

The Senate Committee on Regulated Industries and Utilities offered the following substitute to SB 553:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and
2 businesses, so as to repeal Chapter 14, relating to electrical contractors, plumbers,
3 conditioned air contractors, low voltage contractors, and utility contractors, and enact a new
4 Chapter 14; to provide for the State Construction Industry Licensing Board; to provide for
5 the Division of Electrical Contractors; to provide for the Division of Master Plumbers; to
6 provide for the Division of Conditioned Air Contractors; to provide for the Division of Low
7 Voltage Contractors; to provide for the Division of Utility Contractors; to provide for
8 membership, powers, and duties of each; to provide for licensure or certification within the
9 fields of plumbing, electrical, air conditioning, low voltage, and utility contracting; to
10 provide for application; to provide for requirements for licensure or certification; to provide
11 for recertification; to provide for continuing education; to provide for prohibitions; to provide
12 for exceptions; to provide for reciprocity; to provide for licensing or certification of current
13 or former members of the military; to provide for a misdemeanor; to provide for definitions;
14 to provide for legislative intent; to provide for conformity with federal law; to amend Code
15 Section 48-7-38 of the Official Code of Georgia Annotated, relating to deduction for
16 payments to classified subcontractors, disclosure of tax returns, and maintenance of list of
17 classified subcontractors, so as to provide for a definition; to provide for related matters; to
18 repeal conflicting laws; and for other purposes.

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

20 **SECTION 1.**

21 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
22 is amended by adding a new paragraph to subsection (d) of Code Section 43-1-34, relating
23 to licenses for transitioning members of the armed forces, to read as follows:

24 "(5) The provisions of this subsection shall be cumulative to those provided in 50 U.S.C.
25 Section 4025a, and nothing in this subsection shall be interpreted as limiting or imposing
26 additional obligations on portability pursuant to 50 U.S.C. Section 4025a."

27 **SECTION 2.**

28 Said title is further amended by repealing Chapter 14, relating to electrical contractors,
29 plumbers, conditioned air contractors, low voltage contractors, and utility contractors, and
30 enacting a new Chapter 14 to read as follows:

31 "CHAPTER 14

32 43-14-1.

33 This chapter is enacted for the purpose of safeguarding homeowners, other property
34 owners, tenants, and the general public against faulty, inadequate, inefficient, or unsafe
35 electrical, plumbing, low voltage wiring, utility contracting, or conditioned air installations.
36 The practices of electrical contracting, plumbing contracting, low voltage contracting,
37 utility contracting, and conditioned air contracting are declared to be businesses or
38 professions affecting the public interest; and this chapter shall be liberally construed so as
39 to accomplish the purposes stated in this Code section.

40 43-14-2.

41 As used in this chapter, the term:

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

45 Such term shall also include any alarm system communication system used or required
46 to transmit notice of a life safety or intrusion event to a local or remote monitoring
47 facility.

48 (2) 'Board' means the State Construction Industry Licensing Board.

49 (3) 'Conditioned air contracting' means the installation, repair, or service of conditioned
50 air systems or conditioned air equipment, which includes, but is not limited to, the service
51 to or installation of the electrical circuit from the electrical distribution panel to the
52 conditioned air equipment, provided that the electrical service to the building or site is
53 a single-phase electrical circuit not exceeding 200 amperes performed by conditioned air
54 contractors licensed under this chapter.

55 (4) 'Conditioned air contractor' means any person engaged in conditioned air contracting
56 under express or implied contract or that bids for, offers to perform, purports to have the
57 capacity to perform, or does perform conditioned air contracting services under express
58 or implied contract.

59 (5) 'Conditioned Air Contractor Class I' means any individual licensed under this chapter
60 to conduct business as a Residential and Light Commercial entity for air conditioning and
61 heat pump systems of 60,000 BTUs of cooling or less, and for gas heating systems of
62 175,000 BTUs or less. The scope of practice for a Conditioned Air Contractor Class I
63 shall include, but is not limited to, the business of permitting jobs, bidding on projects,
64 and performing maintenance, service, and repairs of equipment and components, as well
65 as installing new equipment and components, including ductwork, refrigerant lines, gas
66 pipng, controls, and accessories.

67 (6) 'Conditioned Air Contractor Class II' means any individual licensed under this
68 chapter to conduct business as a residential and commercial entity, without limitations
69 or restrictions on project size or equipment types, except for the installation of boilers,
70 which is licensed under the Office of the Commissioner of Insurance and Safety Fire.
71 The scope of practice for a Conditioned Air Contractor Class II shall include, but is not
72 limited to, the design, bidding, permitting, and the performance of maintenance, service,
73 and repairs of equipment and components, as well as the installation of new and
74 replacement systems, including split air conditioning and heat pump systems, package
75 units, variable refrigerant flow systems, chillers, ventilation systems, and all associated
76 components.

