (f) of Code Section 43-38-6, relating to licenses, qualifications, criminal records, fingerprints, bond, insurance, or net worth affidavit, display of license, suspension, temporary permits, and license recognition agreements relative to private detectives and security agencies, as follows:

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"(a) Any individual, firm, association, company, partnership, limited liability company, or corporation desiring to engage in the private detective or private security business in this state shall make a verified application ~~in writing~~ to the division director for a license therefor. If the applicant is a firm, association, company, partnership, limited liability

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680 company, or corporation, the person filing the application on behalf of such firm,
 681 association, company, partnership, limited liability company, or corporation shall be a
 682 corporate officer of such corporation or an officer of such firm, association, partnership,
 683 or limited liability company; and such individual shall meet the qualifications set out in this
 684 Code section."

685 "(c) The application for a license shall be made ~~in writing~~, under oath; on a form to be
 686 furnished by the division director. The application shall state the applicant's full name, age,
 687 date and place of birth; residences and employment within the past five years, with the
 688 names and addresses of employers; present occupation; date and place of conviction or
 689 arrest for any crime, including the plea of nolo contendere or a plea entered pursuant to
 690 Article 3 of Chapter 8 of Title 42 or other first offender treatment; and such additional
 691 information as the board may require to investigate the qualifications, character,
 692 competency, and integrity of the applicant. Each applicant shall submit with the application
 693 two complete sets of fingerprints on forms specified and furnished by the board and one
 694 photograph, two inches wide by three inches high, full face, taken within six months prior
 695 to the application; provided, however, that the board may waive the submission of
 696 fingerprints and photograph for any employee who has been employed by a person licensed
 697 under this chapter within the previous 12 months. The application shall contain such
 698 additional documentation as the board may prescribe by rule. The board shall have the
 699 discretion to deny a license to an applicant who fails to provide the information and
 700 supporting documentation required by this subsection."

701 "(f) Notwithstanding any other provisions of this Code section, an applicant for a license
 702 shall agree ~~in writing on the application~~ that if such applicant makes a false statement in
 703 the application or if such applicant has been found to have been convicted of a felony and
 704 has not had all his or her civil rights restored pursuant to law, then the board shall be
 705 authorized to suspend any license granted to such applicant without a prior hearing as
 706 required in Code Section 43-38-11. Upon request, any such person shall be entitled to a
 707 hearing on such matter subsequent to the suspension."

708 **SECTION 40.**

709 Said title is further amended by revising subsections (d) and (g) of Code Section 43-38-7,
 710 relating to registration of armed employees, qualifications, continuing education,
 711 fingerprints, registration card, and suspension relative to private detectives and security
 712 agencies, as follows:

713 "(d) The application for registration shall be made ~~in writing~~, under oath; on a form to be
 714 furnished by the division director. The application shall state the employee's full name,
 715 age, and date and place of birth; residences and employment within the past five years;

716 experience in the position applied for or held; the date and place of conviction or arrest for
 717 any crime, including the entry of a plea of nolo contendere or the entry of a plea entered
 718 pursuant to Article 3 of Chapter 8 of Title 42 or other first offender treatment; and such
 719 other information as the board may require. The application for registration shall be
 720 accompanied by two sets of fingerprints of the employee and one photograph of the
 721 employee, two inches wide by three inches high, full face, taken within six months prior
 722 to the application. The board shall have discretion to deny registration to any individual
 723 when the information and supporting documentation required by this subsection are not
 724 provided."

725 "(g) Notwithstanding any other provisions of this Code section, any person who is to be
 726 registered under this Code section shall agree ~~in writing on the application~~ that if such
 727 person to be registered makes a false statement in the application or if such person has been
 728 found to have been convicted of a felony and has not had all his or her civil rights restored
 729 pursuant to law, then the board shall be authorized to suspend any registration granted to
 730 such applicant without a prior hearing as required in Code Section 43-38-11. Upon
 731 request, any such person shall be entitled to a hearing on such matter subsequent to the
 732 suspension."

733 **SECTION 41.**

734 Said title is further amended by revising Code Section 43-39-9, relating to examination of
 735 applicants and appeals relative to psychologists, as follows:

736 "43-39-9.

737 ~~Examination of applicants for a license to practice psychology shall be made by the board~~
 738 ~~at least once a year according to methods and in such subject fields as may be deemed by~~
 739 ~~the board to be the most practical and expeditious to test the applicant's qualifications. The~~
 740 ~~board shall require the examination to be written or oral, or both, provided that in any~~
 741 ~~written examination such applicant shall be designated by a number instead of the~~
 742 ~~applicant's name so that the applicant's identity shall not be disclosed to the members of the~~
 743 ~~board until the examination papers have been graded. Any unsuccessful candidate may,~~
 744 ~~within 14 days of notice of failure and upon written request to the board, appeal to the~~
 745 ~~board for review: Applicants shall take a board approved examination to test the~~
 746 ~~applicant's qualifications. The examination shall be written or oral or both.~~"

747 **SECTION 42.**

748 Said title is further amended by revising subsection (b) of Code Section 43-41-9, relating to
 749 licensing of individuals and organizations; joint ventures treated uniquely, notification of

750 division changes, separation of sole qualifying agent, disciplinary actions taken against
751 organizations, payment of fees, and joint responsibility for work product, as follows:

752 "(b) The application for a license by a qualifying agent must include an affidavit on a form
753 provided by the board attesting that the individual applicant has final approval authority
754 for all construction work performed by the business organization or entity within the State
755 of Georgia and that the individual applicant has final approval authority on all ~~business~~
756 construction matters, including contracts and contract performance and financial affairs of
757 ~~the business organization or entity~~ related to such construction matters, for each
758 construction job for which his or her license was used to obtain the building permit."

