

House Bill 187 (COMMITTEE SUBSTITUTE)

By: Representatives Washburn of the 144th, Powell of the 33rd, McDonald III of the 26th, Carpenter of the 4th, McCollum of the 30th, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Titles 8, 10, 36, 43, and 46 of the Official Code of Georgia Annotated, relating to
2 buildings and housing, commerce and trade, local government, professions and businesses,
3 and public utilities and public transportation, respectively, so as to change certain provisions
4 relating to certain professions practicing in this state; to change certain provisions relating
5 to electrical contractors, plumbers, conditioned air contractors, low voltage contractors, and
6 utility contractors; to change certain definitions; to provide for qualifications of the State
7 Construction Industry Licensing Board; to provide for certain restrictions relating to classes
8 of low voltage licenses; to change certain provisions related to the power and duties of the
9 divisions and the division director; to provide for additional licensing requirements; to
10 provide requirements for license renewals and inactive licenses; to provide for approval of
11 safety training; to change certain provisions relating to applicability; to provide for
12 conforming cross-references and terminology; to provide for related matters; to provide for
13 an effective date; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

H. B. 187 (SUB)

15 **PART I**

16 **SECTION 1-1.**

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

20 "CHAPTER 14

21 43-14-1.

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

30 43-14-2.

31 As used in this chapter, the term:

32 ~~(1)~~(1) 'Alarm system' means any device or combination of devices used to detect a
 33 situation, causing an alarm in the event of a burglary, fire, robbery, medical emergency,
 34 or equipment failure, or on the occurrence of any other predetermined event.

35 ~~(1)~~(2) 'Board' means the State Construction Industry Licensing Board.

36 ~~(2)~~(3) 'Certificate of competency' means a valid and current certificate that is issued by
 37 the Division of Electrical Contractors created in Code Section 43-14-3, ~~which certificate~~

38 ~~shall give~~ and that gives the named electrical contractor to which it is issued authority to
39 engage in electrical contracting of the kind described therein. Certificates of competency
40 shall be of two kinds, Class I and Class II, according to the classification of license held
41 by the electrical contractor.

42 ~~(3)~~(4) 'Conditioned air contracting' means the installation, repair, or service of
43 conditioned air systems or conditioned air equipment; which includes, but is not limited
44 to:

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

48 (B) Service to or installation of the electrical circuit from the electrical distribution
49 panel to the conditioned air equipment where the electrical service to the building or
50 site is a single-phase electrical circuit not exceeding 200 amperes ~~is considered to be~~
51 ~~installation, repair, or service of conditioned air equipment or the conditioned air~~
52 ~~system.~~

53 ~~(4)~~(5) 'Conditioned air contractor' means ~~an individual who is~~ any person engaged in
54 conditioned air contracting under express or implied contract or ~~who~~ that bids for, offers
55 to perform, purports to have the capacity to perform, or does perform conditioned air
56 contracting services under express or implied contract. ~~The term 'conditioned air~~
57 ~~contractor'~~ Such term shall not include ~~a person~~ an individual who is an employee of a
58 conditioned air contractor and who receives only a salary or hourly wage for performing
59 conditioned air contracting work.

60 ~~(5)~~(6) 'Conditioned air equipment' means heating and air-conditioning equipment
61 covered under state codes and the natural gas piping system on the outlet side of the gas
62 meter.

63 ~~(6)~~(7) 'Electrical contracting' means the installation, maintenance, alteration, or repair
64 of any electrical equipment, apparatus, control system, or electrical wiring device which

65 is attached to or incorporated into any building or structure in this state but shall not
 66 include ~~low-voltage~~ low voltage contracting.

67 ~~(7)~~(8) 'Electrical contractor' means any person ~~who engages~~ engaged in the business of
 68 electrical contracting under express or implied contract or ~~who~~ that bids for, offers to
 69 perform, purports to have the capacity to perform, or does perform electrical contracting
 70 services under express or implied contract. ~~The term 'electrical contractor'~~ Such term
 71 shall not include ~~a person~~ an individual who is an employee of an electrical contractor
 72 and who receives only a salary or hourly wage for performing electrical contracting work.

73 ~~(8)~~(9) 'Executive director' means the executive director of the State Construction
 74 Industry Licensing Board.

75 ~~(8.1)~~(10) 'General system' means any electrical system, other than an alarm or
 76 telecommunication system, involving ~~low-voltage~~ low voltage wiring.

77 ~~(9)~~(11) 'Journeyman plumber' means any ~~person~~ individual other than a master plumber
 78 who has practical knowledge of the installation of plumbing and installs plumbing under
 79 the direction of a master plumber.

80 ~~(10)~~(12) 'License' means a valid and current certificate of registration issued by a
 81 division of the board, which certificate shall give the named person to whom it is issued
 82 authority to engage in the activity prescribed thereon.

83 ~~(10.1)~~(13) 'Low voltage ~~Low-voltage~~ contracting' means the installation, alteration,
 84 service, or repair of a telecommunication system, alarm system, or general system
 85 involving ~~low-voltage~~ low voltage wiring.

