

Senate Bill 294

By: Senators Murphy of the 27th, Mullis of the 53rd, Tippins of the 37th, Crane of the 28th, Gooch of the 51st and others

AS PASSED SENATE

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 that a person licensed as an Electrical Contractor Class
4 I or II may perform certain types of low-voltage contracting without obtaining a state-wide
5 Low-voltage Contractor Class LV-A, LV-G, LV-U, or LV-T license; to provide for
6 definitions; to change certain provisions related to the powers and duties of the Division of
7 Electrical Contractors; to change certain provisions related to the duties of the State
8 Construction Industry Licensing Board; to change certain provisions relating to the license
9 requirements for low-voltage electrical contracting and applications therefor; to change
10 certain provisions related to the powers and duties of the Division of Low-voltage
11 Contractors; to provide for related matters; to provide an effective date; to repeal conflicting
12 laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

15 Chapter 14 of Title 43 of the Official Code of Georgia Annotated, relating to electrical
16 contractors, plumbers, conditioned air contractors, low-voltage contractors, and utility
17 contractors, is amended by adding a new paragraph and revising paragraph (10.2) of Code
18 Section 43-14-2, relating to definitions relative to electrical contractors, plumbers,
19 conditioned air contractors, low-voltage contractors, and utility contractors, as follows:

20 "(5.1) 'Division' means the five divisions of membership of the State Construction
21 Industry Licensing Board created in Code Section 43-14-3, except as otherwise provided
22 in Code Sections 43-14-8.1 and 43-14-8.2. 'Division' shall not have the same meaning
23 as provided in Code Section 43-1-1."

24 "(10.2) 'Low-voltage contractor' means an individual who is engaged in low-voltage
25 contracting under express or implied contract or who bids for, offers to perform, purports

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

32 **SECTION 2.**

33 Said chapter is further amended by revising paragraph (1) of subsection (a) of Code Section
34 43-14-6, relating to the power and duties of divisions within the State Construction Industry
35 Licensing Board, as follows:

36 "(1) Approve examinations for all applicants for licenses or certificates, except for utility
37 contractor licenses and utility foreman certificates. The Division of Electrical
38 Contractors shall approve separate examinations for Class I and Class II licenses. Class
39 I licenses shall be restricted to electrical contracting and low-voltage contracting
40 involving multifamily structures of not more than two levels or single-family dwellings
41 of up to three levels. In addition, the structures shall have single-phase electrical
42 installations which do not exceed 400 amperes at the service drop or the service lateral.
43 Class II licenses shall be unrestricted as to electrical contracting and shall also permit the
44 licensee to engage in all types of low-voltage contracting without restriction and without
45 obtaining a license as a low-voltage contractor. The Division of Master Plumbers and
46 Journeyman Plumbers shall approve separate examinations for Master Plumber Class I,
47 Master Plumber Class II, and Journeyman Plumbers. Master Plumber Class I licenses
48 shall be restricted to plumbing involving single-family dwellings and one-level dwellings
49 designed for not more than two families and commercial structures not to exceed 10,000
50 square feet in area. Master Plumber Class II licenses shall be unrestricted. The Division
51 of Conditioned Air Contractors shall approve separate examinations for Class I and Class
52 II licenses. Class I licenses shall be restricted to the installation, repair, or service of
53 conditioned air systems or equipment not exceeding 175,000 BTU (net) of heating and
54 five tons (60,000 BTU) of cooling. Class II licenses shall be unrestricted. The Division
55 of Low-voltage Contractors shall approve separate examinations for Low-voltage
56 Contractor Class LV-A, Low-voltage Contractor Class LV-T, Low-voltage Contractor
57 Class LV-U, and Low-voltage Contractor Class LV-G. Class LV-A licenses shall be
58 restricted to alarm and general system low-voltage contracting, Class LV-T licenses shall
59 be restricted to telecommunication and general system low-voltage contracting, Class
60 LV-G licenses shall be restricted to general system low-voltage contracting, and Class