759 **SECTION 43.**

760 Said title is further amended by revising subsection (h) of Code Section 43-41-9, relating to
761 licensing of individuals and organizations; joint ventures treated uniquely, notification of
762 division changes, separation of sole qualifying agents, disciplinary actions taken against
763 organizations, payment of fees, and joint responsibility for work product, as follows:

764 "(h) All qualifying agents for a business organization are jointly and equally responsible
765 for supervision of all construction related operations of the business organization, for all
766 field work at all sites, and for financial matters within the State of Georgia, ~~both for the~~
767 ~~organization in general and for each specific~~ for each construction job for which his or her
768 license was used to obtain the building permit."

769 **SECTION 44.**

770 Said title is further amended by revising subsections (d) and (l) of Code Section 43-47-8,
771 relating to license applications, prerequisites, license fees, renewal, training or test,
772 supplemental licenses, bonds, insurance, suspension for conviction or false statement, and
773 meetings relative to used motor vehicle and parts dealers, as follows:

774 "(d) Each division may require either that within the preceding year the applicant has
775 attended a training and information seminar approved by the division or that the applicant
776 has passed a test approved by the division ~~and administered by the division director~~. Such
777 seminar or test, if required, shall include, but shall not be limited to, dealer requirements
778 of this chapter, including books and records to be kept; requirements of the Department of
779 Revenue; and such other information as in the opinion of the division will promote good
780 business practices. No seminar shall exceed one day in length."

781 "(l) Each division may authorize the division director to issue a license when he or she has
782 received the bond required by subsections (g) and (h) of this Code section, the proof of
783 insurance required by subsection (k) of this Code section, and a fingerprint card for
784 submission to the Georgia Crime Information Center and to the Federal Bureau of

785 Investigation. Each completed application for a permanent license shall be reviewed by
 786 the appropriate division, which may deny licensure for any good reason under this chapter.
 787 Any other provision of law to the contrary notwithstanding, each applicant for a license
 788 pursuant to the provisions of this Code section shall agree ~~in writing~~ in the application that
 789 if the applicant makes a false statement on the application or if the criminal record check
 790 returned from the Georgia Crime Information Center or from the Federal Bureau of
 791 Investigation reveals a conviction of or an entry of a plea of nolo contendere to a crime
 792 involving the use of violence, a used motor vehicle, or illegal drugs; tax evasion or failure
 793 to pay taxes; any crime involving the illegal use or possession of a dangerous weapon; or
 794 any crime involving moral turpitude, then the division shall be authorized to suspend the
 795 license without a prior hearing. The divisions shall each meet as needed, in their
 796 discretion. The board shall meet at least once each quarter and upon the call of the board
 797 chairperson for any special sessions."

798

SECTION 45.

799

Said title is further amended by revising subsection (a) of Code Section 43-50-31, relating
 800 to application for license, qualifications, determination as to admission or nonadmission to
 801 examination, and waiver relative to veterinarians and veterinary technicians, as follows:

802

"(a) Any person desiring a license to practice veterinary medicine in this state shall make
 803 ~~written~~ application to the board. The application shall include evidence, satisfactory to the
 804 board, that:

805

(1) The applicant has attained the age of 18;

806

(2) The applicant is of good moral character;

807

(3) The applicant is a graduate of an accredited college or school of veterinary medicine
 808 or possesses an ECFVG certificate or its substantial equivalent; provided, however, that
 809 a senior veterinary student may, in the discretion of the board, be allowed to sit for the
 810 examination during his or her senior year if he or she meets the other qualifications but
 811 shall not be issued a license unless and until he or she graduates; and

812

(4) The applicant meets such other qualifications or provides such other information as
 813 the board may require by rule."

814

SECTION 46.

815

Said title is further amended by revising subsection (b) of Code Section 43-50-40, relating
 816 to renewal of licenses and registrations, reinstatement, waiver of fee, continuing education,
 817 and inactive status relative to veterinarians and veterinary technicians, as follows:

818

"(b) Any person who shall practice veterinary medicine or veterinary technology after the
 819 expiration of his or her license or registration and willfully or by neglect fail to renew such

820 license or registration shall be practicing in violation of this article, provided that any
821 person may renew an expired license or registration within the period established by the
822 division director in accordance with Code Section 43-1-4 by making ~~written~~ application
823 for renewal and paying the applicable fees. After the time period established by the
824 division director has elapsed, such license or registration may be reinstated in accordance
825 with the rules of the board."

826 **SECTION 47.**

827 Said title is further amended by revising Code Section 43-51-7, relating to examinations
828 relative to treatment plant operators, as follows:

829 "43-51-7.

830 ~~The board shall prepare examinations to~~ Board approved examinations shall be used in
831 determining the knowledge, ability, and judgment of applicants for certification as
832 operators or laboratory analysts except for applications submitted prior to July 1, 2000, for
833 Class IV level certifications. Such examinations shall be given at least six times annually."

834 **SECTION 48.**

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

837 **SECTION 49.**

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