86 ~~(10.2)~~(14) 'Low voltage ~~Low-voltage~~ contractor' means ~~an individual who is~~ any person
 87 engaged in ~~low-voltage~~ low voltage contracting under express or implied contract or ~~who~~
 88 that bids for, offers to perform, purports to have the capacity to perform, or does perform
 89 ~~low-voltage~~ low voltage contracting services under express or implied contract. ~~An~~
 90 ~~employee of a low-voltage contractor who receives only a salary or hourly wage for~~
 91 ~~performing low-voltage contracting work shall not be required to be licensed under this~~

92 ~~chapter, except that those employees upon whom the qualification of a partnership,~~
 93 ~~limited liability company, or corporation rests as outlined in subsection (b) of Code~~
 94 ~~Section 43-14-8.1 shall be licensed.~~

95 ~~(10.3)~~(15) 'Low voltage ~~Low-voltage~~ wiring' means:

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

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

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

106 ~~(11)~~(16) 'Master plumber' means any individual ~~engaging~~ engaged in the business of
 107 plumbing under express or implied contract or who bids for, offers to perform, purports
 108 to have the capacity to perform, or does perform plumbing contracting services under
 109 express or implied contract.

110 ~~(12)~~(17) 'Plumbing' means:

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

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

132 ~~(12.1)~~(18) 'Telecommunication system' means a switching system and associated
 133 apparatus which performs the basic function of two-way voice or data service, or both,
 134 and which can be a commonly controlled system capable of being administered both
 135 locally and remotely via secured access.

136 ~~(13)~~(19) 'Utility contracting' means undertaking to construct, erect, alter, or repair or
 137 have constructed, erected, altered, or repaired any utility system.

138 ~~(14)~~(20) 'Utility contractor' means a sole proprietorship, partnership, or corporation
 139 which is engaged in utility contracting under express or implied contract or which bids
 140 for, offers to perform, purports to have the capacity to perform, or does perform utility
 141 contracting under express or implied contract.

142 ~~(15)~~(21) 'Utility foreman' means any individual who is employed by a licensed contractor
 143 to supervise the construction, erection, alteration, or repair of utility systems.

144 ~~(16)~~(22) 'Utility manager' means any individual who is employed by a utility contractor
 145 to have oversight and charge of the construction, erection, alteration, or repair of utility
 146 systems.

147 ~~(17)~~(23) 'Utility system' means:

148 (A) Any system at least five feet underground, when installed or accessed by trenching,
 149 open cut, cut and cover, or other similar construction methods which install or access
 150 the system from the ground surface, including, but not limited to, gas distribution
 151 systems, electrical distribution systems, communication systems, water supply systems,
 152 and sanitary sewerage and drainage systems; and

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

158 43-14-3.

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

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

163 (1) Five members known as the Division of Electrical Contractors, one of whom shall
 164 be a ~~consulting~~ professional engineer engaged in electrical practice, another of whom
 165 shall be ~~the chief electrical~~ an inspector with electrical inspection duties of a county or
 166 municipality, ~~and shall have served in such office for five years immediately preceding~~
 167 ~~appointment to the board~~ or a third-party inspector regularly providing inspections to a
 168 county or municipality, and the remaining three of whom shall be ~~engaged in the~~
 169 ~~electrical contracting business~~ licensed electrical contractors in this state;

- 170 (2) Five members known as the Division of Master Plumbers and Journeyman Plumbers,
171 one of whom shall be a full-time plumbing inspector of a county or municipality, three
172 of whom shall be master or contracting plumbers, and one of whom shall be a
173 journeyman plumber;
- 174 (3) Five members known as the Division of Conditioned Air Contractors, one of whom
175 shall be a licensed professional engineer engaged in mechanical practice, one of whom
176 shall be the chief conditioned air inspector of a county or municipality, and three of
177 whom shall be conditioned air contractors with more than five years of installation and
178 service experience in the trade;
- 179 (4) Five members known as the Division of ~~Low-voltage~~ Low Voltage Contractors, one
180 of whom shall be an alarm system ~~low-voltage~~ low voltage contractor, one of whom shall
181 be an unrestricted ~~low-voltage~~ low voltage contractor, one of whom shall be a
182 telecommunication system ~~low-voltage~~ low voltage contractor, one of whom shall be a
183 professional electrical engineer, and one of whom shall be ~~the chief electrical~~ an inspector
184 with electrical inspection duties of a county or municipality or contracted by a county or
185 municipality to perform electrical inspections;
- 186 (5) Five members known as the Division of Utility Contractors, three of whom shall be
187 utility contractors, one of whom shall be a registered professional engineer, and one of
188 whom shall be an insurance company representative engaged primarily in the bonding of
189 construction projects; and
- 190 (6) Two members who shall not have any connection with the electrical contracting,
191 plumbing, or conditioned air contracting businesses whatsoever but who shall have a
192 recognized interest in consumer affairs and consumer protection concerns.
- 193 (c) All members shall be appointed by the Governor, subject to confirmation by the
194 Senate, for four-year terms.
- 195 (d) A member shall serve until a successor has been duly appointed and qualified.

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

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

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

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

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

209 43-14-4.

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

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

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

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

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

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

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

227 43-14-5.

