

The House Committee on Regulated Industries offers the following substitute to SB 294:

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 general system low-voltage contracting without obtaining a state-wide
5 Low-voltage Contractor Class LV-G license; to provide for definitions; to change certain
6 provisions related to the powers and duties of the Division of Electrical Contractors; to
7 change certain provisions related to the powers and duties of the State Construction Industry
8 Licensing Board; to authorize the Division of Low-Voltage Contractors to require continuing
9 education; to change certain provisions relating to the license requirements for low-voltage
10 electrical contracting and applications therefor; to change certain provisions related to the
11 powers and duties of the Division of Low-voltage Contractors; to provide for related matters;
12 to provide an effective date; to repeal conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 style="text-align:center">**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 new paragraphs to Code Section 43-14-2, relating to
18 definitions relative to electrical contractors, plumbers, conditioned air contractors,
19 low-voltage contractors, and utility contractors, as follows:

20 "(.2) 'Alarm system low-voltage contracting' means the installation, alteration, service,
21 repair, and low-voltage wiring of an alarm system."

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

26 "(8.2) 'General system low-voltage contracting' means the low-voltage wiring of any
 27 electrical system including an alarm system or telecommunication system and the
 28 installation, alteration, service, or repair of a general system; provided, however, that
 29 such term shall not include the installation, alteration, service, or repair of an alarm
 30 system device or the switching system and associated apparatus of a telecommunication
 31 system."

32 "(12.1) 'Telecommunication system low-voltage contracting' means the installation,
 33 alteration, service, repair, and low-voltage wiring of a telecommunication system."

34 **SECTION 2.**

35 Said chapter is further amended by revising paragraph (10.2) of Code Section 43-14-2,
 36 relating to definitions relative to electrical contractors, plumbers, conditioned air contractors,
 37 low-voltage contractors, and utility contractors, as follows:

38 "(10.2) 'Low-voltage contractor' means an individual who is engaged in low-voltage
 39 contracting under express or implied contract or who bids for, offers to perform, purports
 40 to have the capacity to perform, or does perform low-voltage contracting services under
 41 express or implied contract. ~~An employee of a low-voltage contractor who receives only~~
 42 ~~a salary or hourly wage for performing low-voltage contracting work shall not be~~
 43 ~~required to be licensed under this chapter, except that those employees upon whom the~~
 44 ~~qualification of a partnership, limited liability company, or corporation rests as outlined~~
 45 ~~in subsection (b) of Code Section 43-14-8.1 shall be licensed."~~

46 **SECTION 3.**

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

50 "(1) Approve examinations for all applicants for licenses or certificates, except for utility
 51 contractor licenses and utility foreman certificates. The Division of Electrical
 52 Contractors shall approve separate examinations for Class I and Class II licenses. Class
 53 I licenses shall be restricted to electrical contracting and general system low-voltage
 54 contracting involving multifamily structures of not more than two levels or single-family
 55 dwelling of up to three levels and shall be permitted to engage in such general system
 56 low-voltage contracting without obtaining a Low-voltage Contractor Class LV-G license.
 57 In addition, the structures shall have single-phase electrical installations which do not
 58 exceed 400 amperes at the service drop or the service lateral. Class II licenses shall be
 59 unrestricted as to electrical contracting and shall also permit the licensee to engage in
 60 general system low-voltage contracting without obtaining a Low-voltage Contractor

61 Class LV-G license. The Division of Master Plumbers and Journeyman Plumbers shall
 62 approve separate examinations for Master Plumber Class I, Master Plumber Class II, and
 63 Journeyman Plumbers. Master Plumber Class I licenses shall be restricted to plumbing
 64 involving single-family dwellings and one-level dwellings designed for not more than
 65 two families and commercial structures not to exceed 10,000 square feet in area. Master
 66 Plumber Class II licenses shall be unrestricted. The Division of Conditioned Air
 67 Contractors shall approve separate examinations for Class I and Class II licenses. Class
 68 I licenses shall be restricted to the installation, repair, or service of conditioned air
 69 systems or equipment not exceeding 175,000 BTU (net) of heating and five tons (60,000
 70 BTU) of cooling. Class II licenses shall be unrestricted. The Division of Low-voltage
 71 Contractors shall approve separate examinations for Low-voltage Contractor Class LV-A,
 72 Low-voltage Contractor Class LV-T, Low-voltage Contractor Class LV-U, and
 73 Low-voltage Contractor Class LV-G. Class LV-A licenses shall be restricted to alarm
 74 and general system low-voltage contracting, Class LV-T licenses shall be restricted to
 75 telecommunication and general system low-voltage contracting, Class LV-G licenses
 76 shall be restricted to general system low-voltage contracting, and Class LV-U licenses
 77 shall be unrestricted and permit the performance of alarm, telecommunication, and
 78 general system low-voltage contracting;"

79 **SECTION 4.**

80 Said chapter is further amended by adding a new subsection to Code Section 43-14-6,
 81 relating to the power and duties of divisions within the State Construction Industry Licensing
 82 Board, as follows:

83 "(h)(1) With respect to Low-voltage Contractor Class LV-A, Low-voltage Contractor
 84 Class LV-T, Low-voltage Contractor Class LV-U, and Low-voltage Contractor Class
 85 LV-G licenses issued pursuant to Code Section 43-14-8.1, the Division of Low-voltage
 86 Contractors shall be authorized to required persons seeking renewal of such licenses to
 87 complete board approved continuing education of not more than four hours annually. The
 88 division shall be authorized to approve courses offered by institutions of higher learning,
 89 vocational technical schools, and trade, technical, or professional organizations; provided,
 90 however, that continuing education courses or programs related to low-voltage
 91 contracting provided or conducted by public utilities, equipment manufacturers, or
 92 institutions under the State Board of the Technical College System of Georgia shall
 93 constitute acceptable continuing professional education programs for the purposes of this
 94 subsection. Courses or programs conducted by manufacturers specifically to promote
 95 their products shall not be approved.