77 (7) 'Conditioned air equipment' means heating and air conditioning equipment covered
78 under state codes and the fuel gas piping system on the outlet side of the gas meter.

79 (8) 'Electrical contracting' means the installation, maintenance, alteration, or repair of
80 any electrical equipment, apparatus, control system, or electrical wiring device which is
81 attached to or incorporated into any building or structure in this state but shall not include
82 low voltage contracting.

83 (9) 'Electrical contractor' means any individual licensed under this chapter as Electrical
84 Contractor Class I or Electrical Contractor Class II by the Division of Electrical
85 Contractors, engaged in the business of electrical contracting under express or implied
86 contract or that bids for, offers to perform, purports to have the capacity to perform, or
87 does perform electrical contracting services under express or implied contract.

88 (10) 'Electrical Contractor Class I' means any individual licensed under this chapter by
89 the Division of Electrical Contractors to perform work as an electrical contractor on
90 residential multifamily structures of not more than two levels or single-family dwellings
91 of up to three levels, provided that structures shall have single-phase electrical
92 installations which do not exceed 400 amperes at the service drop or the service lateral.

93 (11) 'Electrical Contractor Class II' means any individual licensed under this chapter by
94 the Division of Electrical Contractors to perform work as an electrical contractor without
95 restriction, including, but not limited to, the installation of raceway systems, including
96 pull boxes, junction boxes, conduit bodies, service entrances, metering devices, cabinets,
97 switchboards, service risers, and fasteners, overcurrent protective devices, disconnecting
98 means, ground electrodes, main bonding jumpers, ground fault protectors, switches,
99 disconnects, and controls that supply lighting fixtures, appliances, electrical circuits,
100 controls for heating and air conditioning equipment, and other utilization and general use
101 equipment, according to installation requirements set by the state minimum standard
102 codes, the National Electrical Code, and any successor code.

103 (12) 'Executive director' means the executive director of the State Construction Industry
104 Licensing Board.

105 (13) 'Full-time experience' means working at least 2,000 hours in a calendar year in a
106 qualifying capacity, with each 2,000 hours of documented work equating to one year of
107 experience for purposes of licensure or qualifications requirements.

108 (14) 'General low voltage system' means any electrical system, other than an alarm or
109 telecommunications system, that involves low voltage wiring and consists of a group or
110 combination of interconnected components functioning together to perform a specific
111 purpose using low voltage power or signaling, including devices, wiring, control
112 equipment, software, and network connections operating as a single, integrated system.

113 (15) 'Journeyman plumber' means any individual licensed under this chapter by the
114 Division of Master Plumbers and Journeyman Plumbers who engages in the installation,
115 maintenance, alteration, or repair of piping, fixtures, and appliances, including water
116 heaters, and all appurtenances thereto, in connection with sanitary drainage systems,
117 storm drainage systems, venting systems, fuel gas piping systems on the outlet side of
118 tanks or gas meters, or public or private water supply systems, whether located within or
119 adjacent to any building, structure, conveyance, or manhole under the direction of a

120 plumbing contractor. A journeyman plumber shall have the ability to install or service
121 a single phase of the electrical connection between the electrical disconnect and water
122 heater, plumbing appliance or appurtenance, provided that the work performed adheres
123 to the state minimum standard plumbing code, and state minimum standard fuel gas code.

124 (16) 'License' means a valid license or certification issued by a division of the board,
125 which authorizes the named person to engage in the activity prescribed thereon.

126 (17) 'Low voltage contracting' means the installation, alteration, service, or repair of a
127 power limited or signal based system that utilizes low voltage wiring and components to
128 transmit information, control devices, or monitor conditions. Such term shall not include
129 electrical power distribution systems.

130 (18) 'Low voltage contractor' means any person licensed under this chapter by the
131 Division of Low Voltage Contractors who purports to have the capacity to perform, or
132 does perform low voltage contracting services under express or implied contract,
133 including the installation, alteration, servicing, or repair of integrated systems made up
134 of wiring, devices, software, and networked components that function together as a
135 complete solution.

136 (19) 'Low Voltage Contractor Class LV-A' means any individual licensed under this
137 chapter by the Division of Low Voltage Contractors to perform work restricted to alarm
138 systems and general low voltage systems.

139 (20) 'Low Voltage Contractor Class LV-G' means any individual licensed under this
140 chapter by the Division of Low Voltage Contractors to perform work restricted to general
141 low voltage systems.