228 The board shall have the power to:

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

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

240 (3) Adopt an official seal for its use and ~~change it at pleasure~~ modify such seal as the
241 board deems necessary;

242 (4) Establish ~~the~~ policies for regulating the businesses of electrical contracting,
243 ~~plumbing, low-voltage, utility~~ plumbing contracting, low voltage contracting, utility
244 contracting, and conditioned air contracting;

245 ~~(4.1)~~(5) Upon notice and hearing authorized and conducted in accordance with Code
246 Section ~~43-14-10~~ 43-14-14 and any rules and regulations promulgated by the board,
247 either by the board directly or through a valid delegation of the board's enforcement

248 power to a division thereof, assess civil penalties in an amount up to \$10,000.00 per
 249 violation against any person found to be in violation of any requirement of this chapter;
 250 ~~(5)(6)~~ Determine qualifications for licensure or certification including such experience
 251 requirements as the board deems necessary; and
 252 ~~(6)(7)~~ Promulgate and adopt rules and regulations necessary to carry out this chapter.

253 43-14-6.

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

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

268 (A) The Division of Electrical Contractors shall approve separate examinations for
 269 Class I and Class II licenses. Class I licenses shall be restricted to electrical contracting
 270 involving multifamily structures of not more than two levels or single-family dwellings
 271 of up to three levels. ~~In addition, the;~~ provided, however, that such structures shall have
 272 single-phase electrical installations which do not exceed 400 amperes at the service
 273 drop or the service lateral. Class II licenses shall be unrestricted;

274 (B) The Division of Master Plumbers and Journeyman Plumbers shall approve separate
 275 examinations for Master Plumber Class I, Master Plumber Class II, and Journeyman
 276 Plumbers. Master Plumber Class I licenses shall be restricted to plumbing involving
 277 single-family dwellings and ~~one-level~~ multifamily dwellings designed for not more than
 278 ~~two families~~ three stories and commercial structures not to exceed ~~40,000~~ 20,000
 279 square feet in area. Master Plumber Class II licenses shall be unrestricted. Only a
 280 journeyman plumber, a Master Plumber Class I, or a Master Plumber Class II shall be
 281 authorized to install, maintain, alter, or repair medical gas piping systems;

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

287 (D) The Division of ~~Low-voltage~~ Low Voltage Contractors shall approve separate
 288 examinations for:

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

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

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

295 (iv) Low Voltage Contractor ~~Low-voltage Contractor Class LV-U, and Low-voltage~~
 296 ~~Contractor Class LV-G. Class LV-A licenses shall be restricted to alarm and general~~
 297 ~~system low-voltage contracting, Class LV-T licenses shall be restricted to~~
 298 ~~telecommunication and general system low-voltage contracting, Class LV-G licenses~~
 299 ~~shall be restricted to general system low-voltage contracting, and Class LV-U licenses~~

300 that shall be unrestricted and permit the performance of alarm, telecommunication,
 301 and general system ~~low-voltage~~ low voltage contracting;

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

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

- 305 (A) Electrical Contractor Class I;
- 306 (B) Electrical Contractor Class II;
- 307 (C) Master Plumber Class I;
- 308 (D) Master Plumber Class II;
- 309 (E) Journeyman Plumber;
- 310 (F) Conditioned Air Contractor Class I;
- 311 (G) Conditioned Air Contractor Class II;
- 312 (H) ~~Low-voltage~~ Low Voltage Contractor Class LV-A;
- 313 (I) ~~Low-voltage~~ Low Voltage Contractor Class LV-T;
- 314 (J) ~~Low-voltage~~ Low Voltage Contractor Class LV-G;
- 315 (K) ~~Low-voltage~~ Low Voltage Contractor Class LV-U;
- 316 (L) Utility Contractor; Class A;
- 317 (M) Utility Contractor; Class B;
- 318 (N) Utility Contractor; Class U;
- 319 (O) Utility Manager (certificate); and
- 320 (P) Utility Foreman (certificate);

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

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

- 327 (A) The commission of any false, fraudulent, or deceitful act or the use of any forged,
328 false, or fraudulent document in connection with the license or certificate requirements
329 of this chapter or the rules and regulations of the board;
- 330 (B) Failure at any time to comply with the requirements for a license or certificate
331 under this chapter or the rules and regulations of the board;
- 332 (C) Habitual intemperance in the use of alcoholic spirits, narcotics, or stimulants to
333 such an extent as to render the license or certificate holder unsafe or unfit to practice
334 any profession licensed or certified under this chapter;
- 335 (D) Engaging in any dishonorable or unethical conduct likely to deceive, defraud, or
336 harm the public;
- 337 (E) Knowingly performing any act which in any way assists an unlicensed or
338 noncertified person to practice such profession;
- 339 (F) Violating, directly or indirectly, or assisting in or abetting any violation of any
340 provision of this chapter or any rule or regulation of the board;
- 341 (G) The performance of any faulty, inadequate, inefficient, or unsafe electrical,
342 plumbing, ~~low-voltage~~ low voltage contracting, utility contracting, or conditioned air
343 contracting likely to endanger life, health, or property. The performance of any work
344 that does not comply with the standards set by state codes or by local codes in
345 jurisdictions where such codes are adopted, provided that such local codes are as
346 stringent as the state codes, or by other codes or regulations which have been adopted
347 by the board, shall be prima-facie evidence of the faulty, inadequate, inefficient, or
348 unsafe character of such electrical, plumbing, ~~low-voltage~~ low voltage contracting,
349 utility contracting, or conditioned air contracting; provided, however, that the board,
350 in its sole discretion, for good cause shown and under such conditions as it may
351 prescribe, may restore a license to any person whose license has been suspended or
352 revoked;

