

The House Committee on Regulated Industries offers the following substitute to SB 45:

A BILL TO BE ENTITLED

AN ACT

1 To amend Titles 8, 10, 36, 40, 43, and 46 of the Official Code of Georgia Annotated,
2 relating to buildings and housing, commerce and trade, local government, motor vehicles and
3 traffic, professions and businesses, and public utilities and public transportation, respectively,
4 so as change certain provisions relating to certain professions practicing in this state; to
5 change certain provisions relating to electrical contractors, plumbers, conditioned air
6 contractors, low voltage contractors, and utility contractors; to change certain definitions; to
7 provide for qualifications of the State Construction Industry Licensing Board; to provide for
8 certain restrictions relating to classes of low voltage licenses; to change certain provisions
9 related to the power and duties of the divisions and the division director; to provide for
10 additional licensing requirements; to provide requirements for license renewals and inactive
11 licenses; to provide for approval of safety training; to change certain provisions relating to
12 applicability; to provide for conforming cross-references and terminology; to provide for
13 licensure of advanced practice registered nurses; to revise definitions; to provide for licensure
14 requirements; to provide for renewal of licenses; to provide for a misdemeanor to practice
15 advanced nursing practice without a license; to authorize advanced practice registered nurses
16 and physician assistants to execute affidavits certifying an individual is disabled for purposes
17 of obtaining special vehicle decals for persons with disabilities; to provide for related
18 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

S. B. 45 (SUB)

- 1 -

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

20 **PART I**
21 **SECTION 1-1.**

22 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
23 is amended by revising Chapter 14, relating to electrical contractors, plumbers, conditioned
24 air contractors, low-voltage contractors, and utility contractors, as follows:

25 "CHAPTER 14

26 43-14-1.

27 This chapter is enacted for the purpose of safeguarding homeowners, other property
28 owners, tenants, and the general public against faulty, inadequate, inefficient, or unsafe
29 electrical, plumbing, ~~low-voltage~~ low voltage wiring, utility contracting, or conditioned air
30 installations. The practice of electrical contracting, plumbing contracting, ~~installing, or~~
31 ~~repairing, low-voltage~~ low voltage contracting, utility contracting, and conditioned air
32 contracting are declared to be businesses or professions affecting the public interest; and
33 this chapter shall be liberally construed so as to accomplish the purposes stated in this Code
34 section.

35 43-14-2.

36 As used in this chapter, the term:

37 ~~(1)~~(1) 'Alarm system' means any device or combination of devices used to detect a
38 situation, causing an alarm in the event of a burglary, fire, robbery, medical emergency,
39 or equipment failure, or on the occurrence of any other predetermined event.

40 ~~(1)~~(2) 'Board' means the State Construction Industry Licensing Board.

41 ~~(2)~~(3) 'Certificate of competency' means a valid and current certificate issued by the
 42 Division of Electrical Contractors created in Code Section 43-14-3, which certificate shall
 43 give the named electrical contractor to which it is issued authority to engage in electrical
 44 contracting of the kind described therein. Certificates of competency shall be of two
 45 kinds, Class I and Class II, according to the classification of license held by the electrical
 46 contractor.

47 ~~(3)~~(4) 'Conditioned air contracting' means the installation, repair, or service of
 48 conditioned air systems or conditioned air equipment, which includes, but is not limited
 49 to:

50 (A) Service to or installation of the electrical connection between the electrical
 51 disconnect and conditioned air equipment ~~is considered to be installation, repair, or~~
 52 ~~service of conditioned air equipment or the conditioned air system;~~ and

53 (B) Service to or installation of the electrical circuit from the electrical distribution
 54 panel to the conditioned air equipment where the electrical service to the building or
 55 site is a single-phase electrical circuit not exceeding 200 amperes ~~is considered to be~~
 56 ~~installation, repair, or service of conditioned air equipment or the conditioned air~~
 57 ~~system.~~

58 ~~(4)~~(5) 'Conditioned air contractor' means ~~an individual who is~~ any person engaged in
 59 conditioned air contracting under express or implied contract or ~~who~~ that bids for, offers
 60 to perform, purports to have the capacity to perform, or does perform conditioned air
 61 contracting services under express or implied contract. ~~The term 'conditioned air~~
 62 ~~contractor'~~ Such term shall not include ~~a person~~ an individual who is an employee of a
 63 conditioned air contractor and who receives only a salary or hourly wage for performing
 64 conditioned air contracting work.

65 ~~(5)~~(6) 'Conditioned air equipment' means heating and air-conditioning equipment
 66 covered under state codes and the natural gas piping system and liquid propane gas piping
 67 on the outlet side of the gas meter.

68 ~~(6)~~(7) 'Electrical contracting' means the installation, maintenance, alteration, or repair
69 of any electrical equipment, apparatus, control system, or electrical wiring device which
70 is attached to or incorporated into any building or structure in this state but shall not
71 include ~~low-voltage~~ low voltage contracting.

72 ~~(7)~~(8) 'Electrical contractor' means any person ~~who engages~~ engaged in the business of
73 electrical contracting under express or implied contract or ~~who~~ that bids for, offers to
74 perform, purports to have the capacity to perform, or does perform electrical contracting
75 services under express or implied contract. ~~The term 'electrical contractor'~~ Such term
76 shall not include ~~a person~~ an individual who is an employee of an electrical contractor
77 and who receives only a salary or hourly wage for performing electrical contracting work.

78 ~~(8)~~(9) 'Executive director' means the executive director of the State Construction
79 Industry Licensing Board.

80 ~~(8.1)~~(10) 'General system' means any electrical system, other than an alarm or
81 telecommunication system, involving ~~low-voltage~~ low voltage wiring.

82 ~~(9)~~(11) 'Journeyman plumber' means any ~~person~~ individual other than a master plumber
83 who has practical knowledge of the installation of plumbing and installs plumbing under
84 the direction of a master plumber.

85 ~~(10)~~(12) 'License' means a valid and current certificate of registration issued by a
86 division of the board, which certificate shall give the named person to whom it is issued
87 authority to engage in the activity prescribed thereon.

88 ~~(10.1)~~(13) Low voltage ~~'Low-voltage~~ contracting' means the installation, alteration,
89 service, or repair of a telecommunication system, alarm system, or general system
90 involving ~~low-voltage~~ low voltage wiring.

91 ~~(10.2)~~(14) Low voltage ~~'Low-voltage~~ contractor' means ~~an individual who is~~ any person
92 engaged in ~~low-voltage~~ low voltage contracting under express or implied contract or ~~who~~
93 that bids for, offers to perform, purports to have the capacity to perform, or does perform
94 ~~low-voltage~~ low voltage contracting services under express or implied contract. ~~An~~

95 ~~employee of a low-voltage contractor who receives only a salary or hourly wage for~~
 96 ~~performing low-voltage contracting work shall not be required to be licensed under this~~
 97 ~~chapter, except that those employees upon whom the qualification of a partnership,~~
 98 ~~limited liability company, or corporation rests as outlined in subsection (b) of Code~~
 99 ~~Section 43-14-8.1 shall be licensed.~~

100 ~~(10.3)~~(15) 'Low voltage ~~'Low-voltage~~ wiring' means:

101 (A) Wiring systems of 50 volts or less and control circuits directly associated
 102 therewith;

103 (B) Wiring systems having a voltage in excess of 50 volts, provided such systems
 104 consist solely of power limited circuits meeting the definition of a Class II and Class
 105 III wiring system as defined in Article 725 of the National Electrical Code; or

106 (C) Line voltage wiring having a voltage not in excess of 300 volts to ground and
 107 installed from the load-side terminals of a suitable disconnecting means which has been
 108 installed for the specific purpose of supplying the ~~low-voltage~~ low voltage wiring
 109 system involved or installed from a suitable junction box which has been installed for
 110 such specific purpose.

111 ~~(11)~~(16) 'Master plumber' means any individual ~~engaging~~ engaged in the business of
 112 plumbing under express or implied contract or who bids for, offers to perform, purports
 113 to have the capacity to perform, or does perform plumbing contracting services under
 114 express or implied contract.

115 ~~(12)~~(17) 'Plumbing' means:

116 (A) The ~~the~~ practice of installing, maintaining, altering, or repairing piping fixtures,
 117 appliances, and appurtenances in connection with sanitary drainage or storm drainage
 118 facilities, venting systems, medical gas piping systems, natural gas piping systems on
 119 the outlet side of gas meters, or public or private water supply systems within or
 120 adjacent to any building, structure, or conveyance; ~~provided, however, that after July 1,~~
 121 ~~1997, only master plumbers and journeyman plumbers who have been certified by the~~

122 ~~Division of Master Plumbers and Journeyman Plumbers to perform such tasks shall be~~
123 ~~authorized to install, maintain, alter, or repair medical gas piping systems. The term~~
124 ~~'plumbing' also includes the and~~

125 (B) The practice of and materials used in installing, maintaining, extending, or altering
126 the natural gas, storm-water, sewerage, and water supply systems of any premises to
127 their connection with any point of public disposal or other acceptable terminal;
128 ~~provided, however, that licensure under this chapter shall not be required for a~~
129 ~~contractor certified by the Department of Public Health to make the connection to any~~
130 ~~on-site waste-water management system from the stub out exiting the structure to an~~
131 ~~on-site waste-water management system. Notwithstanding any other provision of this~~
132 ~~chapter, any person who holds a valid master plumbing license or any company which~~
133 ~~holds a valid utility contractor license shall be qualified to construct, alter, or repair any~~
134 ~~plumbing system which extends from the property line up to but not within five feet of~~
135 ~~any building, structure, or conveyance, regardless of the cost or depth of any such~~
136 ~~plumbing system.~~

137 ~~(12.1)~~(18) 'Telecommunication system' means a switching system and associated
138 apparatus which performs the basic function of two-way voice or data service, or both,
139 and which can be a commonly controlled system capable of being administered both
140 locally and remotely via secured access.

141 ~~(13)~~(19) 'Utility contracting' means undertaking to construct, erect, alter, or repair or
142 have constructed, erected, altered, or repaired any utility system.

143 ~~(14)~~(20) 'Utility contractor' means a sole proprietorship, partnership, or corporation
144 which is engaged in utility contracting under express or implied contract or which bids
145 for, offers to perform, purports to have the capacity to perform, or does perform utility
146 contracting under express or implied contract.

147 ~~(15)~~(21) 'Utility foreman' means any individual who is employed by a licensed contractor
148 to supervise the construction, erection, alteration, or repair of utility systems.

149 ~~(16)~~(22) 'Utility manager' means any individual who is employed by a utility contractor
 150 to have oversight and charge of the construction, erection, alteration, or repair of utility
 151 systems.

152 ~~(17)~~(23) 'Utility system' means:

153 (A) Any system ~~at least five feet underground~~, when installed or accessed by trenching,
 154 open cut, cut and cover, entrance by access manholes of the system, or other similar
 155 construction methods which install or access the system from the ground surface,
 156 including, but not limited to, gas distribution systems, electrical distribution systems,
 157 communication systems, water supply systems, and sanitary sewerage and drainage
 158 systems; and

159 (B) Reservoirs and filtration plants, water and waste-water treatment plants, leachate
 160 collection and treatment systems associated with landfills, and pump stations, when the
 161 system distributes or collects a service, product, or commodity for which a fee or price
 162 is paid for said service, product, or commodity or for the disposal of said service,
 163 product, or commodity.

164 43-14-3.

165 (a) There is created within the executive branch of state government the State Construction
 166 Industry Licensing Board. The board shall be assigned to the Secretary of State's office for
 167 administrative purposes and shall be under the jurisdiction of the division director.