142 (21) 'Low Voltage Contractor Class LV-T' means any individual licensed under this
143 chapter by the Division of Low Voltage Contractors to perform work restricted to
144 telecommunications systems and general low voltage systems.

145 (22) 'Low Voltage Contractor Class LV-U' means any individual licensed under this
146 chapter by the Division of Low Voltage Contractors to engage in low voltage contracting

147 without limitation as to specialty or system type, and who is authorized to design, install,
148 alter, service, repair, and maintain all low voltage systems, including general low voltage
149 systems, alarm and life-safety systems, and telecommunications systems for voice, data,
150 and network infrastructure, based on demonstrated competence across multiple low
151 voltage disciplines.

152 (23) 'Low voltage wiring' means wiring systems and associated control circuits which
153 include, but are not limited to:

154 (A) Wiring systems of 50 volts or less;

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

158 (C) Line voltage wiring having a voltage not in excess of 300 volts to ground and
159 installed from the load-side terminals of a suitable disconnecting means which has been
160 installed for the specific purpose of supplying the low voltage wiring system involved
161 or installed from a suitable junction box.

162 (24) 'Master Plumber Class I' means any individual licensed under this chapter by the
163 Division of Master Plumbers and Journeyman Plumbers, who is authorized to perform
164 plumbing work on residential single-family dwellings, townhomes, and multifamily
165 dwellings, including duplexes, hotels, motels, and apartment buildings, not exceeding
166 three stories in height, and on commercial buildings not exceeding 20,000 square feet in
167 total building area.

168 (25) 'Master Plumber Class II' means any individual licensed under this chapter by the
169 Division of Master Plumbers and Journeyman Plumbers, who is authorized to perform
170 work and contract for all scopes of plumbing work, without limitation, as defined in the
171 state minimum standard plumbing code and the state minimum standard fuel gas code.
172 Such work shall include, but is not limited to, plumbing work on commercial buildings

173 of any size; industrial facilities; institutional occupancies; multistory structures of any
174 occupancy classification; and specialized use facilities.

175 (26) 'Plumbing' means:

176 (A) The practice of installing, maintaining, altering, or repairing piping fixtures,
177 appliances, and appurtenances in connection with sanitary drainage or storm drainage
178 facilities, venting systems, medical gas piping systems, natural gas piping systems on
179 the outlet side of gas meters, or public or private water supply systems within or
180 adjacent to any building, structure, conveyance, or manhole; and

181 (B) The practice of and materials used in installing, maintaining, extending, or altering
182 the natural gas, storm-water, sewerage, and water supply systems of any premises to
183 their connection with any point of public disposal or other acceptable terminal.

184 (27) 'Plumbing contractor' means any person licensed under this chapter as a Master
185 Plumber Class I or Master Plumber Class II by the Division of Master Plumbers and
186 Journeyman Plumbers, who is engaged in the business of plumbing contracting, including
187 bidding for, offering to perform, purporting to have the capacity to perform, or
188 performing plumbing contracting services under an express or implied contract, and who
189 is responsible for obtaining required permits, ensuring compliance with applicable codes,
190 coordinating inspections, performing or correcting work as necessary, and securing final
191 approval of permitted work. Such term shall not include a licensed journeyman plumber.

192 (28) 'Telecommunications system' means a system of transmission facilities, conductors,
193 equipment, and associated apparatus used to convey voice, data, video, or other
194 information by electromagnetic means, whether wired or wireless, consistent with
195 telecommunications circuits and systems recognized under the state minimum standard
196 codes, including systems capable of local or remote monitoring, management, or
197 administration through secured access.

198 (29) 'Utility contracting' means undertaking to construct, erect, alter, or repair or have
199 constructed, erected, altered, or repaired any utility system.

200 (30) 'Utility contractor' means a sole proprietorship, partnership, or corporation licensed
201 under this chapter by the Division of Utility Contractors which is engaged in utility
202 contracting under express or implied contract or which bids for, offers to perform,
203 purports to have the capacity to perform, or does perform utility contracting under
204 express or implied contract.

205 (31) 'Utility foreman' means any individual certified under this chapter by the Division
206 of Utility Contractors who is employed by a licensed utility contractor to directly
207 supervise a project performing the construction, erection, alteration, or repair of utility
208 systems in the field.

209 (32) 'Utility manager' means any individual certified under this chapter by the Division
210 of Utility Contractors who is employed by a licensed utility contractor to oversee multiple
211 projects performing the construction, erection, alteration, or repair of utility systems.

212 (33) 'Utility system' means:

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

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

223 43-14-3.