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

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

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

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

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

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

371 (d)(~~1~~) The Division of Conditioned Air Contractors shall be authorized to:

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

375 (2) Approve ~~The division shall be authorized to approve~~ courses offered by institutions
 376 of higher learning, vocational technical schools, and trade, technical, or professional
 377 organizations; provided, however, that continuing education courses or programs related
 378 to conditioned air contracting provided or conducted by public utilities, equipment
 379 manufacturers, or institutions under the State Board of the Technical College System of

380 Georgia shall constitute acceptable continuing professional education programs for the
 381 purposes of this subsection. ~~Continuing~~ Such continuing education courses or programs
 382 shall be in the areas of safety, technological advances, business management, or
 383 government regulation. Courses or programs conducted by manufacturers specifically
 384 to promote their products shall not be approved. The continuing education requirements
 385 of this subsection shall not be required for any licensed conditioned air contractor who
 386 is a registered professional engineer;

387 ~~(2)(3) Administer all~~ All provisions of this subsection relating to continuing professional
 388 education shall be administered by the division.;

389 ~~(3)(4) Waive~~ The division shall be authorized to waive the continuing education
 390 requirements in cases of hardship, disability, or illness or under such other circumstances
 391 as the board deems appropriate.; and

392 ~~(4)(5) Promulgate~~ The division shall be authorized to promulgate rules and regulations
 393 to implement and ensure compliance with the requirements of this Code section.

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

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

398 (e)(~~t~~) The Division of Electrical Contractors shall be authorized to;

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

402 (2) Approve ~~The division shall be authorized to approve~~ continuing education courses
 403 to be held within or outside this state that are available to all licensed electrical
 404 contractors on a reasonable nondiscriminatory fee basis. Any request for division
 405 approval of a continuing education course shall be submitted in a timely manner with due
 406 regard for the necessity of investigation and consideration by the division. The division

407 may contract with institutions of higher learning, professional organizations, or other
 408 qualified persons to provide programs that meet the requirements of this ~~paragraph~~
 409 subsection and any rules or regulations established by the division. Such programs shall
 410 be self-sustaining by the individual fees set and collected by the provider of the program;
 411 and

412 ~~(2)(3) Waive The division shall be authorized to waive~~ the continuing education
 413 requirements in cases of hardship, disability, or illness or under such other circumstances
 414 as the division deems appropriate.

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

416 ~~(1) Require individuals~~ require persons seeking renewal of utility foreman certificates
 417 and utility manager certificates issued under this chapter to complete board approved
 418 continuing education of not more than four hours annually;

419 ~~(2) Approve The division shall be authorized to approve~~ courses offered by institutions
 420 of higher learning, vocational-technical schools, and trade, technical, or professional
 421 organizations; provided, however, that continuing education courses or programs related
 422 to utility contracting provided or conducted by institutions under the State Board of the
 423 Technical College System of Georgia shall constitute acceptable continuing professional
 424 education programs for the purposes of this subsection; and

425 ~~(2)(3) Waive The division shall be authorized to waive~~ the continuing education
 426 requirements in cases of hardship, disability, or illness or under such other circumstances
 427 as the division deems appropriate.

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

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

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

434 organizations; provided, however, that continuing education courses or programs related
 435 to plumbing provided or conducted by institutions under the State Board of the Technical
 436 College System of Georgia shall constitute acceptable continuing professional education
 437 programs for the purposes of this subsection; and

438 ~~(2)(3) Waive~~ ~~The division shall be authorized to waive~~ the continuing education
 439 requirements in cases of hardship, disability, or illness or under such other circumstances
 440 as the division deems appropriate.

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

444 43-14-7.

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

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

452 43-14-8.

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

457 (2) A person ~~who~~ that is not licensed as an electrical contractor or ~~who~~ that does not have
 458 a certificate of competency, if such certificates are issued by the division pursuant to

459 subsection (b) of Code Section 43-14-6, or both as may be applicable, shall be prohibited
460 from advertising in any manner that such person is in the business or profession of
461 electrical contracting unless the work is performed by a licensed electrical contractor.

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

469 (2) No person shall engage in ~~the business of plumbing contracting~~ as a journeyman
470 master plumber unless such person has a valid license from the Division of Master
471 Plumbers and Journeyman Plumbers. A person that is not licensed as a Master Plumber
472 Class 1 or a Master Plumber Class II shall be prohibited from advertising in any manner
473 that such person is in the business or profession of plumbing contracting.