168 (b) The board shall be composed of 27 members as follows:

169 (1) Five members known as the Division of Electrical Contractors, one of whom shall
 170 be a ~~consulting~~ professional engineer engaged in electrical practice, another of whom
 171 shall be ~~the chief electrical~~ an inspector with electrical inspection duties of a county or
 172 municipality, ~~and shall have served in such office for five years immediately preceding~~
 173 ~~appointment to the board~~ a third-party inspector regularly providing inspections to a

174 county or municipality, and the remaining three of whom shall be ~~engaged in the~~
175 ~~electrical contracting business~~ licensed electrical contractors in this state;

176 (2) Five members known as the Division of Master Plumbers and Journeyman Plumbers,
177 one of whom shall be a full-time plumbing inspector of a county or municipality, three
178 of whom shall be master or contracting plumbers, and one of whom shall be a
179 journeyman plumber;

180 (3) Five members known as the Division of Conditioned Air Contractors, one of whom
181 shall be a licensed professional engineer engaged in mechanical practice, one of whom
182 shall be the chief conditioned air inspector of a county or municipality, and three of
183 whom shall be conditioned air contractors with more than five years of installation and
184 service experience in the trade;

185 (4) Five members known as the Division of ~~Low-voltage~~ Low Voltage Contractors, one
186 of whom shall be an alarm system ~~low-voltage~~ low voltage contractor, one of whom shall
187 be an unrestricted ~~low-voltage~~ low voltage contractor, one of whom shall be a
188 telecommunication system ~~low-voltage~~ low voltage contractor, one of whom shall be a
189 professional electrical engineer, and one of whom shall be ~~the chief electrical~~ an inspector
190 with electrical inspection duties of a county or municipality or contracted by a county or
191 municipality to perform electrical inspections;

192 (5) Five members known as the Division of Utility Contractors, three of whom shall be
193 utility contractors, one of whom shall be a registered professional engineer, and one of
194 whom shall be an insurance company representative engaged primarily in the bonding of
195 utility construction projects; and

196 (6) Two members who shall not have any connection with the electrical contracting,
197 plumbing, or conditioned air contracting businesses whatsoever but who shall have a
198 recognized interest in consumer affairs and consumer protection concerns.

199 (c) All members shall be appointed by the Governor, subject to confirmation by the
200 Senate, for four-year terms.

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

202 (e) The Governor shall make appointments to fill the unexpired portions of any terms
203 vacated for any reason. In making such appointments, the Governor shall preserve the
204 composition of the board as required by this chapter. Members shall be eligible for
205 reappointment.

206 (f) Any ~~appointive~~ appointed member who, during his or her term, shall cease to meet the
207 qualifications for original appointment shall ~~thereby~~ forfeit membership on the board.

208 (g) Each member of the board shall take an oath of office before the Governor or the
209 Governor's designee to faithfully perform the duties of such office.

210 (h) The Governor may remove any member for failure to attend meetings, neglect of duty,
211 incompetence, revocation or suspension of professional trade license, or other dishonorable
212 conduct.

213 (i) Members of the board shall be reimbursed as provided for in subsection (f) of Code
214 Section 43-1-2.

215 43-14-4.

216 (a) The office of chairperson shall be rotated among the five divisions enumerated in Code
217 Section 43-14-3 unless the board, through its rules and regulations, provides otherwise.
218 Any vacancy in the office of chairperson shall be filled by the members for the unexpired
219 term. The ~~person~~ individual selected to fill the vacancy shall be a member of the same
220 division as the previous chairperson.

221 (b) The board shall meet at the call of the chairperson or upon the recommendation of a
222 majority of its members.

223 (c) Each division within the board shall also elect from its membership a chairperson who
224 shall serve for a term of two years. Any vacancy in the office of chairperson shall be filled
225 by one of the members for the unexpired term.

226 (d) Any member elected chairperson of a division may serve more than one consecutive
227 term of office.

228 (e) Each division shall carry out its powers and duties provided for in this chapter with the
229 assistance of the executive director and staff of the board.

230 (f) The divisions shall meet at the call of the chairperson.

231 (g) Three members of each division shall constitute a quorum for the transaction of
232 business of such division.

233 43-14-5.

234 The board shall have the power to:

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

239 (2) Provide by regulation for reciprocity with other states in the registration and licensing
240 of electrical contractors, master plumbers, journeyman plumbers, ~~low-voltage~~ low voltage
241 contractors, utility contractors, or conditioned air contractors and in the certification of
242 utility contracting foremen, provided that such other states have requirements
243 substantially ~~equal~~ similar to the requirements in force in this state for registration,
244 licensure, and certification; provided, further, that a similar privilege is offered to
245 residents of this state;

246 (3) Adopt an official seal for its use and ~~change it at pleasure~~ modify such seal as the
247 boards deem necessary;

248 (4) Establish ~~the~~ policies for regulating the businesses of electrical contracting,
249 ~~plumbing, low-voltage, utility~~ plumbing contracting, low voltage contracting, utility
250 contracting, and conditioned air contracting;

251 ~~(4.1)~~(5) Upon notice and hearing authorized and conducted in accordance with Code
252 Section ~~43-14-10~~ 43-14-14 and any rules and regulations promulgated by the board,
253 either by the board directly or through a valid delegation of the board's enforcement
254 power to a division thereof, assess civil penalties in an amount up to \$10,000.00 per
255 violation against any person found to be in violation of any requirement of this chapter;
256 ~~(5)~~(6) Determine qualifications for licensure or certification including such experience
257 requirements as the board deems necessary; and
258 ~~(6)~~(7) Promulgate and adopt rules and regulations necessary to carry out this chapter.

259 43-14-6.

260 (a) The Division of Electrical Contractors, with respect to applicants for a license to
261 engage in or licensees engaging in the business of electrical contracting; the Division of
262 Master Plumbers and Journeyman Plumbers, with respect to applicants for a license to
263 engage in or licensees engaging in the business of plumbing as master plumbers or
264 journeyman plumbers; the Division of ~~Low-voltage~~ Low Voltage Contractors, with respect
265 to applicants for a license to engage in or licensees engaging in the business of ~~low-voltage~~
266 low voltage contracting; the Division of Utility Contractors with respect to applicants for
267 a license to engage in or licensees engaging in the business of utility contracting and with
268 respect to applicants for a certificate to be a utility manager or utility foreman or holders
269 of a utility manager or utility foreman certificate; and the Division of Conditioned Air
270 Contractors, with respect to applicants for a license to engage in or licensees engaging in
271 the business of conditioned air contracting, shall:

272 (1) Approve examinations for all applicants for licenses or certificates, except for utility
273 contractor licenses and utility foreman certificates, as follows:

274 (A) The Division of Electrical Contractors shall approve separate examinations for
275 Class I and Class II licenses. Class I licenses shall be restricted to electrical contracting
276 involving multifamily structures of not more than two levels or single-family dwellings

277 of up to three levels. ~~In addition, the;~~ provided, however, that such structures shall have
 278 single-phase electrical installations which do not exceed 400 amperes at the service
 279 drop or the service lateral. Class II licenses shall be unrestricted-;

280 (B) The Division of Master Plumbers and Journeyman Plumbers shall approve separate
 281 examinations for Master Plumber Class I, Master Plumber Class II, and Journeyman
 282 Plumbers. Master Plumber Class I licenses shall be restricted to plumbing involving
 283 single-family dwellings and one-level dwellings designed for not more than two
 284 families and commercial structures not to exceed 10,000 square feet in area. Master
 285 Plumber Class II licenses shall be unrestricted. Only Master Plumber Class II licenses
 286 and Journeyman Plumbers shall be authorized to install, maintain, alter, or repair
 287 medical gas piping systems;

288 (C) The Division of Conditioned Air Contractors shall approve separate examinations
 289 for Class I and Class II licenses. Class I licenses shall be restricted to the installation,
 290 repair, or service of conditioned air systems or equipment not exceeding 175,000 BTU
 291 (net) of heating and five tons (60,000 BTU) of cooling. Class II licenses shall be
 292 unrestricted-; and

293 (D) The Division of ~~Low-voltage~~ Low Voltage Contractors shall approve separate
 294 examinations for;

295 (i) ~~Low Voltage~~ Low-voltage Contractor Class LV-A-; licenses restricted to alarm and
 296 general system low voltage contracting;

297 (ii) ~~Low Voltage~~ Low-voltage Contractor Class LV-T-; licenses restricted to
 298 telecommunication and general system low voltage contracting;

299 (iii) ~~Low Voltage~~ Low Voltage Contractor Class LV-G licenses restricted to general system low
 300 voltage contracting; and

301 (iv) ~~Low Voltage~~ Low-voltage Contractor Class LV-U, and ~~Low-voltage~~
 302 Contractor Class LV-G. Class LV-A licenses shall be restricted to alarm and general
 303 system ~~low-voltage~~ contracting, Class LV-T licenses shall be restricted to

304 ~~telecommunication and general system low-voltage contracting, Class LV-G licenses~~
 305 ~~shall be restricted to general system low-voltage contracting, and Class LV-U licenses~~
 306 that shall be unrestricted and permit the performance of alarm, telecommunication,
 307 and general system ~~low-voltage~~ low voltage contracting;

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

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

- 311 (A) Electrical Contractor Class I;
- 312 (B) Electrical Contractor Class II;
- 313 (C) Master Plumber Class I;
- 314 (D) Master Plumber Class II;
- 315 (E) Journeyman Plumber;
- 316 (F) Conditioned Air Contractor Class I;
- 317 (G) Conditioned Air Contractor Class II;
- 318 (H) ~~Low-voltage~~ Low Voltage Contractor Class LV-A;
- 319 (I) ~~Low-voltage~~ Low Voltage Contractor Class LV-T;
- 320 (J) ~~Low-voltage~~ Low Voltage Contractor Class LV-G;
- 321 (K) ~~Low-voltage~~ Low Voltage Contractor Class LV-U;
- 322 (L) Utility Contractor; Class A – Electrical Contracting;
- 323 (M) Utility Contractor; Class B – Gas Line Contracting;
- 324 (N) Utility Contractor; Class C - Communications;
- 325 ~~(N)~~(O) Utility Contractor; Class U – Water and Sewer Contracting;
- 326 ~~(O)~~(P) Utility Manager (certificate); and
- 327 ~~(P)~~(Q) Utility Foreman (certificate);

328 (3) Investigate, with the aid of the division director, alleged violations of this chapter or
 329 other laws and rules and regulations of the board relating to the profession;

330 (4) After notice and hearing, have the power to reprimand any person, licensee, or
331 certificate holder, or to suspend, revoke, or cancel the license or certificate of or refuse
332 to grant, renew, or restore a license or certificate to any person, licensee, or certificate
333 holder upon any one of the following grounds:

334 (A) The commission of any false, fraudulent, or deceitful act or the use of any forged,
335 false, or fraudulent document in connection with the license or certificate requirements
336 of this chapter or the rules and regulations of the board;

337 (B) Failure at any time to comply with the requirements for a license or certificate
338 under this chapter or the rules and regulations of the board;

339 (C) Habitual intemperance in the use of alcoholic spirits, narcotics, or stimulants to
340 such an extent as to render the license or certificate holder unsafe or unfit to practice
341 any profession licensed or certified under this chapter;

342 (D) Engaging in any dishonorable or unethical conduct likely to deceive, defraud, or
343 harm the public;

344 (E) Knowingly performing any act which in any way assists an unlicensed or
345 noncertified person to practice such profession;

346 (F) Violating, directly or indirectly, or assisting in or abetting any violation of any
347 provision of this chapter or any rule or regulation of the board;

348 (G) The performance of any faulty, inadequate, inefficient, or unsafe electrical,
349 plumbing, ~~low-voltage~~ low voltage contracting, utility contracting, or conditioned air
350 contracting likely to endanger life, health, or property. The performance of any work
351 that does not comply with the standards set by state codes or by local codes in
352 jurisdictions where such codes are adopted, provided that such local codes are as
353 stringent as the state codes, or by other codes or regulations which have been adopted
354 by the board, shall be prima-facie evidence of the faulty, inadequate, inefficient, or
355 unsafe character of such electrical, plumbing, ~~low-voltage~~ low voltage contracting,
356 utility contracting, or conditioned air contracting; provided, however, that the board,

357 in its sole discretion, for good cause shown and under such conditions as it may
 358 prescribe, may restore a license to any person whose license has been suspended or
 359 revoked;

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

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

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

368 (6) Do all other things necessary and proper to exercise their powers and perform their
 369 duties in accordance with this chapter.