61 LV-U licenses shall be unrestricted and permit the performance of alarm,
62 telecommunication, and general system low-voltage contracting;"

63 **SECTION 3.**

64 Said chapter is further amended by revising subsections (k) and (l) of Code Section 43-14-8,
65 relating to the licensing required for electrical, plumbing, or conditioned air contracting,
66 businesses conducted by partnerships, limited liability companies, and corporations,
67 applications, and review courses, as follows:

68 ~~"(k) The board shall notify each local governing authority of the provisions of this chapter
69 relating to licensure, especially the provisions of subsection (d) of this Code section. The
70 board shall notify such governing authorities that after September 30, 1983, any person
71 desiring a license to engage in a profession covered by this chapter shall be required to pass
72 an examination as provided in this chapter."~~

73 ~~(f)~~(k) Any applicant for licensure standing the examination on and after July 1, 1989, who
74 fails the examination for licensure twice after such date shall be required to present
75 satisfactory evidence to the appropriate division that the applicant has completed a board
76 approved review course before such applicant will be admitted to a third examination. If
77 such applicant fails the examination a third time, the applicant shall not be required to
78 complete additional board approved review courses prior to taking subsequent
79 examinations."

80 **SECTION 4.**

81 Said chapter is further amended by revising Code Section 43-14-8.1, relating to the license
82 requirements for low-voltage electrical contracting and applications therefor, as follows:

83 "43-14-8.1.

84 (a) For purposes of this Code section only, 'division' means the 'Division of Low-voltage
85 Contractors.'

86 ~~(b)(1) Except as provided in paragraph (2) of this subsection, no~~ No person shall engage
87 in alarm system, general system, or telecommunication system low-voltage contracting
88 unless such person has a valid license therefor from the Division of Low-voltage
89 Contracting ~~or is licensed under this chapter as an Electrical Contractor Class II; provided,~~
~~however, that an employee of a low-voltage contractor who receives only a salary or hourly~~
~~wage for performing low-voltage contracting work shall not be required to be licensed~~
~~under this chapter or to take the examination or otherwise qualify under this chapter, unless~~
~~such employee is one upon whom the license of a partnership, limited liability company,~~
94 ~~or corporation depends as outlined in subsection (e) of this Code section.~~

95 (2)(A) Any person who is licensed under this chapter as an Electrical Contractor Class
96 I shall not be required to comply with or meet any requirements contained in
97 subsections (c) through (g) of this Code section in order to engage in low-voltage
98 contracting involving multifamily structures of not more than two levels or
99 single-family dwellings of up to three levels that have single-phase electrical
100 installations which do not exceed 400 amperes at the service drop or the service lateral.
101 (B) Any person who is licensed under this chapter as an Electrical Contractor Class II
102 shall not be required to comply with or meet any requirements contained in subsections
103 (c) through (g) of this Code section in order to engage without restriction in all types
104 of low-voltage contracting.

105 (c) Any person desiring to qualify under the provisions of this subsection who meets the
106 requirements of this subsection, submits proper application prior to and including
107 December 31, 1984 July 1, 2014, and pays or has paid the required fees and is not
108 otherwise in violation of this chapter shall be issued a state-wide Low-voltage Contractor
109 Class LV-A, LV-G, LV-U, or LV-T license without examination. An individual desiring
110 to obtain Low-voltage Contractor Class LV-T shall submit to the division an affidavit
111 which outlines the experience of said such individual in the practice of low-voltage wiring
112 relating to telecommunication systems. An individual desiring to obtain a Low-voltage
113 Contractor Class LV-A license shall submit to the division an affidavit which outlines the
114 experience of said such individual in the practice of low-voltage wiring relating to alarm
115 systems. An individual desiring to obtain a Low-voltage Contractor Class LV-G license
116 shall submit to the division an affidavit which outlines the experience of said such
117 individual in the practice of low-voltage wiring relating to general systems. Each such
118 affidavit for licensure shall describe in detail the installation of at least three complete
119 low-voltage wiring jobs which shall demonstrate that the individual has successfully
120 performed low-voltage wiring in the area of licensure requested for a period of at least one
121 year immediately prior to the time of application. An individual desiring to obtain a
122 Low-voltage Contractor Class LV-U license shall submit to the division an affidavit which
123 outlines the experience of said such individual in the practice of low-voltage wiring relating
124 to alarm and telecommunication systems and which describes in detail the installation of
125 at least six complete low-voltage wiring jobs, three in alarm and three in
126 telecommunication systems, which shall demonstrate that the individual has successfully
127 performed low-voltage wiring in those areas for a period of at least one year immediately
128 prior to the time of application.