474 (3) ~~A person who does not have a valid license from the Division of Master Plumbers~~
475 ~~and Journeyman Plumbers shall be prohibited from advertising in any manner that such~~
476 ~~person is in the business or profession of plumbing as a master plumber or journeyman~~
477 ~~plumber unless such person is licensed by the Division of Master Plumbers and~~
478 ~~Journeyman Plumbers and unless the work is performed by a licensed plumber.~~

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

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

486 (d)(1) No person shall engage in low voltage contracting unless such person has a valid
 487 license from the Division of Low Voltage Contractors; provided, however, that:

488 (A) An employee of a low voltage contractor who receives only a salary or hourly
 489 wage for performing low voltage contracting work may but shall not be required to be
 490 licensed under this chapter to perform such low voltage contracting work, except that
 491 those employees upon whom the qualification of a partnership, limited liability
 492 company, or corporation rests as provided for in Code Section 43-14-9 shall be required
 493 to be licensed; and

494 (B) Tier 2 local exchange companies, as such term is set forth in subparagraph (B) of
 495 paragraph (10) of Code Section 46-5-162, as well as any affiliates or subsidiaries of
 496 such companies, may but shall not be required to be licensed under this chapter to
 497 engage in low voltage contracting.

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 plumbing
547 contractor 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 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 (j) Partnerships, limited liability companies, or corporations having more than one office
560 location from which conditioned air contracting is performed shall have at least one person
561 stationed in each branch office of such partnership, limited liability company, or
562 corporation who is engaged in the performance of conditioned air contracting on a full-time
563 basis; who is supervising the installation, repair, alteration, and service work of
564 air-conditioning and heating systems of all employees of such branch office locations; and
565 who has a valid license issued as provided in this Code section.

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

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

574 (1) Indicate if the applicant is an individual, partnership, limited liability company, or
 575 corporation; ~~and, if~~

576 (2) If the applicant is a partnership, limited liability company, or corporation, provide the
 577 names and addresses of the partners or members or the names and addresses of the
 578 officers, when and where formed or incorporated, and such other information as the board
 579 or each division may require; ~~and~~

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

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

589 ~~(h)~~(m) Applicants who have a failing examination score on two consecutive testing
 590 attempts within the approved testing time frame ~~Any applicant for licensure standing the~~
 591 ~~examination on and after July 1, 1989, who fails the examination for licensure twice after~~
 592 ~~such date~~ shall be required to present satisfactory evidence to the appropriate division that

593 the applicant has completed a board approved review course before such applicant will be
594 ~~admitted to a third examination~~ approved to take the examination again. If such applicant
595 fails the examination a third time, the applicant shall not be required to complete additional
596 board approved review courses prior to taking subsequent examinations.

597 ~~43-14-8.1~~ 43-14-9.

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

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

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

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

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

615 (4) An individual desiring to obtain a ~~Low-voltage~~ Low Voltage Contractor Class LV-G
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 general systems.

618 ~~Each such affidavit for licensure shall describe in detail the installation of at least three~~

619 ~~complete low-voltage wiring jobs which shall demonstrate that the individual has~~
620 ~~successfully performed low-voltage wiring in the area of licensure requested for a period~~
621 ~~of at least one year immediately prior to the time of application.~~

622 (5) An individual desiring to obtain a ~~Low-voltage~~ Low Voltage Contractor Class LV-U
623 license shall submit to the division an affidavit which outlines the experience of said
624 individual in the practice of ~~low-voltage~~ low voltage wiring relating to alarm and
625 telecommunication systems and which describes in detail the installation of at least six
626 complete ~~low-voltage~~ low voltage wiring jobs, three in alarm and three in
627 telecommunication systems, which shall demonstrate that the individual has successfully
628 performed ~~low-voltage~~ low voltage wiring in those areas for a period of at least one year
629 immediately prior to the time of application.

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

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

641 (e) No partnership, limited liability company, or corporation shall have the right to engage
642 in the business of ~~low-voltage~~ low voltage contracting unless there is regularly connected
643 with such partnership, limited liability company, or corporation a person or persons,
644 actually actively engaged in the performance of such business on a full-time basis and
645 supervising the ~~low-voltage~~ low voltage systems installation, repair, alteration, and service

646 work of all employees of such partnership, limited liability company, or corporation, who
647 have valid licenses issued to them as provided in this chapter; provided, however, that
648 partners, officers, and employees of any individual who fulfilled the licensing requirements
649 shall continue to be authorized to engage in the business of low voltage contracting under
650 a license which was valid at the time of the licensee's death for a period of 90 days from
651 the date of such death. The division may, at its discretion, upon application by the low
652 voltage contractor showing good cause, grant one additional 90 day grace period.

653 (f) Partnerships, limited liability companies, or corporations having ~~In cases where a~~
654 ~~partnership, limited liability company, or corporation has more than one office location~~
655 ~~from which low-voltage low voltage contracting is performed; shall have~~ at least one
656 person stationed in each branch office of such partnership, limited liability company, or
657 corporation; who is engaged in the performance of low-voltage low voltage contracting on
658 a full-time basis and; who is supervising the low-voltage low voltage wiring systems
659 installation, repair, alteration, and service work of all employees of such branch office
660 locations; shall have; and who has a valid license issued as provided in this Code section.