96 (2) The Division of Low-voltage Contractors shall be authorized to waive the continuing
 97 education requirements in cases of hardship, disability, or illness or under such other
 98 circumstances as the board deems appropriate."

99 **SECTION 5.**

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

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

109 ~~(l)~~(k) Any applicant for licensure standing the examination on and after July 1, 1989, who
 110 fails the examination for licensure twice after such date shall be required to present
 111 satisfactory evidence to the appropriate division that the applicant has completed a board
 112 approved review course before such applicant will be admitted to a third examination. If
 113 such applicant fails the examination a third time, the applicant shall not be required to
 114 complete additional board approved review courses prior to taking subsequent
 115 examinations."

116 **SECTION 6.**

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

119 "43-14-8.1.

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

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

131 (2)(A) Any person who is licensed under this chapter as an Electrical Contractor Class
132 I shall not be required to comply with or meet any requirements contained in
133 subsections (c) through (g) of this Code section for obtaining a state-wide Low-voltage
134 Class LV-G license in order to engage in general system low-voltage contracting
135 involving multifamily structures of not more than two levels or single-family dwellings
136 of up to three levels that have single-phase electrical installations which do not exceed
137 400 amperes at the service drop or the service lateral.

138 (B) Any person who is licensed under this chapter as an Electrical Contractor Class II
139 shall not be required to comply with or meet any requirements contained in
140 subsections (c) through (g) of this Code section for obtaining a state-wide Low-voltage
141 Class LV-G license in order to engage in general system low-voltage contracting.

142 (c) Any person desiring to qualify under the provisions of this subsection who meets the
143 requirements of this subsection, submits proper application prior to and including
144 December 31, 1984, and pays or has paid the required fees and is not otherwise in violation
145 of this chapter shall be issued a state-wide Low-voltage Contractor Class LV-A, LV-G,
146 LV-U, or LV-T license without examination. An individual desiring to obtain Low-voltage
147 Contractor Class LV-T shall submit to the division an affidavit which outlines the
148 experience of ~~said~~ such individual in the practice of low-voltage wiring relating to
149 telecommunication systems. An individual desiring to obtain a Low-voltage Contractor
150 Class LV-A license shall submit to the division an affidavit which outlines the experience
151 of ~~said~~ such individual in the practice of low-voltage wiring relating to alarm systems. An
152 individual desiring to obtain a Low-voltage Contractor Class LV-G license shall submit to
153 the division an affidavit which outlines the experience of ~~said~~ such individual in the
154 practice of low-voltage wiring relating to general systems. Each such affidavit for
155 licensure shall describe in detail the installation of at least three complete low-voltage
156 wiring jobs which shall demonstrate that the individual has successfully performed
157 low-voltage wiring in the area of licensure requested for a period of at least one year
158 immediately prior to the time of application. An individual desiring to obtain a
159 Low-voltage Contractor Class LV-U license shall submit to the division an affidavit which
160 outlines the experience of ~~said~~ such individual in the practice of low-voltage wiring relating
161 to alarm and telecommunication systems and which describes in detail the installation of
162 at least six complete low-voltage wiring jobs, three in alarm and three in
163 telecommunication systems, which shall demonstrate that the individual has successfully
164 performed low-voltage wiring in those areas for a period of at least one year immediately
165 prior to the time of application.

166 (d) The decision of the division as to the necessity of taking the examination or as to the
167 qualifications of applicants taking the required examination shall, in the absence of fraud,

168 be conclusive. All individuals, ~~partnerships, limited liability companies, or corporations~~
 169 desiring to engage in the vocation of low-voltage contracting after December 31, 1984,
 170 shall take the examination, and qualify under this Code section, and be issued a license
 171 before engaging in such vocation, except as provided in subsection (b) of this Code section.

172 (e) No partnership, limited liability company, or corporation shall ~~have the right to be~~
 173 issued a license to engage in the business of low-voltage contracting unless there is
 174 regularly connected with such partnership, limited liability company, or corporation a
 175 ~~person or persons,~~ at least one individual licensed under this chapter who is actually
 176 engaged in the performance of such business on a full-time basis and supervising the
 177 low-voltage systems installation, repair, alteration, and service work of all employees of
 178 such partnership, limited liability company, or corporation, ~~who have valid licenses issued~~
 179 ~~to them as provided in this chapter.~~ In cases where a partnership, limited liability
 180 company, or corporation has more than one office location from which low-voltage
 181 contracting is performed, at least one ~~person~~ individual stationed in each branch office of
 182 such partnership, limited liability company, or corporation, engaged in the performance of
 183 low-voltage contracting on a full-time basis and supervising the low-voltage wiring
 184 systems installation, repair, alteration, and service work of all employees of such branch
 185 office locations, shall have a valid license issued as provided in this Code section.

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

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

201 ~~(h) The division shall notify each local governing authority of the provisions of this~~
 202 ~~chapter relating to licensure, especially the provisions of subsection (b) of this Code~~
 203 ~~section. The division shall notify such governing authorities that after December 31, 1984,~~

204 ~~any person desiring a license to engage in the vocation of low-voltage contracting shall be~~
205 ~~required to pass an examination as provided in this chapter."~~

206 **SECTION 7.**

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

208 **SECTION 8.**

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