129 (d) The decision of the division as to the necessity of taking the examination or as to the
130 qualifications of applicants taking the required examination shall, in the absence of fraud,
131 be conclusive. All individuals, partnerships, limited liability companies, or corporations

132 desiring to engage in the vocation of low-voltage contracting after ~~December 31, 1984~~
133 July 1, 2014, shall take the examination, ~~and~~ qualify under this Code section, ~~and be issued~~
134 ~~a license before engaging in such vocation, except as provided in subsection (b) of this~~
135 Code section.

136 (e) No partnership, limited liability company, or corporation shall ~~have the right to be~~
137 issued a license to engage in the business of low-voltage contracting unless there is
138 regularly connected with such partnership, limited liability company, or corporation ~~a~~
139 ~~person or persons; at least one person licensed under this chapter who is~~ actually engaged
140 in the performance of such business on a full-time basis and supervising the low-voltage
141 systems installation, repair, alteration, and service work of all employees of such
142 partnership, limited liability company, or corporation, ~~who have valid licenses issued to~~
143 ~~them as provided in this chapter.~~ In cases where a partnership, limited liability company,
144 or corporation has more than one office location from which low-voltage contracting is
145 performed, the partnership, limited liability company, or corporation shall have a separate
146 license for each location and shall have stationed in each office location at least one person
147 ~~stationed in each branch office of such partnership, limited liability company, or~~
148 ~~corporation, licensed under this chapter actually~~ engaged in the performance of low-voltage
149 contracting on a full-time basis and supervising the low-voltage wiring systems installation,
150 repair, alteration, and service work of all employees of such ~~branch office locations, shall~~
151 ~~have a valid license issued as provided in this Code section location.~~

152 (f) It shall be the duty of all partnerships, limited liability companies, and corporations
153 ~~qualified licensed~~ under this Code section to notify the division, in accordance with board
154 rules, of severance of connection with such partnership, limited liability company, or
155 corporation of any person or persons upon whom the ~~qualification~~ license of any such
156 partnership, limited liability company, or corporation ~~rested depended~~.

157 (g) All applicants for examinations and licenses provided for by this Code section and all
158 applicants for renewal of licenses under this Code section shall be required to fill out a
159 form which shall be provided by the division, ~~which form shall show that shows~~ whether
160 or not the applicant is an individual, partnership, limited liability company, or corporation
161 and, if a partnership, limited liability company, or corporation, the names and addresses of
162 the partners or members or the names and addresses of the officers, when and where
163 formed or incorporated, and such other information as the division in its discretion may
164 require. All forms of application for renewal of licenses shall also show whether or not the
165 applicant, if it is a partnership, limited liability company, or corporation, still has connected
166 with it a duly qualified person holding a license issued by the division.

167 (h) ~~The division shall notify each local governing authority of the provisions of this~~
168 ~~chapter relating to licensure, especially the provisions of subsection (b) of this Code~~

169 section. The division shall notify such governing authorities that after December 31, 1984,
170 any person desiring a license to engage in the vocation of low-voltage contracting shall be
171 required to pass an examination as provided in this chapter."

172 **SECTION 5.**

173 This Act shall become effective on July 1, 2014.

174 **SECTION 6.**

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