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

666 ~~(g) All applicants for examinations and licenses provided for by this Code section and all~~
667 ~~applicants for renewal of licenses under this Code section shall be required to fill out a~~
668 ~~form which shall be provided by the division, which form shall show whether or not the~~
669 ~~applicant is an individual, partnership, limited liability company, or corporation and, if a~~
670 ~~partnership, limited liability company, or corporation, the names and addresses of the~~
671 ~~partners or members or the names and addresses of the officers, when and where formed~~
672 ~~or incorporated, and such other information as the division in its discretion may require.~~

673 ~~All forms of application for renewal of licenses shall also show whether or not the~~
 674 ~~applicant, if it is a partnership, limited liability company, or corporation, still has connected~~
 675 ~~with it a duly qualified person holding a license issued by the division.~~

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

681 ~~43-14-8.2~~ 43-14-10.

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

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

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

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

692 (2) If ~~In~~ ~~cases where~~ a sole proprietorship, partnership, or corporation has more than one
 693 permanent office, then each permanent office shall be registered with the division and at
 694 least one person who holds a valid utility manager certificate issued under this chapter
 695 shall be stationed in each office on a full-time basis and shall oversee the utility
 696 contracting work of all employees of that office.

697 ~~(2)(3)~~ The requirements of this Code section shall not prevent any person holding a valid
 698 license issued by the State Construction Industry Licensing Board, or any division

699 thereof, pursuant to this chapter, from performing any work defined in the Code section
700 or sections under which the license held by said person was issued.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

738 ~~43-14-8.3~~ 43-14-11.

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

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

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

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

754 ~~43-14-8.4~~ 43-14-12.

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

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

771 (c) ~~After June 30, 1994, no~~ No utility system shall be constructed, erected, altered, or
772 repaired unless a certified utility manager or certified utility foreman who holds a current
773 certification is present at the job site of such construction, erection, alteration, or repair of
774 the utility system.

775 ~~43-14-9~~ 43-14-13.

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

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

786 ~~43-14-10~~ 43-14-14.

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

789 ~~43-14-11~~ 43-14-15.

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

799 ~~43-14-12~~ 43-14-16.

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

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

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

826 or municipal corporation wherein the work is performed. Action on such bond may be
 827 brought against the principal and surety thereon in the name of and for the benefit of any
 828 person who suffers damages as a consequence of said licensee's work not conforming to
 829 the requirements of any ordinances or building and construction codes; provided,
 830 however, that the aggregate liability of the surety to all persons so damaged shall in no
 831 event exceed the sum of such bond.

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

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

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

841 ~~43-14-12.1~~ 43-14-17.

842 (a) If a person is in violation of paragraph (1) or (2) of subsection (c) of Code Section
 843 43-14-8, it shall not be necessary for an investigator to observe or witness the unlicensed
 844 person engaged illegally in the process of work or to show work in progress or work
 845 completed in order to prove the unlawful practice of conditioned air contracting, plumbing
 846 contracting, or electrical contracting by an unlicensed person.

847 (b) It shall be prima-facie evidence of a violation of this chapter if any person not licensed
 848 as a conditioned air contractor, plumbing contractor, or electrical contractor advertises that
 849 such person is in the business or profession of a conditioned air contractor, plumbing
 850 contractor, or electrical contractor or advertises in a manner such that the general public
 851 would believe that such person is a licensed conditioned air contractor or in the business

852 or profession of a conditioned air contractor, is a licensed plumbing contractor in the
853 business or profession of a plumbing contractor, or is a licensed electrical contractor in the
854 business or profession of an electrical contractor. Advertising under this subsection
855 includes, but is not limited to, newspaper, internet, social media and digital applications,
856 television, radio, telephone directory listings, mailings, business cards, or ~~sign at~~ signage
857 at a place of business or attached to a vehicle.

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

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

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

871 ~~43-14-12.2~~ 43-14-18.

872 (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,
873 43-14-11, or 43-14-12, it shall not be necessary for an investigator to observe or witness
874 the unlicensed person engaged illegally in the process of work or to show work in progress
875 or work completed in order to prove the unlawful practice of utility contracting by an
876 unlicensed person.

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

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

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

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

900 ~~43-14-13~~ 43-14-19.

901 (a) This chapter shall apply to all installations, alterations, and repairs of plumbing,
902 air-conditioning and heating, or electrical or ~~low-voltage~~ low voltage wiring or utility

903 systems within or on public or private buildings, structures, or premises except as otherwise
904 provided in this Code section.

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

911 (c) This chapter shall not apply to:

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

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

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

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

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

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

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

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

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

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

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

944 (d) This chapter shall not prohibit:

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

952 ~~(e)~~(2) An ~~This chapter shall not prohibit~~ an individual employed on the maintenance staff
 953 of a facility owned by the state or by a county, municipality, or other political subdivision
 954 from installing, altering, or repairing plumbing, plumbing fixtures, air-conditioning and
 955 heating fixtures, utility systems, or electrical or ~~low-voltage~~ low voltage wiring services
 956 when such work is an integral part of the maintenance requirements of the facility;

957 provided, however, that all such work must be done in conformity with all other
958 provisions of this chapter and the orders, rules, and regulations of the board;:

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

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

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

978 ~~(g) This chapter shall not apply to low-voltage wiring performed by public utilities, except~~
979 ~~that such portion of the business of those public utilities which involves the installation,~~
980 ~~alteration, repair, or service of telecommunication systems for profit shall be covered under~~
981 ~~this chapter.~~

982 ~~(h) This chapter shall not apply to the installation, construction, or maintenance of power~~
983 ~~systems or telecommunication systems for the generation or distribution of electric current~~