224 (a) There is created within the executive branch of state government the State Construction
225 Industry Licensing Board. The board shall be assigned to the Secretary of State's office for

226 administrative purposes and shall be under the jurisdiction of the division director, in
227 accordance with Code Section 43-1-2.

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

229 (1) Five members known as the Division of Electrical Contractors, one of whom shall
230 be a professional engineer engaged in electrical practice, another of whom shall have
231 experience as an inspector with electrical inspection duties of a county or municipality
232 or a third-party inspector regularly providing inspections to a county or municipality, and
233 the remaining three of whom shall be licensed electrical contractors in this state;

234 (2) Five members known as the Division of Master Plumbers and Journeyman Plumbers,
235 one of whom shall have experience as an inspector with plumbing inspection duties of
236 a county or municipality or a third-party inspector regularly providing inspections to a
237 county or municipality, three of whom shall be master or contracting plumbers, and one
238 of whom shall be a journeyman plumber;

239 (3) Five members known as the Division of Conditioned Air Contractors, one of whom
240 shall be a licensed professional engineer engaged in mechanical practice, one of whom
241 shall have experience as an inspector with conditioned air inspection duties of a county
242 or municipality or a third-party inspector regularly providing inspections to a county or
243 municipality, and three of whom shall be conditioned air contractors with more than five
244 years of installation and service experience in the trade;

245 (4) Five members known as the Division of Low Voltage Contractors, one of whom shall
246 be a Low Voltage Contractor Class LV-A, one of whom shall be a Low Voltage
247 Contractor Class LV-U, one of whom shall be a Low Voltage Contractor Class LV-T, one
248 of whom shall be a professional electrical engineer, and one of whom shall have
249 experience as an inspector with electrical inspection duties of a county or municipality
250 or contracted by a county or municipality to perform electrical inspections;

251 (5) Five members known as the Division of Utility Contractors, three of whom shall be
252 utility contractors, one of whom shall be a registered professional engineer, and one of

253 whom shall be an insurance company representative engaged primarily in the bonding of
254 construction projects; and

255 (6) Two members who shall not have any connection with the utility contracting, low
256 voltage contracting, electrical contracting, plumbing, or conditioned air contracting
257 businesses whatsoever but who shall have a recognized interest in consumer affairs and
258 consumer protection concerns.

259 (c) All members shall be appointed by the Governor, subject to confirmation by the
260 Senate, for four-year terms. Each member shall serve until a successor has been duly
261 appointed and qualified. Members shall be eligible for reappointment. Vacancies
262 occurring prior to the expiration of a term, for whatever cause, shall be filled by
263 appointment of the Governor for the unexpired portion of the term. Any member who
264 ceases to meet the qualifications required for original appointment during the member's
265 term shall automatically forfeit membership on the board.

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

268 (e) The Governor may remove any member for failure to attend meetings, neglect of duty,
269 incompetence, revocation or suspension of professional trade license, or other dishonorable
270 conduct.

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

273 43-14-4.

274 (a) The board chairperson shall be rotated among the five divisions enumerated in Code
275 Section 43-14-3. In the instance of a vacancy by the board chairperson, the members of
276 the board shall select a current member to serve the former board chairperson's unexpired
277 term. The individual selected to fill the vacancy shall be a member of the same division
278 as the previous board chairperson.

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

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

284 (d) Any member elected division chairperson may serve more than one consecutive term
285 of office.

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

288 (f) Each division shall meet at the call of its division chairperson.

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

291 43-14-5.

292 The board shall have the power to:

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

297 (2) Provide by regulation for reciprocity with other states in the registration and licensing
298 of electrical contractors, master plumbers, journeyman plumbers, low voltage contractors,
299 utility contractors, or conditioned air contractors and in the certification of utility
300 contracting foremen, provided that such other states have requirements substantially
301 similar to the requirements in force in this state for registration, licensure, and
302 certification; provided, further, that a similar privilege is offered to residents of this state;

303 (3) Adopt an official seal for its use and modify such seal as the board deems necessary;

304 (4) Establish rules and regulations, consistent with this chapter, for the protection of the
305 health, safety, and welfare of the public and for regulating the licensing of electrical
306 contracting, plumbing contracting, low voltage contracting, utility contracting, and
307 conditioned air contracting professionals; and

308 (5) Upon notice and hearing authorized and conducted in accordance with Code Section
309 43-14-17 and any rules and regulations promulgated by the board, either by the board
310 directly or through a valid delegation of the board's enforcement power to a division
311 thereof, assess civil penalties in an amount up to \$10,000.00 per violation against any
312 person found to be in violation of any requirement of this chapter.

313 43-14-6.