370 (b) The Division of Electrical Contractors may also provide, by rules and regulations, for
 371 the issuance of certificates of competency pertaining to financial responsibility and
 372 financial disclosure; provided, however, that such rules and regulations are adopted by the
 373 board. The division shall issue certificates of competency and renewal certificates to
 374 persons meeting the qualifications therefor.

375 (c) The divisions mentioned in subsection (a) of this Code section shall also hear appeals
 376 resulting from the suspension of licenses by an approved municipal or county licensing or
 377 inspection authority pursuant to Code Section ~~43-14-12~~ 43-14-16.

378 (d)~~(f)~~ The Division of Conditioned Air Contractors shall be authorized to:

379 (1) Require ~~require~~ persons seeking renewal of Conditioned Air Contractor Class I and
 380 Class II licenses to complete board approved continuing education of not ~~more~~ less than
 381 four hours annually;

382 (2) Approve ~~The division shall be authorized to approve~~ courses offered by institutions
 383 of higher learning, vocational technical schools, and trade, technical, or professional

384 organizations; provided, however, that continuing education courses or programs related
 385 to conditioned air contracting provided or conducted by public utilities, equipment
 386 manufacturers, or institutions under the State Board of the Technical College System of
 387 Georgia shall constitute acceptable continuing professional education programs for the
 388 purposes of this subsection. ~~Continuing~~ Such continuing education courses or programs
 389 shall be in the areas of safety, technological advances, business management, or
 390 government regulation. Courses or programs conducted by manufacturers specifically
 391 to promote their products shall not be approved. The continuing education requirements
 392 of this subsection shall not be required for any licensed conditioned air contractor who
 393 is a registered professional engineer;

394 ~~(2)(3) Administer all~~ All provisions of this subsection relating to continuing professional
 395 education ~~shall be administered by the division.;~~

396 ~~(3)(4) Waive~~ ~~The division shall be authorized to waive~~ the continuing education
 397 requirements in cases of hardship, disability, or illness or under such other circumstances
 398 as the board deems appropriate. and

399 ~~(4)(5) Promulgate~~ ~~The division shall be authorized to promulgate~~ rules and regulations
 400 to implement and ensure compliance with the requirements of this Code section.

401 ~~(5) The continuing education requirements of this subsection shall not be required of any~~
 402 ~~licensed conditioned air contractor who is a registered professional engineer.~~

403 ~~(6) This Code section shall apply to each licensing and renewal cycle which begins after~~
 404 ~~the 1990-1991 renewal.~~

405 (e)(1) The Division of Electrical Contractors shall be authorized to:

406 (1) Require individuals ~~require persons~~ seeking renewal of Electrical Contractor Class
 407 I and Class II licenses to complete board approved courses or courses which meet board
 408 criteria for continuing education ~~courses~~ of not more than four hours annually.;

409 (2) Approve ~~The division shall be authorized to approve~~ continuing education courses
 410 to be held within or outside this state that are available to all licensed electrical

411 contractors on a reasonable nondiscriminatory fee basis. Any request for division
 412 approval of a continuing education course shall be submitted in a timely manner with due
 413 regard for the necessity of investigation and consideration by the division. The division
 414 may contract with institutions of higher learning, professional organizations, or other
 415 qualified persons to provide programs that meet the requirements of this ~~paragraph~~
 416 subsection and any rules or regulations established by the division. Such programs shall
 417 be self-sustaining by the individual fees set and collected by the provider of the program;
 418 and

419 ~~(2)(3) Waive~~ ~~The division shall be authorized to waive~~ the continuing education
 420 requirements in cases of hardship, disability, or illness or under such other circumstances
 421 as the division deems appropriate.

422 (f)(~~1~~) The Division of Utility Contractors shall be authorized to:

423 ~~(1) Require individuals~~ ~~require persons~~ seeking renewal of utility foreman certificates
 424 and utility manager certificates issued under this chapter to complete board approved
 425 ~~continuing education~~ safety training courses of not more than four hours annually;

426 ~~(2) Approve~~ ~~The division shall be authorized to approve~~ safety training courses offered
 427 by institutions of higher learning, vocational-technical schools, and trade, technical, or
 428 professional organizations; provided, however, that ~~continuing education~~ safety training
 429 courses or programs related to utility contracting provided or conducted by institutions
 430 under the State Board of the Technical College System of Georgia shall constitute
 431 acceptable continuing professional education programs for the purposes of this
 432 subsection; and

433 ~~(2)(3) Waive~~ ~~The division shall be authorized to waive~~ the ~~continuing education~~ safety
 434 training requirements in cases of hardship, disability, or illness or under such other
 435 circumstances as the division deems appropriate.

436 (g)(~~1~~) The Division of Master Plumbers and Journeyman Plumbers shall be authorized to:

437 (1) Require individuals ~~require persons~~ seeking renewal of Journeyman Plumber, Master
438 Plumber Class I, and Master Plumber Class II licenses to complete board approved
439 continuing education of not more than four hours annually;

440 (2) Approve ~~The division shall be authorized to approve~~ courses offered by institutions
441 of higher learning, vocational-technical schools, and trade, technical, or professional
442 organizations; provided, however, that continuing education courses or programs related
443 to plumbing provided or conducted by institutions under the State Board of the Technical
444 College System of Georgia shall constitute acceptable continuing professional education
445 programs for the purposes of this subsection; and

446 ~~(2)(3) Waive~~ ~~The division shall be authorized to waive~~ the continuing education
447 requirements in cases of hardship, disability, or illness or under such other circumstances
448 as the division deems appropriate.

449 (h) Each division shall make all reasonable efforts to make the continuing education and
450 the safety training courses offered pursuant to this Code section available online or through
451 home study courses and accessible at times outside of the normal work hours of those
452 licensed by such division.

453 43-14-7.

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

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

461 43-14-8.

462 (a)(1) No person shall engage in ~~the electrical contracting business as an electrical~~
463 ~~contractor~~ unless such person has a valid license from the Division of Electrical
464 Contractors and a certificate of competency, if such certificates are issued by the division
465 pursuant to subsection (b) of Code Section 43-14-6.

466 (2) A person ~~who~~ that is not licensed as an electrical contractor or ~~who~~ that does not have
467 a certificate of competency, if such certificates are issued by the division pursuant to
468 subsection (b) of Code Section 43-14-6, or both as may be applicable, shall be prohibited
469 from advertising in any manner that such person is in the business or profession of
470 electrical contracting unless the work is performed by a licensed electrical contractor.

471 (b)(1) No person shall engage in ~~the business of plumbing contracting~~ as a master
472 plumber unless such person has a valid license from the Division of Master Plumbers and
473 Journeyman Plumbers. Notwithstanding any other provisions of this chapter, any person
474 who holds a valid master plumber license or any company which holds a valid utility
475 contractor license shall be qualified to construct, alter, or repair any plumbing system
476 which extends from the property line up to but not within five feet of any building,
477 structure, or conveyance, regardless of the cost or depth of any such plumbing system.

478 (2) No person shall engage in ~~the business of plumbing contracting~~ as a journeyman
479 plumber unless such person has a valid license from the Division of Master Plumbers and
480 Journeyman Plumbers. A person that is not licensed as a journeyman plumber shall be
481 prohibited from advertising in any manner that such person is in the business or
482 profession of plumbing contracting unless the work is performed under the direction of
483 a licensed plumbing contractor.

484 (c)(1) No person shall engage in ~~the business of conditioned air contracting as a~~
485 ~~conditioned air contractor~~ unless such person has a valid conditioned air contractor
486 license from the Division of Conditioned Air Contractors.

487 (2) A person ~~who~~ that is not licensed as a conditioned air contractor shall be prohibited
488 from advertising in any manner that such person is in the business or profession of a
489 conditioned air contractor unless the work is performed by a licensed conditioned air
490 contractor.

491 (d)(1) No person shall engage in low voltage contracting unless such person has a valid
492 license from the Division of Low Voltage Contractors; provided, however, that an
493 employee of a low voltage contractor who receives only a salary or hourly wage for
494 performing low voltage contracting work shall not be required to be licensed under this
495 chapter, except that those employees upon whom the qualification of a partnership,
496 limited liability company, or corporation rests as provided for in Code Section 43-14-9
497 shall be required to be licensed.

498 (2) Except as provided in paragraph (1) of this subsection, a person that is not licensed
499 as a low voltage contractor shall be prohibited from advertising in any manner that such
500 person is in the business or profession of a low voltage contractor unless the work is
501 performed by a licensed low voltage contractor.

502 ~~(d)~~(e) Notwithstanding any other provision of this chapter, prior to and including
503 September 30, 1983, the following persons; desiring to qualify under the provisions stated
504 in this subsection, shall be issued a state-wide license without restriction by the appropriate
505 division of the State Construction Industry Licensing Board, provided that such individual
506 submits proper application and pays or has paid the required fees and is not otherwise in
507 violation of this chapter:

508 (1) Any individual holding a license issued by the State Construction Industry Licensing
509 Board, prior to the effective date of this chapter;

510 (2) Any individual holding a license issued by the State Board of Electrical Contractors,
511 the State Board of Examiners of Plumbing Contractors, or the State Board of Warm Air
512 Heating Contractors;

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

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

522 ~~(e)~~(f) The decision of the division as to the necessity of taking the examination or as to the
523 qualifications of applicants taking the required examination shall, in the absence of fraud,
524 be conclusive. All individuals, partnerships, limited liability companies, or corporations
525 desiring to engage in ~~such vocation after September 30, 1983~~, a business licensed under
526 this chapter shall take the examination and qualify under this chapter before engaging in
527 such vocation or business, including ~~such vocation~~ at the local level.

528 ~~(f)~~(g) No partnership, limited liability company, or corporation shall have the right to
529 engage in the business of electrical contracting unless there is regularly connected with
530 such partnership, limited liability company, or corporation a person or persons actually
531 actively engaged in the performance of such business on a full-time basis who have valid
532 licenses issued to them as provided for in this chapter; provided, however, that partners,
533 officers, and employees of any individual who fulfilled the licensing requirements shall
534 continue to be authorized to engage in the business of electrical contracting under a license
535 which was valid at the time of the licensee's death for a period of 90 days from the date of
536 such death. The division may, at its discretion, upon application by the electrical contractor
537 showing good cause, grant one additional 90 day grace period.