984 ~~constructed under the National Electrical Safety Code, which regulates the safety~~
 985 ~~requirements of utilities; but the interior wiring regulated by the National Electrical Safety~~
 986 ~~Code would not be exempt and must be done by an electrical contractor except as~~
 987 ~~otherwise provided by law.~~

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

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

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

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

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

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

1000 ~~(h)(e)~~ Any person qualified by the Department of Transportation to perform work for the
 1001 department shall not be required to be licensed under:

1002 ~~(1) Code Section 43-14-8.2 43-14-10 or certified under Code Sections 43-14-8.3~~
 1003 ~~43-14-11 and 43-14-8.4 43-14-12 in order to perform work for the department. Any~~
 1004 ~~person qualified by the Department of Transportation to perform work for the department~~
 1005 ~~shall not be required to be licensed under; or~~

1006 ~~(2) 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 a county, municipality,~~
 1008 ~~authority, or other political subdivision when such work is of the same nature as that for~~
 1009 ~~which the person is qualified when performing department work; provided, however, that~~

1010 such work is not performed on a utility system as defined in paragraph ~~(17)~~ (23) of Code
1011 Section 43-14-2 for which the person receives compensation.

1012 ~~(m) This chapter shall not prohibit any person from installing, altering, or repairing the~~
1013 ~~plumbing component of a lawn sprinkler system from a backflow preventer which was~~
1014 ~~installed by a licensed plumber; provided, however, that all such work must be done in~~
1015 ~~conformity with all other provisions of this chapter, the rules and regulations of the board,~~
1016 ~~and ordinances of the county or municipality.~~

1017 ~~(n)~~(f) Any person who contracts with a licensed conditioned air contractor:

1018 (1) As as part of a conditioned air contract to install, alter, or repair duct systems, control
1019 systems, or insulation is not required to hold a license from the Division of Conditioned
1020 Air Contractors. The conditioned air contractor must retain responsibility for completion
1021 of the contract, including any subcontracted work.;

1022 ~~(2) To~~ Any person who contracts with a licensed conditioned air contractor to perform
1023 a complete installation, alteration, or repair of a conditioned air system must hold a valid
1024 license from the Division of Conditioned Air Contractors; or

1025 (3) To Any person who contracts to perform for or on behalf of a conditioned air
1026 contractor to ~~install, alter, or repair electrical, low-voltage~~ the installation, alteration, or
1027 repair of the electrical, low voltage, or plumbing components of a conditioned air system
1028 must hold a valid license from the appropriate division of the board.

1029 ~~(o) This chapter shall not prohibit any propane dealer who is properly insured as required~~
1030 ~~by law and who holds a liquefied petroleum gas license issued by the Safety Fire~~
1031 ~~Commissioner from installing, repairing, or servicing a propane system or the gas piping~~
1032 ~~or components of such system; provided, however, that such propane dealers shall be~~
1033 ~~prohibited from performing the installation of conditioned air systems or forced air heating~~
1034 ~~systems unless licensed to do so under this chapter.~~

1035 ~~(p) This chapter shall not apply to any employee or authorized agent of a regulated gas~~
1036 ~~utility or municipal owned gas utility while in the course and scope of such employment.~~

1037 ~~(f)~~(g) Any utility contractor holding a valid utility contractor's license under this chapter
 1038 shall be authorized to bid for and perform work on any utility system in this state without
 1039 obtaining a license under Chapter 41 of this title. It shall be unlawful for the owner of a
 1040 utility system or anyone soliciting work to be performed on a utility system to refuse to
 1041 allow a utility contractor holding a valid utility contractor's license under this chapter to bid
 1042 for or perform work on a utility system on the basis that such contractor does not hold a
 1043 license under Chapter 41 of this title.

1044 ~~43-14-14~~ 43-14-20.

1045 Any person violating this chapter shall be guilty of a misdemeanor and, upon conviction
 1046 thereof, shall be fined not more than ~~\$1,000.00~~ \$3,000.00 or imprisoned for not more than
 1047 six months, or both.

1048 ~~43-14-15~~ 43-14-21.

1049 (a) As used in this Code section, the term:

1050 (1) 'Discharge' means an honorable discharge or a general discharge from active military
 1051 service. Such term shall not mean a discharge under other than honorable conditions, a
 1052 bad conduct discharge, or a dishonorable discharge.

1053 (2) 'Military' means the armed forces of the United States or a reserve component of the
 1054 armed forces of the United States, including the National Guard.

1055 (b) A committee composed of the division director, members of the Governor's Office of
 1056 Workforce Development, and members of the relevant divisions of the licensing board
 1057 representing the profession for which the applicant is seeking a license shall determine the
 1058 military specialties or certifications the training or experience for which substantially meets
 1059 or exceeds the requirements to obtain a license for Electrical Contractor Class I,
 1060 Journeyman Plumber, Conditioned Air Contractor Class I, or Utility Foreman. The
 1061 Governor shall designate a chairperson from among the members of the committee.

1062 (c) Any current or former member of the military may apply to the licensing board for the
1063 ~~immediate~~ expedited issuance of a license or certification based upon his or her having
1064 obtained a military specialty or certification, the training or experience for which
1065 substantially meets or exceeds the requirements to obtain a license or certification
1066 identified in subsection (b) of this Code section.