538 ~~(g)~~(h) No partnership, limited liability company, or corporation shall have the right to
539 engage in the business of plumbing unless there is regularly connected with such

540 partnership, limited liability company, or corporation a person or persons ~~actually~~ actively
 541 engaged in the performance of such business on a full-time basis who have valid licenses
 542 for master plumbers issued to them as provided in this chapter; provided, however, that
 543 partners, officers, and employees of any individual who fulfilled the licensing requirements
 544 shall continue to be authorized to engage in the business of plumbing contracting under a
 545 license which was valid at the time of the licensee's death for a period of 90 days from the
 546 date of such death. The division may, at its discretion, upon application by the plumber
 547 showing good cause, grant one additional 90 day grace period.

548 ~~(h)~~(i) No partnership, limited liability company, or corporation shall have the right to
 549 engage in the business of conditioned air contracting unless there is regularly connected
 550 with such partnership, limited liability company, or corporation a person or persons
 551 ~~actually~~ actively engaged in the performance of such business on a full-time basis who
 552 have valid licenses issued to them as provided for in this chapter; provided, however, that
 553 partners, officers, and employees of the individual who fulfilled the licensing requirements
 554 shall continue to be authorized to engage in the business of conditioned air contracting
 555 under a license which was valid at the time of the licensee's death for a period of 90 days
 556 ~~following from~~ from the date of such death. The division may, at its discretion, upon application
 557 by the conditioned air contractor showing good cause, grant one additional 90 day grace
 558 period.

559 ~~(i)~~(j) It shall be the duty of all partnerships, limited liability companies, and corporations
 560 qualified under this chapter to notify the appropriate division immediately within seven
 561 days of the severance of connection with such partnership, limited liability company, or
 562 corporation of any person or persons upon whom such qualification rested.

563 ~~(j)~~(k) ~~Applicants~~ All applicants for examinations and licenses provided for by this chapter
 564 and ~~all~~ any applicants for renewal of licenses under this chapter shall be required to ~~fill out~~
 565 ~~a form which shall be provided by each division, showing whether or not~~ complete a
 566 division approved form on which the applicant will:

567 (1) Indicate if the applicant is an individual, partnership, limited liability company, or
 568 corporation; and, if

569 (2) If a partnership, limited liability company, or corporation, provide the names and
 570 addresses of the partners or members or the names and addresses of the officers, when
 571 and where formed or incorporated, and such other information as the board or each
 572 division may require; and

573 (3) If the renewal is for ~~All forms of applications for renewal of licenses shall also show~~
 574 ~~whether or not the applicant, if it is a partnership, limited liability company, or~~
 575 ~~corporation, still has connected with it~~ whether a duly qualified person holding a license
 576 issued by the division is still connected with such entity.

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

582 ~~(l) Any applicant for licensure standing the examination on and after July 1, 1989, who~~
 583 ~~fails the examination for licensure twice after such date~~ Applicants who have a failing
 584 examination score on two consecutive testing attempts within the approved testing time
 585 frame shall be required to present satisfactory evidence to the appropriate division that the
 586 applicant has completed a board approved review course before such applicant will be
 587 ~~admitted to a third examination~~ approved to take the examination again. If such applicant
 588 fails the examination a third time, the applicant shall not be required to complete additional
 589 board approved review courses prior to taking subsequent examinations.

590 ~~43-14-8.1~~ 43-14-9.

591 (a) For purposes of this Code section only, 'division' means the 'Division of ~~Low-voltage~~
 592 Low Voltage Contractors.'

593 (b) No person shall engage in alarm system, general system, or telecommunication system
594 ~~low-voltage~~ low voltage contracting unless such person has a valid license therefor from
595 the Division of ~~Low-voltage~~ Low Voltage Contracting.

596 (c)(1) ~~Prior to January 1, 1985, any~~ Any person desiring to qualify under the provisions
597 of this subsection who meets the requirements of this subsection, submits proper
598 application ~~prior to and including December 31, 1984,~~ and pays or has paid the required
599 fees and is not otherwise in violation of this chapter shall be issued a state-wide
600 ~~Low-voltage~~ Low Voltage Contractor Class LV-A, LV-G, LV-U, or LV-T license
601 without examination.

602 (2) An individual desiring to obtain ~~Low-voltage~~ Low Voltage Contractor Class LV-T
603 shall submit to the division an affidavit which outlines the experience of said individual
604 in the practice of ~~low-voltage~~ low voltage wiring relating to telecommunication systems.

605 (3) An individual desiring to obtain a ~~Low-voltage~~ Low Voltage Contractor Class LV-A
606 license shall submit to the division an affidavit which outlines the experience of said
607 individual in the practice of ~~low-voltage~~ low voltage wiring relating to alarm systems.

608 (4) An individual desiring to obtain a ~~Low-voltage~~ Low Voltage Contractor Class LV-G
609 license shall submit to the division an affidavit which outlines the experience of said
610 individual in the practice of ~~low-voltage~~ low voltage wiring relating to general systems.
611 ~~Each such affidavit for licensure shall describe in detail the installation of at least three~~
612 ~~complete low-voltage wiring jobs which shall demonstrate that the individual has~~
613 ~~successfully performed low-voltage wiring in the area of licensure requested for a period~~
614 ~~of at least one year immediately prior to the time of application.~~

615 (5) An individual desiring to obtain a ~~Low-voltage~~ Low Voltage Contractor Class LV-U
616 license shall submit to the division an affidavit which outlines the experience of said
617 individual in the practice of ~~low-voltage~~ low voltage wiring relating to alarm and
618 telecommunication systems and which describes in detail the installation of at least six
619 complete ~~low-voltage~~ low voltage wiring jobs, three in alarm and three in

620 telecommunication systems, which shall demonstrate that the individual has successfully
621 performed ~~low-voltage~~ low voltage wiring in those areas for a period of at least one year
622 immediately prior to the time of application.

623 (6) Each affidavit for licensure required in paragraphs (1) through (4) of this subsection
624 shall describe in detail the installation of at least three complete low voltage wiring jobs
625 which shall demonstrate that the individual has successfully performed low voltage
626 wiring in the area of licensure requested for a period of at least one year prior to the time
627 of application.

628 (d) The decision of the division as to the necessity of taking the examination or as to the
629 qualifications of applicants taking the required examination shall, in the absence of fraud,
630 be conclusive. All individuals, individuals serving as partners in partnerships, applicants
631 for limited liability companies, or applicants for corporations desiring to engage in the
632 vocation of ~~low-voltage~~ low voltage contracting ~~after December 31, 1984,~~ shall take the
633 examination and qualify under this Code section before engaging in such vocation.

634 (e) No partnership, limited liability company, or corporation shall have the right to engage
635 in the business of ~~low-voltage~~ low voltage contracting unless there is regularly connected
636 with such partnership, limited liability company, or corporation a person or persons,
637 ~~actually~~ actively engaged in the performance of such business on a full-time basis and
638 supervising the ~~low-voltage~~ low voltage systems installation, repair, alteration, and service
639 work of all employees of such partnership, limited liability company, or corporation, who
640 have valid licenses issued to them as provided in this chapter.

641 (f) Partnerships, limited liability companies, or corporations having ~~In cases where a~~
642 ~~partnership, limited liability company, or corporation has~~ more than one office location
643 from which ~~low-voltage~~ low voltage contracting is performed; shall have at least one
644 person stationed in each branch office of such partnership, limited liability company, or
645 corporation; who is engaged in the performance of ~~low-voltage~~ low voltage contracting on
646 a full-time basis ~~and;~~ who is supervising the ~~low-voltage~~ low voltage wiring systems

647 installation, repair, alteration, and service work of all employees of such branch office
648 locations, ~~shall have; and who has~~ a valid license issued as provided in this Code section.

649 ~~(f) It shall be the duty of all partnerships, limited liability companies, and corporations~~
650 ~~qualified under this Code section to notify the division, in accordance with board rules, of~~
651 ~~severance of connection with such partnership, limited liability company, or corporation~~
652 ~~of any person or persons upon whom the qualification of any such partnership, limited~~
653 ~~liability company, or corporation rested.~~

654 ~~(g) All applicants for examinations and licenses provided for by this Code section and all~~
655 ~~applicants for renewal of licenses under this Code section shall be required to fill out a~~
656 ~~form which shall be provided by the division, which form shall show whether or not the~~
657 ~~applicant is an individual, partnership, limited liability company, or corporation and, if a~~
658 ~~partnership, limited liability company, or corporation, the names and addresses of the~~
659 ~~partners or members or the names and addresses of the officers, when and where formed~~
660 ~~or incorporated, and such other information as the division in its discretion may require.~~
661 ~~All forms of application for renewal of licenses shall also show whether or not the~~
662 ~~applicant, if it is a partnership, limited liability company, or corporation, still has connected~~
663 ~~with it a duly qualified person holding a license issued by the division.~~

664 ~~(h) The division shall notify each local governing authority of the provisions of this~~
665 ~~chapter relating to licensure, especially the provisions of subsection (b) of this Code~~
666 ~~section. The division shall notify such governing authorities that after December 31, 1984,~~
667 ~~any person desiring a license to engage in the vocation of low-voltage contracting shall be~~
668 ~~required to pass an examination as provided in this chapter.~~

669 ~~43-14-8.2~~ 43-14-10.

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

672 (b)(1) ~~After June 30, 1994, no~~ No sole proprietorship, partnership, or corporation shall
673 have the right to engage in the business of utility contracting unless:

674 (A) Such ~~such~~ business holds a utility contractor license; and

675 (B) There ~~there~~ is regularly connected with such business a person or persons who
676 holds a valid utility manager certificate issued under this chapter, and such. ~~Such~~ utility
677 manager must be actually ~~actively~~ engaged in the performance of such business on a
678 full-time basis and must oversee the utility contracting work of all employees of the
679 business.

680 (2) If ~~In cases where~~ a sole proprietorship, partnership, or corporation has more than one
681 permanent office, then each permanent office shall be registered with the division and at
682 least one person who holds a valid utility manager certificate issued under this chapter
683 shall be stationed in each office on a full-time basis and shall oversee the utility
684 contracting work of all employees of that office. For purposes of this paragraph, a
685 'permanent office' means a place of business where utility contracting is undertaken in
686 terms of bid or proposal acquisition, procurement, and utility construction; is not a
687 temporary structure; has permanent utilities installed; and has been in service for a period
688 of more than three years.

689 ~~(2)~~(3) The requirements of this Code section shall not prevent any person holding a valid
690 license issued by the State Construction Industry Licensing Board, or any division
691 thereof, pursuant to this chapter, from performing any work defined in the Code section
692 or sections under which the license held by said person was issued.

693 (4) The division shall be authorized to approve safety training courses to be held within
694 or outside this state that are available to all licensed utility managers or utility foremen
695 on a reasonable nondiscriminatory fee basis. Any request for division approval of a
696 safety training course shall be submitted in a timely manner with due regard for the
697 necessity of investigation and consideration by the division. The division may contract
698 with institutions of higher learning, professional organizations, or other qualified persons

699 to provide programs that meet the requirements of this paragraph and any rules or
700 regulations established by the division. Such programs shall be self-sustaining by the
701 individual fees set and collected by the provider of the program.

702 (c) Any corporation, partnership, or sole proprietorship desiring to qualify and be issued
703 a utility contractor license under the provisions of this subsection shall:

704 (1) Submit a completed application to the division on the form provided indicating:

705 (A) The names and addresses of proprietor, partners, or officers of such applicant;

706 (B) The place and date such partnership was formed or such corporation was
707 incorporated; and

708 (C) The name of the qualifying utility manager holding a current certificate who is
709 employed for each permanent office location of the business from which utility
710 contracting is performed;

711 (2) Submit its safety policy which must meet the minimum standards established by the
712 board;

713 (3) Pay or have paid the required fees; and

714 (4) Not be otherwise in violation of this chapter.

715 (d) The decision of the division as to the qualifications of applicants shall, in the absence
716 of fraud, be conclusive.

717 (e) It shall be the duty of the utility manager certificate holders and the licensed utility
718 contractor to notify the division, in accordance with board rules, of the severance of
719 connection between such utility contractor and the utility manager certificate holder or
720 holders upon whom the qualification of the utility contractor rested.

721 (f) In the event that a licensed utility contractor temporarily does not have employed a
722 utility manager certificate holder to oversee its utility contracting work, upon notice by
723 such utility contractor to the division within ~~five~~ seven days following the last day of
724 employment of the utility manager certificate holder, the division shall grant the utility
725 contractor a 90 day grace period in which to employ a utility manager certificate holder to

726 oversee its utility contracting work before any action may be taken by the division to
727 revoke the utility contractor's license. The division may, at its discretion, upon application
728 by the utility contractor showing good cause, grant one additional 90 day grace period.
729 Grace periods totaling not more than 180 days may be granted during any two-year period.
730 Failure to have employed a utility manager certificate holder to oversee the utility
731 contracting work of the utility contractor shall be grounds for the revocation or suspension
732 of the utility contractor license after a notice of hearing.

733 (g) All applicants for renewal of utility contractor licenses provided for by this Code
734 section shall be required to submit with the required fee a completed application on a form
735 provided by the division.

736 (h) It shall be unlawful for any person to contract with any other person for the
737 performance of utility contracting work who is known by such person not to have a current,
738 valid license as a utility contractor pursuant to this chapter.

739 ~~43-14-8.3~~ 43-14-11.

740 (a) ~~After June 30, 1994, no~~ No person may be employed as a utility manager unless that
741 person holds a current utility manager certificate issued by the Division of Utility
742 Contractors.

743 (b) The division shall certify all applicants for certification under this chapter who satisfy
744 the requirements of this chapter and the rules and regulations promulgated under this
745 chapter. Persons wishing to qualify for utility manager certification shall submit a
746 completed application form documenting required experience and other qualifications as
747 prescribed by the board with the required fees, and shall pass an examination, and. ~~In order~~
748 ~~to obtain a utility manager certificate, an applicant must submit proof of completion of a~~
749 board approved safety training course of safety training in utility contracting ~~approved by~~
750 ~~the division~~. In order to continue to hold such certificate, the certificate holder must
751 present proof to the division of completion of a safety training course approved by the

752 division at least every two years from the date of the completion of the initial safety
753 training course.

754 (c) An applicant may request an oral administration of the examination.

755 ~~43-14-8.4~~ 43-14-12.

756 (a) ~~After June 30, 1994, no~~ No person may be employed as a utility foreman unless that
757 person holds a current utility foreman certificate issued by the Division of Utility
758 Contractors.

759 (b) The division shall certify all applicants for certification under this chapter who satisfy
760 the requirements of this chapter and the rules and regulations promulgated under this
761 chapter. One requirement for such certification shall be the successful completion of a
762 board approved safety training course ~~of safety training~~ in utility contracting ~~approved by~~
763 ~~the division. In order to continue to hold such certificate, the certificate holder must submit~~
764 ~~proof to the division of completion of a safety training course approved by the division at~~
765 ~~least every two years from the date of the completion of the initial safety training course.~~
766 ~~In lieu of safety training any person desiring to be issued a utility foreman certificate may~~
767 ~~submit a completed application on or before December 31, 1994, which documents to the~~
768 ~~satisfaction of the division at least two years of experience as a utility foreman during the~~
769 ~~period between January 1, 1984, and June 30, 1994. Any person who does not submit a~~
770 ~~completed application for certification on or before December 31, 1994, must complete the~~
771 ~~required safety training in order to be certified and the Division of Utility Contractors shall~~
772 be authorized to require persons seeking renewal of a utility foreman certificate issued
773 under this chapter to present proof to the division of completion of such board approved
774 safety training every two years.

775 (c) ~~After June 30, 1994, no~~ No utility system shall be constructed, erected, altered, or
776 repaired unless a certified utility manager or certified utility foreman who holds a current

777 certification is present at the job site of such construction, erection, alteration, or repair of
778 the utility system.

779 ~~43-14-9~~ 43-14-13.

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

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

789 ~~43-14-10~~ 43-14-14.

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

792 ~~43-14-11~~ 43-14-15.

793 Whenever it shall appear to a division of the board or to the executive director or to a
794 county or municipal inspection authority that any person is or has been violating this
795 chapter or any of the lawful rules, regulations, or orders of the board, the division of the
796 board, the local inspection authority, or the appropriate prosecuting attorney may file a
797 petition for an injunction in the proper superior court of this state against such person for
798 the purpose of enjoining any such violation. It shall not be necessary to allege or prove that
799 there is no adequate remedy at law. The right of injunction provided for in this Code

800 section shall be in addition to any other legal remedy which the board has and shall be in
801 addition to any right of criminal prosecution provided for by law.

802 ~~43-14-12~~ 43-14-16.

803 (a) Any municipal or county inspection authority which meets the standards established
804 by the board shall be authorized, after notice and hearing, to suspend the license or
805 certificate of competency of, or refuse to restore a license or certificate of competency to,
806 any person or licensee upon the grounds set out in paragraph (4) of subsection (a) of Code
807 Section 43-14-6; provided, however, that such suspension of a license by a local inspection
808 authority shall be applicable only within the jurisdiction of such local authority. Any
809 person aggrieved by an action of a local authority shall be entitled to an appeal to the
810 appropriate division of the board and shall be entitled to a hearing.

811 (b)(1) This chapter shall not be construed to prohibit the governing authority of any
812 county or municipality in the state from adopting and enforcing codes at the local level;
813 provided, however, that no county or municipality may require any licensed conditioned
814 air contractor or licensed plumber who has executed and deposited a bond as authorized
815 in paragraph (2) of this subsection to give or furnish or execute any code compliance
816 bond or similar bond for the purpose of ensuring that all construction, installation, or
817 modifications are made or completed in compliance with the county or municipal
818 ordinances or building and construction codes.

819 (2) In order to protect the public from damages arising from any work by a licensed
820 conditioned air contractor or licensed plumber, which work fails to comply with the
821 ordinances or building and construction codes adopted by any county or municipal
822 corporation, any such licensed conditioned air contractor or licensed plumber may
823 execute and deposit with the judge of the probate court in the county of his or her
824 principal place of business a bond in the sum of \$10,000.00. Such bond shall be a cash
825 bond of \$10,000.00 or executed by a surety authorized and qualified to write surety bonds

826 in the State of Georgia and shall be approved by the judge of the probate court. Such
827 bond shall be conditioned upon all work done or supervised by such licensee complying
828 with the provisions of any ordinances or building and construction codes of any county
829 or municipal corporation wherein the work is performed. Action on such bond may be
830 brought against the principal and surety thereon in the name of and for the benefit of any
831 person who suffers damages as a consequence of said licensee's work not conforming to
832 the requirements of any ordinances or building and construction codes; provided,
833 however, that the aggregate liability of the surety to all persons so damaged shall in no
834 event exceed the sum of such bond.

835 (3) In any case where a bond is required under this subsection, the conditioned air
836 contractor or plumber shall file a copy of the bond with the building official in the
837 political subdivision wherein the work is being performed.

838 (4) The provisions of this subsection shall not apply to or affect any bonding
839 requirements involving contracts for public works as provided in Chapter 10 of Title 13.

840 (c) No provision of this chapter shall be construed as prohibiting or preventing a
841 municipality or county from fixing, charging, assessing, or collecting any license fee,
842 registration fee, tax, or gross receipt tax on any related business or on anyone engaged in
843 any related business governed by this chapter.

844 ~~43-14-12.1~~ 43-14-17.

845 (a) If a person is in violation of paragraph (1) or (2) of subsection (c) of Code Section
846 43-14-8, it shall not be necessary for an investigator to observe or witness the unlicensed
847 person engaged illegally in the process of work or to show work in progress or work
848 completed in order to prove the unlawful practice of conditioned air contracting, plumbing
849 contracting, or electrical contracting by an unlicensed person.

850 (b) It shall be prima-facie evidence of a violation of this chapter if any person not licensed
851 as a conditioned air contractor, plumbing contractor, or electrical contractor advertises that

852 such person is in the business or profession of a conditioned air contractor, plumbing
853 contractor, or electrical contractor or advertises in a manner such that the general public
854 would believe that such person is a licensed conditioned air contractor or in the business
855 or profession of a conditioned air contractor, is a licensed plumbing contractor in the
856 business or profession of a plumbing contractor, or is a licensed electrical contractor in the
857 business or profession of an electrical contractor. Advertising under this subsection
858 includes, but is not limited to, newspaper, internet, social media and digital apps, television,
859 radio, telephone directory listings, mailings, business cards, or ~~sign at~~ signage at a place
860 of business or attached to a vehicle.

861 (c) Notwithstanding the provisions of Code Section 43-1-20.1, after notice and hearing,
862 the board may issue a cease and desist order prohibiting any person from violating the
863 provisions of this chapter by engaging in the business or profession of a conditioned air
864 contractor, plumbing contractor, or electrical contractor without a license as required under
865 this chapter.

866 (d) The violation of any cease and desist order of the board issued under subsection (c) of
867 this Code section shall subject the person violating the order to further proceedings before
868 the board, and the board shall be authorized to impose a fine not to exceed ~~\$500.00~~
869 \$1,500.00 for each violation thereof. Each day that a person practices in violation of this
870 Code section and chapter shall constitute a separate violation.

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

874 ~~43-14-12.2~~ 43-14-18.

875 (a) If a person is in violation of Code Section ~~43-14-8.2, 43-14-8.3, or 43-14-8.4~~ 43-14-10,
876 43-14-11, or 43-14-12, it shall not be necessary for an investigator to observe or witness
877 the unlicensed person engaged illegally in the process of work or to show work in progress

878 or work completed in order to prove the unlawful practice of utility contracting by an
879 unlicensed person.

880 (b) It shall be prima-facie evidence of a violation of this chapter if any person not licensed
881 as a utility contractor advertises that such person is in the business or profession of a utility
882 contractor or advertises in a manner such that the general public would believe that such
883 person is a licensed utility contractor or in the business or profession of a utility contractor.
884 Advertising under this subsection includes, but is not limited to, newspaper, internet, social
885 media and digital apps, television, ~~or radio advertisements~~, telephone directory listings,
886 mailings, business cards, or ~~a sign or signs~~ signage at a place of business or attached to a
887 vehicle.

888 (c) Notwithstanding the provisions of Code Section 43-1-20.1, after notice and hearing,
889 the board may issue a cease and desist order prohibiting any person from violating the
890 provisions of this chapter by engaging in the business or profession of a utility contractor
891 without a license as required under this chapter or by constructing, erecting, altering, or
892 repairing a utility system without a properly certified utility manager or properly certified
893 utility foreman present at such job site.

894 (d) The violation of any cease and desist order of the board issued under subsection (c) of
895 this Code section shall subject the person violating the order to further proceedings before
896 the board, and the board shall be authorized to impose a fine not to exceed \$5,000.00 for
897 each violation thereof. Each day that a person practices in violation of this Code section
898 and chapter or constructs, erects, alters, or repairs a utility system without a properly
899 certified utility manager or properly certified utility foreman present at such job site shall
900 constitute a separate violation.