1067 (d) In order to qualify under this subsection, an applicant shall make application not later
1068 than two years after his or her discharge.-The licensing board, in its discretion, may by rule
1069 or regulation extend such two-year period for a license or certification, or class thereof, or
1070 may extend such two-year period for an individual applicant if certain circumstances,
1071 including, but not limited to, health, hospitalization, or other related emergencies or
1072 exigencies, prevented the member of the military from making an application.

1073 (e)-Such application shall be in such form and shall require such documentation as the
1074 division director shall determine.-If the applicant satisfies the requirements of this Code
1075 section, the division director shall direct the appropriate division to issue the appropriate
1076 license, and the division shall immediately issue such license; provided, however, that the
1077 applicant shall satisfy all financial and insurance requirements for the issuance of such
1078 license. This Code section shall only apply to the initial issuance of a license. After the
1079 initial issuance of a license, the licensee shall be subject to any provisions relating to the
1080 renewal of the license applicable to all licensees.

1081 43-14-22.

1082 The board may establish a process through rules and regulations for licenses issued under
1083 this chapter to be placed on inactive status and the qualifications necessary for such
1084 licenses to be returned to active status; provided, however, that engaging in any conduct
1085 that requires a license under this chapter while holding an inactive license shall be
1086 considered an unlicensed practice and shall be prohibited."

PART II**SECTION 2-1.**

1087

1088

1089 Title 8 of the Official Code of Georgia Annotated, relating to buildings and housing, is
1090 amended in:

1091 (1) Code Section 8-2-26, relating to enforcement of codes generally, employment and
1092 training of inspectors, and contracts for administration and enforcement of codes, in
1093 subparagraph (d)(2)(D), by replacing "paragraph (2) of subsection (b) of Code Section
1094 43-14-12" with "paragraph (2) of subsection (b) of Code Section 43-14-16".

1095 (2) Code Section 8-2-102, relating to inspections, in subsection (e), by replacing
1096 "43-14-8.1" with "43-14-9".

SECTION 2-2.

1097

1098 Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is
1099 amended in:

1100 (1) Code Section 10-5B-3, relating to rules to prohibit deceptive, fraudulent, or abusive
1101 telemarketing activities authorized, in subsection (a), by replacing "low-voltage" with "low
1102 voltage".

1103 (2) Code Section 10-5B-4, relating to required and prohibited telephone conduct and
1104 activities and liability, in subsection (a), by replacing "low-voltage" with "low voltage".

1105 (3) Code Section 10-5B-5, relating to applicability to persons subject to other provisions
1106 of the Code, in subsection (c), by replacing "low-voltage" with "low voltage".

1107 (4) Code Section 10-5B-7, relating to remedies, duties, prohibitions, and penalties not
1108 exclusive and construction with other provisions of the Code, in subsection (b), by
1109 replacing "low-voltage" with "low voltage".

SECTION 2-3.

1110
1111 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
1112 in Code Section 36-60-12.1, relating to fence detection systems, definition, and utilization,
1113 by revising paragraph (b)(1) as follows:

1114 "(1) Treat fence detection systems in all zoning and permitting matters exclusively as
1115 alarm systems as such term is defined in ~~paragraph (.1)~~ of Code Section 43-14-2; and"

SECTION 2-4.

1116
1117 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
1118 is amended in:

1119 (1) Code Section 43-41-2, relating to definitions relative to residential and commercial
1120 general contractors, in paragraph (3), by replacing "low-voltage" with "low voltage".

1121 (2) Code Section 43-41-17, relating to effective date of licensing and sanctioning
1122 provisions, unenforceable contracts, compliance with county or municipal requirements,
1123 exemption for DOT contractors, and other exceptions, in subsection (e), by replacing
1124 "low-voltage" with "low voltage".

SECTION 2-5.

1125
1126 Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public
1127 transportation, is amended in:

1128 (1) Code Section 46-3-30, relating to short title, by replacing "High-voltage" with "High
1129 Voltage".

1130 (2) Code Section 46-3-31, relating to purpose of part, by replacing "high-voltage" with
1131 "high voltage".

1132 (3) Code Section 46-3-32, relating to definitions, in paragraph (1), by replacing
1133 "High-voltage" with "High voltage" and in paragraphs (5) and (6), by replacing
1134 "high-voltage" with "high voltage".

- 1135 (4) Code Section 46-3-33, relating to required conditions for commencing work within ten
1136 feet of high-voltage line, in the introductory language and in paragraph (2), by replacing
1137 "high-voltage" with "high voltage".
- 1138 (5) Code Section 46-3-34, relating to utilities protection center, funding of activities,
1139 notice of work, delay, and responsibility for completing safety requirements, by replacing
1140 "high-voltage" with "high voltage" each time the term appears.
- 1141 (6) Code Section 46-3-35, relating to allocation of expense of precautionary measures
1142 taken pursuant to public highway construction, by replacing "high-voltage" with "high
1143 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
1146 "high 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 indemnification, 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 This Act shall become effective upon its approval by the Governor or upon its becoming law
1156 without such approval.

1157

SECTION 3-2.

1158 All laws and parts of laws in conflict with this Act are repealed.