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

904 ~~43-14-13~~ 43-14-19.

905 (a) This chapter shall apply to all installations, alterations, and repairs of plumbing,
906 air-conditioning and heating, or electrical or ~~low-voltage~~ low voltage wiring or utility
907 systems within or on public or private buildings, structures, or premises except as otherwise
908 provided in this Code section.

909 (b) Any person ~~who~~ that holds a license issued under this chapter may engage in the
910 business of plumbing contracting, electrical contracting, conditioned air contracting,
911 ~~low-voltage~~ low voltage contracting, or utility contracting but only as prescribed by the
912 license, throughout the state; and except as provided in Code Section ~~43-14-12~~ 43-14-16,
913 no municipality or county may require such person to comply with any additional licensing
914 requirements imposed by such municipality or county.

915 (c) This chapter shall not apply to:

916 (1) The the installation, alteration, or repair of plumbing, air-conditioning and heating,
917 utility systems, or electrical services, except ~~low-voltage~~ low voltage wiring services, up
918 to and including the meters where such work is performed by and is an integral part of
919 the system owned or operated by a public service corporation, an electrical, water, or gas
920 department of any municipality in this state, a railroad company, a pipeline company, or
921 a mining company in the exercise of its normal function as such;

922 (2) Low voltage wiring performed by public utilities, except that the portion of the
923 business of public utilities which involves the installation, alteration, repair, or service
924 of telecommunication systems for profit shall be covered under this chapter;

925 (3) The installation, construction, or maintenance of power systems or
926 telecommunication systems for the generation or distribution of electric current
927 constructed under the National Electrical Safety Code, which regulates the safety
928 requirements of utilities; but the interior wiring regulated by the National Electrical
929 Safety Code shall not be exempt and must be done by an electrical contractor, except as
930 otherwise provided by law;

931 (4) Any technician employed by a municipal or county franchised community antenna
 932 television (CATV) system or a municipally owned CATV system in the performance of
 933 work on the system;

934 (5) Regular full-time employees of an institution, manufacturer, or business who perform
 935 plumbing, electrical, low voltage wiring, utility contracting, or conditioned air contracting
 936 when working on the premises of their employer;

937 (6) A contractor certified by the Department of Public Health to make the connection to
 938 any on-site waste-water management system from the stub out exiting the structure to an
 939 on-site waste-water management system;

940 (7) Any employee or authorized agent of a regulated gas utility or municipally owned
 941 gas utility while in the course and scope of such employment; or

942 (8) Persons licensed as manufactured or mobile home installers by the state fire marshal
 943 when:

944 (A) Coupling the electrical connection from the service entrance panel outside the
 945 manufactured housing to the distribution panel board inside the manufactured housing;

946 (B) Connecting the exterior sewer outlets to the aboveground sewer system; or

947 (C) Connecting the exterior water line to the aboveground water system.

948 (d) This chapter shall not prohibit:

949 (1) An ~~an~~ individual from installing, altering, or repairing plumbing fixtures,
 950 air-conditioning and heating, air-conditioning and heating fixtures, utility systems, or
 951 electrical or ~~low-voltage~~ low voltage wiring services in a residential dwelling owned or
 952 occupied by such individual; provided, however, that all such work must be done in
 953 conformity with all other provisions of this chapter, the rules and regulations of the board,
 954 and any applicable county or municipal resolutions, ordinances, codes, or inspection
 955 requirements;:

956 ~~(e)~~(2) An ~~This chapter shall not prohibit~~ an individual employed on the maintenance staff
 957 of a facility owned by the state or by a county, municipality, or other political subdivision

958 from installing, altering, or repairing plumbing, plumbing fixtures, air-conditioning and
959 heating fixtures, utility systems, or electrical or ~~low-voltage~~ low voltage wiring services
960 when such work is an integral part of the maintenance requirements of the facility;
961 provided, however, that all such work must be done in conformity with all other
962 provisions of this chapter and the orders, rules, and regulations of the board.;

963 ~~(f)(3) Any This chapter shall not prohibit any person from installing, altering, or~~
964 ~~repairing plumbing, plumbing fixtures, air-conditioning and heating fixtures, utility~~
965 ~~systems, or electrical or low-voltage low voltage wiring services in a farm or ranch~~
966 ~~service building or as an integral part of any irrigation system on a farm or ranch when~~
967 ~~such system is not located within 30 feet of any dwelling or any building devoted to~~
968 ~~animal husbandry. Nothing in this subsection shall be construed to limit the application~~
969 ~~of any resolution, ordinance, code, or inspection requirements of a county or municipality~~
970 ~~relating to such connections.;~~

971 (4) Any person from installing, altering, or repairing the plumbing component of a lawn
972 sprinkler system from a backflow preventer which was installed by a licensed plumber;
973 provided, however, that all such work must be done in conformity with all other
974 provisions of this chapter, the rules and regulations of the board, and ordinances of the
975 county or municipality; or

976 (5) Any propane dealer that is properly insured as required by law and that holds a
977 liquefied petroleum gas license issued by the Safety Fire Commissioner from installing,
978 repairing, or servicing a propane system or the gas piping or components of such system;
979 provided, however, that such propane dealers shall be prohibited from performing the
980 installation of conditioned air systems or forced air heating systems unless licensed to do
981 so under this chapter.

982 ~~(g) This chapter shall not apply to low-voltage wiring performed by public utilities, except~~
983 ~~that such portion of the business of those public utilities which involves the installation,~~

984 alteration, repair, or service of telecommunication systems for profit shall be covered under
 985 this chapter.

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

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

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

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

1000 ~~(1) Coupling the electrical connection from the service entrance panel outside the
 1001 manufactured housing to the distribution panel board inside the manufactured housing;~~

1002 ~~(2) Connecting the exterior sewer outlets to the above-ground sewer system; or~~

1003 ~~(3) Connecting the exterior water line to the above-ground water system.~~

1004 ~~(h)(e)~~ Any person qualified by the Department of Transportation to perform work for the
 1005 department shall not be required to be licensed under:

1006 ~~(1) Code Section 43-14-8.2 43-14-10 or certified under Code Sections 43-14-8.3
 1007 43-14-11 and 43-14-8.4 43-14-12 in order to perform work for the department. Any~~

1008 ~~person qualified by the Department of Transportation to perform work for the department
 1009 shall not be required to be licensed under; or~~

1010 (2) Code Section ~~43-14-8.2~~ 43-14-10 or certified under Code Sections ~~43-14-8.3~~
 1011 43-14-11 and ~~43-14-8.4~~ 43-14-12 in order to perform work for a county, municipality,
 1012 authority, or other political subdivision when such work is of the same nature as that for
 1013 which the person is qualified when performing department work; provided, however, that
 1014 such work is not performed on a utility system as defined in paragraph ~~(17)~~ (23) of Code
 1015 Section 43-14-2 for which the person receives compensation.

1016 ~~(m) This chapter shall not prohibit any person from installing, altering, or repairing the~~
 1017 ~~plumbing component of a lawn sprinkler system from a backflow preventer which was~~
 1018 ~~installed by a licensed plumber; provided, however, that all such work must be done in~~
 1019 ~~conformity with all other provisions of this chapter, the rules and regulations of the board,~~
 1020 ~~and ordinances of the county or municipality.~~

1021 ~~(n)~~(f) Any person who contracts with a licensed conditioned air contractor;

1022 (1) ~~As~~ as part of a conditioned air contract to install, alter, or repair duct systems, control
 1023 systems, or insulation is not required to hold a license from the Division of Conditioned
 1024 Air Contractors. The conditioned air contractor must retain responsibility for completion
 1025 of the contract, including any subcontracted work.;

1026 ~~(2) To Any person who contracts with a licensed conditioned air contractor to perform~~
 1027 ~~a complete installation, alteration, or repair of a conditioned air system must hold a valid~~
 1028 ~~license from the Division of Conditioned Air Contractors;~~ or

1029 ~~(3) To Any person who contracts to perform for or on behalf of a conditioned air~~
 1030 ~~contractor to install, alter, or repair electrical, low-voltage~~ the installation, alteration, or
 1031 repair of the electrical, low voltage, or plumbing components of a conditioned air system
 1032 must hold a valid license from the appropriate division of the board.

1033 ~~(o) This chapter shall not prohibit any propane dealer who is properly insured as required~~
 1034 ~~by law and who holds a liquefied petroleum gas license issued by the Safety Fire~~
 1035 ~~Commissioner from installing, repairing, or servicing a propane system or the gas piping~~
 1036 ~~or components of such system; provided, however, that such propane dealers shall be~~

1037 prohibited from performing the installation of conditioned air systems or forced air heating
 1038 systems unless licensed to do so under this chapter.

1039 ~~(p) This chapter shall not apply to any employee or authorized agent of a regulated gas
 1040 utility or municipal owned gas utility while in the course and scope of such employment.~~

1041 ~~(q)~~(g) Any utility contractor holding a valid utility contractor's license under this chapter
 1042 shall be authorized to bid for and perform work on any utility system in this state without
 1043 obtaining a license under Chapter 41 of this title. It shall be unlawful for the owner of a
 1044 utility system or anyone soliciting work to be performed on a utility system to refuse to
 1045 allow a utility contractor holding a valid utility contractor's license under this chapter to bid
 1046 for or perform work on a utility system on the basis that such contractor does not hold a
 1047 license under Chapter 41 of this title.

1048 ~~43-14-14~~ 43-14-20.

1049 Any person violating this chapter shall be guilty of a misdemeanor and, upon conviction
 1050 thereof, shall be fined not more than ~~\$1,000.00~~ \$3,000.00 or imprisoned for not more than
 1051 six months, or both.

1052 ~~43-14-15~~ 43-14-21.

1053 (a) As used in this Code section, the term:

1054 (1) 'Discharge' means an honorable discharge or a general discharge from active military
 1055 service. Such term shall not mean a discharge under other than honorable conditions, a
 1056 bad conduct discharge, or a dishonorable discharge.

1057 (2) 'Military' means the armed forces of the United States or a reserve component of the
 1058 armed forces of the United States, including the National Guard.

1059 (b) A committee composed of the division director, members of the Governor's Office of
 1060 Workforce Development, and members of the relevant divisions of the licensing board
 1061 representing the profession for which the applicant is seeking a license shall determine the

1062 military specialties or certifications the training or experience for which substantially meets
1063 or exceeds the requirements to obtain a license for Electrical Contractor Class I,
1064 Journeyman Plumber, Conditioned Air Contractor Class I, or Utility Foreman. The
1065 Governor shall designate a chairperson from among the members of the committee.

1066 (c) Any current or former member of the military may apply to the licensing board for the
1067 ~~immediate~~ expedited issuance of a license or certification based upon his or her having
1068 obtained a military specialty or certification, the training or experience for which
1069 substantially meets or exceeds the requirements to obtain a license or certification
1070 identified in subsection (b) of this Code section.

1071 (d) In order to qualify under this subsection, an applicant shall make application not later
1072 than two years after his or her discharge. The licensing board, in its discretion, may by rule
1073 or regulation extend such two-year period for a license or certification, or class thereof, or
1074 may extend such two-year period for an individual applicant if certain circumstances,
1075 including, but not limited to, health, hospitalization, or other related emergencies or
1076 exigencies, prevented the member of the military from making an application.

1077 (e) Such application shall be in such form and shall require such documentation as the
1078 division director shall determine. If the applicant satisfies the requirements of this Code
1079 section, the division director shall direct the appropriate division to issue the appropriate
1080 license, and the division shall immediately issue such license; provided, however, that the
1081 applicant shall satisfy all financial and insurance requirements for the issuance of such
1082 license. This Code section shall only apply to the initial issuance of a license. After the
1083 initial issuance of a license, the licensee shall be subject to any provisions relating to the
1084 renewal of the license applicable to all licensees.

1085 43-14-22.

1086 The board may establish a process through rules and regulations for licenses issued under
1087 this chapter to be placed on inactive status and the qualifications necessary for such

1088 licenses to be returned to active status; provided, however, that engaging in any conduct
1089 that requires a license under this chapter while holding an inactive license shall be
1090 considered an unlicensed practice and shall be prohibited."

1091

PART II

1092

SECTION 2-1.

1093 Title 8 of the Official Code of Georgia Annotated, relating to buildings and housing, is
1094 amended in:

1095 (1) Code Section 8-2-26, relating to enforcement of codes generally, employment and
1096 training of inspectors, and contracts for administration and enforcement of codes, in
1097 subparagraph (d)(2)(D), by replacing "paragraph (2) of subsection (b) of Code Section
1098 43-14-12" with "paragraph (2) of subsection (b) of Code Section 43-14-16".

1099 (2) Code Section 8-2-102, relating to inspections, in subsection (e), by replacing "43-14-8.1"
1100 with "43-18-9".

1101

SECTION 2-2.

1102 Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is
1103 amended in:

1104 (1) Code Section 10-5B-3, relating to rules to prohibit deceptive, fraudulent, or abusive
1105 telemarketing activities authorized, in subsection (a), by replacing "low-voltage" with "low
1106 voltage".

1107 (2) Code Section 10-5B-4, relating to required and prohibited telephone conduct and
1108 activities and liability, in subsection (a), by replacing "low-voltage" with "low voltage".

1109 (3) Code Section 10-5B-5, relating to applicability to persons subject to other provisions of
1110 the Code, in subsection (c), by replacing "low-voltage" with "low voltage".

1111 (4) Code Section 10-5B-7, relating to remedies, duties, prohibitions, and penalties not
1112 exclusive and construction with other provisions of the Code, in subsection (b), by replacing
1113 "low-voltage" with "low voltage".

1114 **SECTION 2-3.**

1115 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
1116 in Code Section 36-60-12.1, relating to fence detection systems, definition, and utilization,
1117 by revising paragraph (b)(1) as follows:

1118 "(1) Treat fence detection systems in all zoning and permitting matters exclusively as
1119 alarm systems as such term is defined in ~~paragraph (1)~~ of Code Section 43-14-2; and"

1120 **SECTION 2-4.**

1121 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
1122 is amended in Code Section 43-41-17, relating to effective date of licensing and sanctioning
1123 provisions, unenforceable contracts, compliance with county or municipal requirements,
1124 exemption for DOT contractors, and other exceptions, in subsection (e), by replacing
1125 "low-voltage" with "low voltage".

1126 **SECTION 2-5.**

1127 Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public
1128 transportation, is amended in:

1129 (1) Code Section 46-3-30, relating to short title, by replacing "High-voltage" with "High
1130 Voltage".

1131 (2) Code Section 46-3-31, relating to purpose of part, by replacing "high-voltage" with "high
1132 voltage".

1133 (3) Code Section 46-3-32, relating to definitions, in paragraph (1), by replacing
1134 "High-voltage" with "High voltage" and in paragraphs (5) and (6), by replacing
1135 "high-voltage" with "high voltage".

1136 (4) Code Section 46-3-33, relating to required conditions for commencing work within ten
1137 feet of high-voltage line, in the introductory language and in paragraph (2), by replacing
1138 "high-voltage" with "high voltage".

1139 (5) Code Section 46-3-34, relating to utilities protection center, funding of activities, notice
1140 of work, delay, and responsibility for completing safety requirements, by replacing
1141 "high-voltage" with "high voltage" each time the term appears.

1142 (6) Code Section 46-3-35, relating to allocation of expense of precautionary measures taken
1143 pursuant to public highway construction, by replacing "high-voltage" with "high voltage".

1144 (7) Code Section 46-3-37, relating to applicability of part to railway systems and electrical
1145 engineering system or other entities, in subsection (b), by replacing "high-voltage" with "high
1146 voltage" both times the term appears.

1147 (8) Code Section 46-3-39, relating to restriction on liability of owners and operators of
1148 high-voltage lines and effect of part on duty or degree of care, by replacing "high-voltage"
1149 with "high voltage" each time the term appears.

1150 (9) Code Section 46-3-40, relating to criminal penalty, strict liability for injury or damage,
1151 idemnification, and liability for cost of delay, by replacing "high-voltage" with "high
1152 voltage" each time the term appears.

1153

PART III

1154

SECTION 3-1.

1155 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
1156 is amended in Code Section 43-26-3, relating to definitions for the "Georgia Registered
1157 Professional Nurse Practice Act," by revising paragraphs (1) and (1.1) as follows:

S. B. 45 (SUB)

1158 "(1) 'Advanced nursing practice' means practice by a registered professional nurse who
1159 is licensed by the board under this article or who holds a multistate license under Article
1160 4 of this chapter who meets those educational, practice, certification requirements, or any
1161 combination of such requirements as specified in Code Section 43-26-7.1 and by the
1162 board, and includes certified nurse midwives, certified nurse practitioners, certified
1163 registered nurse anesthetists, clinical nurse specialists and clinical nurse specialists in
1164 psychiatric/mental health, and others recognized by the board.

1165 (1.1) 'Advanced practice registered nurse' means a ~~registered professional nurse person~~
1166 who is licensed by the board ~~under this article or who holds a multistate license under~~
1167 ~~Article 4 of this chapter, who is recognized by the board~~ as having met the requirements
1168 contained in Code Section 43-26-7.1 and as established by the board to engage in
1169 advanced nursing practice, and who holds a master's degree or other graduate degree from
1170 an approved nursing education program and national board certification in his or her area
1171 of specialty, within one of the following roles: certified nurse midwife, certified nurse
1172 practitioner, certified registered nurse anesthetist, or clinical nurse specialist and clinical
1173 nurse specialist in psychiatric/mental health, and who functions in a population focus or
1174 a person who was recognized as an advanced practice registered nurse by the board on
1175 or before June 30, 2006. This paragraph shall not be construed to require a certified
1176 registered nurse anesthetist who graduated from an approved nurse anesthetist
1177 educational program prior to January 1, 1999, to hold a master's degree or other graduate
1178 degree. Further, this paragraph shall not be construed to require a registered professional
1179 nurse who holds a multistate license under Article 4 of this chapter authorizing such nurse
1180 to practice in another party state under a multistate licensure privilege to obtain a
1181 single-state license from the board as a condition of receiving ~~authorization~~ licensure by
1182 the board to practice in this state as an advanced practice registered nurse."

SECTION 3-2.

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Said title is further amended by adding a new Code section to read as follows:

"43-26-7.1.

(a) Any applicant who meets the requirements of this Code section shall be eligible for licensure as an advanced practice registered nurse.

(b) An applicant for initial licensure to practice as an advanced practice registered nurse shall:

(1) Submit a completed written application and fee;

(2) Be currently licensed by the board as a registered professional nurse or hold a multistate license under Article 4 of this chapter;

(3) Have completed an accredited graduate or postgraduate level advanced practice registered nursing program in one of the four roles specified under paragraph (1.1) of Code Section 43-26-3 and at least one population focus;

(4) Be currently certified by a national certifying body recognized by the board in the advanced practice registered nursing program role and population focuses appropriate to educational preparation;

(5) Have satisfactory results from a fingerprint record check report conducted by the Georgia Crime Information Center and the Federal Bureau of Investigation, as determined by the board. Application for licensure under this Code section shall constitute express consent and authorization for the board to perform a criminal background check. Each applicant who submits an application to the board for licensure agrees to provide the board with any and all information necessary to run a criminal background check, including, but not limited to, classifiable sets of fingerprints. The applicant shall be responsible for all fees associated with the performance of such criminal background check; and

(6) Meet such other criteria as established by the board.

1209 (c) An applicant for reinstatement who has previously held a valid advanced practice
1210 registered nurse license in Georgia shall:

1211 (1) Submit a completed written application and fee;

1212 (2) Meet continuing competency requirements as established by the board;

1213 (3) Have satisfactory results from a fingerprint record check report conducted by the
1214 Georgia Crime Information Center and the Federal Bureau of Investigation, as
1215 determined by the board. Application for licensure under this Code section shall
1216 constitute express consent and authorization for the board to perform a criminal
1217 background check. Each applicant who submits an application to the board for licensure
1218 agrees to provide the board with any and all information necessary to run a criminal
1219 background check, including, but not limited to, classifiable sets of fingerprints. The
1220 applicant shall be responsible for all fees associated with the performance of such
1221 criminal background check; and

1222 (4) Meet such other criteria as established by the board."

1223 **SECTION 3-3.**

1224 Said title is further amended by revising Code Section 43-26-9, relating to biennial renewal
1225 of licenses, continuing competency requirements, voluntary surrender or failure to renew
1226 license, and restoration and reissuance of license, as follows:

1227 "43-26-9.

1228 (a) Licenses issued under this article shall be renewed biennially according to schedules
1229 and fees approved by the board.

1230 (b) A renewed license shall be issued to a registered professional nurse or licensed
1231 undergraduate nurse who remits the required fee and complies with requirements
1232 established by the board.

1233 ~~(b.1)~~(c) Beginning with the 2016 license renewal cycle, an applicant for license renewal
1234 as a registered professional under this article shall meet one of the following continuing
1235 competency requirements during the previous licensure period:

1236 (1) Completion of 30 continuing education hours by a board approved provider;

1237 (2) Maintenance of certification or recertification by a national certifying body
1238 recognized by the board;

1239 (3) Completion of an accredited academic program of study in nursing or a related field,
1240 as recognized by the board;

1241 (4) Verification of competency by a health care facility or entity licensed under Chapter
1242 7 of Title 31 or by a physician's office that is part of a health system and at least 500
1243 hours practiced as evidenced by employer certification on a form approved by the board;

1244 or

1245 (5) Other activities as prescribed and approved by the board that show competency in the
1246 nursing field.

1247 Failure to meet the minimum continuing competency requirement for renewal of a license
1248 shall be grounds for denial of a renewal application. The board may waive or modify the
1249 requirements contained in this subsection in cases of hardship, disability, or illness or under
1250 such other circumstances as the board, in its discretion, deems appropriate. An applicant
1251 who is renewing a license for the first time shall not be required to meet the requirements
1252 of this subsection until the time of the second renewal if the applicant's initial license
1253 period is six months or less.

1254 (d) Advanced practice registered nurse licenses issued under this article shall be issued to
1255 an advanced practice registered nurse who remits the required fee and complies with
1256 requirements established by the board.

1257 ~~(e)~~(e) The voluntary surrender of a license or the failure to renew a license by the end of
1258 an established penalty period shall have the same effect as a revocation of said license,
1259 subject to reinstatement at the discretion of the board. The board may restore and reissue

1260 a license and, as a condition thereof, may impose any disciplinary sanction provided by
1261 Code Section 43-1-19 or 43-26-11."

1262 **SECTION 3-4.**

1263 Said title is further amended by revising Code Section 43-26-10, relating to practicing as a
1264 registered professional nurse without a license prohibited, as follows:

1265 "43-26-10.

1266 It shall be a misdemeanor for any person, including any corporation, association, or
1267 individual, to:

1268 (1) Practice nursing as a registered professional nurse; or advanced practice registered
1269 nurse without a valid, current license, except as otherwise permitted under Code Section
1270 43-26-12;

1271 (2) Practice nursing as a registered professional nurse or advanced practice registered
1272 nurse under cover of any diploma, license, or record illegally or fraudulently obtained,
1273 signed, or issued;

1274 (3) Practice nursing as a registered professional nurse or advanced practice registered
1275 nurse during the time the license is suspended, revoked, surrendered, or administratively
1276 revoked for failure to renew;

1277 (4) Use any words, abbreviations, figures, letters, title, sign, card, or device implying that
1278 such person is a registered professional nurse or advanced practice registered nurse unless
1279 such person is duly licensed or recognized by the board so to practice under the
1280 provisions of this article;

1281 (5) Fraudulently furnish a license to practice nursing as a registered professional nurse
1282 or advanced practice registered nurse;

1283 (6) Knowingly employ any person to practice nursing as a registered professional nurse
1284 or advanced practice registered nurse who is not a registered professional nurse or
1285 advanced practice registered nurse;

- 1286 (7) Conduct a nursing education program preparing persons to practice nursing as
 1287 registered professional nurses unless the program has been approved by the board; or
 1288 (8) Knowingly aid or abet any person to violate this article."

1289 **PART IV**

1290 **SECTION 4-1.**

1291 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is
 1292 amended by revising Code Section 40-2-74.1, relating to temporary, permanent, and special
 1293 permanent parking permits for persons with disabilities, as follows:

1294 "40-2-74.1.

1295 (a) The department shall issue parking permits for persons with disabilities and may
 1296 delegate to county tag agents the responsibility for issuance of such permits to residents of
 1297 the county served by the tag agent. The department shall receive applications for and issue
 1298 parking permits by mail to persons with disabilities upon presentation of an affidavit of a
 1299 licensed doctor of medicine, licensed doctor of osteopathic medicine, licensed doctor of
 1300 podiatric medicine, licensed doctor of physical therapy, licensed optometrist, ~~or~~ licensed
 1301 chiropractor, licensed advanced practice registered nurse acting pursuant to the authority
 1302 of Code Section 43-34-25, or licensed physician assistant acting pursuant to the authority
 1303 of subsection (e.1) of Code Section 43-34-103 stating that such person is a disabled person,
 1304 the specific disability that limits or impairs the person's ability to walk, and that he or she
 1305 is a person with disabilities as specified in paragraph (5) of Code Section 40-6-221.
 1306 Permits shall be in such form as the department prescribes but shall be of sufficient size
 1307 and sufficiently distinctively marked to be easily visible when placed on or affixed to the
 1308 driver's side of the dashboard or hung from the rearview mirror of the parked vehicle.
 1309 Permits shall be made of a substrate as determined by the commissioner and shall be of
 1310 sufficient quality to ensure that the coloring of the permit and the ink used thereon will

1311 resist fading for a period of at least four years. Permits shall be issued to individuals, and
1312 the name of the individual and an identification number shall appear on the permit. The
1313 individual to whom a permit is issued may use the permit for any vehicle he or she is
1314 operating or in which he or she is a passenger. Permits shall also be issued to institutions
1315 when the primary purpose of a vehicle operated by the institution is to transport individuals
1316 with disabilities. The name of the institution, the license number of the particular vehicle,
1317 and an identification number shall appear on the permit. The institution shall use such
1318 permit only for a vehicle which is operated by the institution and which is used primarily
1319 to transport individuals with disabilities.

1320 (b) The department shall issue a temporary permit to any temporarily disabled person upon
1321 presentation of an affidavit of a licensed doctor of medicine, licensed doctor of osteopathic
1322 medicine, licensed doctor of podiatric medicine, licensed optometrist, ~~or~~ licensed
1323 chiropractor, licensed advanced practice registered nurse acting pursuant to the authority
1324 of Code Section 43-34-25, or licensed physician assistant acting pursuant to the authority
1325 of subsection (e.1) of Code Section 43-34-103 stating that such person is a temporarily
1326 disabled person, the specific disability that limits or impairs the person's ability to walk,
1327 that he or she is a person with disabilities as specified in paragraph (5) of Code Section
1328 40-6-221, and a date until which such person is likely to remain disabled. The temporary
1329 permit shall show prominently on its face an expiration date the same as the date specified
1330 by such doctor for the likely termination of the disability, which date shall not be more than
1331 180 days after the date the permit is issued. The expiration date shall be printed with
1332 permanent ink and in boldface type of sufficient size to be legible when the permit is
1333 displayed on the driver's side of the dashboard or hung from the rearview mirror.

1334 (c) The department shall issue a permanent permit to any permanently disabled person
1335 upon presentation of an affidavit of a licensed doctor of medicine, licensed doctor of
1336 osteopathic medicine, licensed doctor of podiatric medicine, licensed optometrist, ~~or~~
1337 licensed chiropractor, licensed advanced practice registered nurse acting pursuant to the

1338 authority of Code Section 43-34-25, or licensed physician assistant acting pursuant to the
1339 authority of subsection (e.1) of Code Section 43-34-103 stating that such person is a
1340 permanently disabled person. The affidavit shall further state the specific disability that
1341 limits or impairs the person's ability to walk or that he or she is a person with disabilities
1342 as specified in paragraph (5) of Code Section 40-6-221. The department shall also issue
1343 a permanent permit to an institution which operates vehicles used primarily for the
1344 transportation of individuals with disabilities upon presentation of a certification from the
1345 institution regarding use of its vehicles. The institution shall receive permits only for the
1346 number of vehicles so used and shall affix the permits to the driver's side of the dashboards
1347 of such vehicles. The permanent permit shall be predominantly blue in color and shall
1348 show prominently on its face an expiration date four years from the date it is issued. The
1349 expiration date shall be machine printed, not handwritten, in boldface type of sufficient size
1350 to be legible when the permit is displayed on the driver's side of the dashboard or hung
1351 from the rearview mirror.

1352 (d) Any individual to whom a specially designated disabled veteran's license plate has
1353 been issued pursuant to Code Sections 40-2-69 through 40-2-72 and any individual to
1354 whom a specially designated disabled person's license plate has been issued pursuant to
1355 Code Section 40-2-74 shall be authorized to park the passenger motor vehicle on which the
1356 specially designated license plate is attached in a parking place for persons with disabilities
1357 without the necessity of obtaining a parking permit for persons with disabilities pursuant
1358 to this Code section.

1359 (e) The department shall issue a special permanent permit to any person who:

1360 (1) Because of a physical disability drives a motor vehicle which has been equipped with
1361 hand controls for the operation of the vehicle's brakes and accelerator; or

1362 (2) Is physically disabled due to the loss of, or loss of use of, both upper extremities.

1363 This special permanent permit shall be gold in color and shall show prominently on its face
1364 an expiration date four years from the date it is issued. The expiration date shall be printed

1365 in a size of print that is legible when the permit is displayed on the driver's side of the
1366 dashboard or hung from the rearview mirror. Such a special permit shall be used in the
1367 same manner as, and shall be subject to the provisions of this Code section relating to,
1368 other permanent parking permits for persons with disabilities and shall also be used as
1369 provided in Code Section 10-1-164.1. In addition to any other required printing, the
1370 following shall be printed upon this special gold permit:

1371 'Code Section 10-1-164.1 of the Official Code of Georgia Annotated requires that any
1372 owner or operator of a gasoline station that sells full-service gasoline at one price and
1373 self-service at a lower price shall provide the service of dispensing gasoline at the
1374 self-service price for the holder of this special permit when such holder requests such
1375 service and is the operator of the vehicle and is not accompanied by another person 16
1376 years of age or older who is not mobility impaired or blind.'

1377 (f) The department and county tag agents shall not charge or collect any fee for issuing
1378 parking permits for persons with disabilities under this Code section.

1379 (g) Any special disabled person decal issued under the former provisions of this Code
1380 section shall be valid until its expiration date but shall not be reissued.

1381 (h) For purposes of this Code section, an active duty military physician shall be entitled
1382 to submit an affidavit in support of the application of active duty or retired military
1383 personnel for parking permits for persons with disabilities whether or not such physician
1384 is licensed to practice in Georgia. Such affidavit shall state that the applicant is in active
1385 military service and is stationed in Georgia pursuant to military orders or is retired from
1386 the military and is a resident of Georgia and that such person is a disabled person, the
1387 specific disability that limits or impairs the person's ability to walk, and that he or she is
1388 a person with disabilities as specified in paragraph (5) of Code Section 40-6-221.

1389 (i) For purposes of this Code section the department shall accept, in lieu of an affidavit,
1390 a signed and dated statement from the doctor, advanced practice registered nurse, or

1391 physician assistant which includes the same information as required in an affidavit written
1392 upon security paper as defined in paragraph (38.5) of Code Section 26-4-5."

1393

SECTION 4-2.

1394 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
1395 is amended in Code Section 43-34-23, relating to delegation of authority to nurse or
1396 physician assistant, by revising subparagraph (b)(1)(B) as follows:

1397 "(B) A physician may delegate to those health care professionals identified in
1398 subparagraph (A) of this paragraph:

1399 (i) The authority to order controlled substances selected from a formulary of such
1400 drugs established by the board and the authority to order dangerous drugs, medical
1401 treatments, and diagnostic studies;

1402 (ii) The authority to request, receive, and sign for professional samples and to
1403 distribute professional samples to patients. The office or facility at which the health
1404 care professional identified in subparagraph (A) of this paragraph is working shall
1405 maintain a general list of the professional samples approved by the delegating
1406 physician for request, receipt, and distribution by the health care professional
1407 identified in subparagraph (A) of this paragraph as well as a complete list of the
1408 specific number and dosage of each professional sample and medication voucher
1409 received. Professional samples that are distributed by a health care professional
1410 identified in subparagraph (A) of this paragraph shall be so noted in the patient's
1411 medical record. In addition to the requirements of this Code section, all professional
1412 samples shall be maintained as required by applicable state and federal laws and
1413 regulations; and

1414 (iii) The authority to sign, certify, and endorse all documents relating to health care
1415 provided to a patient within his or her scope of authorized practice, including, but not
1416 limited to, documents relating to physical examination forms of all state agencies and

1417 verification and evaluation forms of the Department of Human Services, the State
1418 Board of Education, local boards of education, the Department of Community Health,
1419 the Department of Revenue, and the Department of Corrections; provided, however,
1420 that a health care professional identified in subparagraph (A) of this paragraph shall
1421 not have the authority to sign death certificates or assign a percentage of a disability
1422 rating."

1423 **SECTION 4-3.**

1424 Said title is further amended in Code Section 43-34-25, relating to delegation of certain
1425 medical acts to advanced practice registered nurse, construction and limitations of such
1426 delegation, definitions, conditions of nurse protocol, and issuance of prescription drug orders,
1427 by revising subsection (e.1) as follows:

1428 "(e.1) Except for death certificates and assigning a percentage of a disability rating, an
1429 advanced practice registered nurse may be delegated the authority to sign, certify, and
1430 endorse all documents relating to health care provided to a patient within his or her scope
1431 of authorized practice, including, but not limited to, documents relating to physical
1432 examination forms of all state agencies and verification and evaluation forms of the
1433 Department of Human Services, the State Board of Education, local boards of education,
1434 the Department of Community Health, the Department of Revenue, and the Department of
1435 Corrections."

1436 **PART V**

1437 **SECTION 5-1.**

1438 This Act shall become effective upon its approval by the Governor or upon its becoming law
1439 without such approval.

1440

SECTION 5-2.

1441 All laws and parts of laws in conflict with this Act are repealed.