314 (a) The Division of Electrical Contractors, with respect to applicants for a license to
315 engage in or licensees engaging in the business of electrical contracting; the Division of
316 Master Plumbers and Journeyman Plumbers, with respect to applicants for a license to
317 engage in or licensees engaging in the business of plumbing as a Master Plumber Class I,
318 Master Plumber Class II, or journeyman plumber; the Division of Low Voltage
319 Contractors, with respect to applicants for a license to engage in or licensees engaging in
320 the business of low voltage contracting; the Division of Utility Contractors, with respect
321 to applicants for a license to engage in or licensees engaging in the business of utility
322 contracting and with respect to applicants for a certificate to be a utility manager or utility
323 foreman or holders of a utility manager or utility foreman certificate; and the Division of
324 Conditioned Air Contractors, with respect to applicants for a license to engage in or
325 licensees engaging in the business of conditioned air contracting, shall:

326 (1) Assess and approve examination requirements for each class or type of license or
327 certificate issued under this chapter, as follows:

328 (A) The Division of Electrical Contractors shall approve separate examinations for
329 Electrical Contractor Class I and Electrical Contractor Class II;

330 (B) The Division of Master Plumbers and Journeyman Plumbers shall approve separate
331 examinations for Master Plumber Class I, Master Plumber Class II, and Journeyman
332 Plumbers;

333 (C) The Division of Conditioned Air Contractors shall approve separate examinations
334 for Conditioned Air Contractor Class I and Conditioned Air Contractor Class II; and

335 (D) The Division of Low Voltage Contractors shall approve separate examinations for
336 Low Voltage Contractor Class LV-A, Low Voltage Contractor Class LV-T, Low
337 Voltage Contractor Class LV-G, and Low Voltage Contractor Class LV-U;

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

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

341 (A) Electrical Contractor Class I;

342 (B) Electrical Contractor Class II;

343 (C) Master Plumber Class I;

344 (D) Master Plumber Class II;

345 (E) Journeyman Plumber;

346 (F) Conditioned Air Contractor Class I;

347 (G) Conditioned Air Contractor Class II;

348 (H) Low Voltage Contractor Class LV-A;

349 (I) Low Voltage Contractor Class LV-T;

350 (J) Low Voltage Contractor Class LV-G;

351 (K) Low Voltage Contractor Class LV-U;

352 (L) Utility Contractor;

353 (M) Utility Manager (certificate); and

354 (N) Utility Foreman (certificate);

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

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

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

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

366 (C) Engaging in any fraudulent, deceptive, or dishonest conduct in the practice of the
367 profession regulated under this chapter that is likely to deceive, defraud, or harm the
368 public, including knowingly making misleading, deceptive, untrue, or fraudulent
369 representations in the practice of the profession or on any document connected
370 therewith;

371 (D) Knowingly aiding, abetting, assisting, or permitting any unlicensed or noncertified
372 person or entity to engage in the practice of the profession regulated under this chapter,
373 including by lending, leasing, renting, assigning, or otherwise allowing the use of one's
374 license, or by combining or conspiring with such person or entity to evade the
375 provisions of this chapter;

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

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

380 (G) The performance of any faulty, inadequate, inefficient, or unsafe electrical
381 contracting, plumbing, low voltage contracting, utility contracting, or conditioned air
382 contracting likely to endanger life, health, or property. The performance of any work
383 that does not comply with the standards set by state codes or by local codes in

384 jurisdictions where such codes are adopted, provided that such local codes are as
385 stringent as the state codes, or by other codes or regulations which have been adopted
386 by the board, shall be prima-facie evidence of the faulty, inadequate, inefficient, or
387 unsafe character of such electrical, plumbing, low voltage contracting, utility
388 contracting, or conditioned air contracting; provided, however, that the board, in its sole
389 discretion, for good cause shown and under such conditions as it may prescribe, may
390 restore a license to any person whose license has been suspended or revoked;

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

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

398 (b) The divisions mentioned in subsection (a) of this Code section shall also hear appeals
399 resulting from the suspension of licenses by an approved municipal or county licensing or
400 inspection authority pursuant to Code Section 43-14-16.

401 43-14-7.

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

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

409 (c) In accordance with Code Section 43-1-2, the division director shall be authorized to
410 review each application for the issuance, renewal, or reinstatement of a license under this
411 chapter, and upon determining that an application satisfies all of the qualifications,
412 attainments, and other conditions required for the issuance, renewal, or reinstatement of a
413 particular license under this chapter and the rules and regulations promulgated pursuant to
414 this chapter, shall be authorized, on behalf of the board, to issue, renew, or reinstate the
415 license of the applicant.

416 43-14-8.

417 (a) As used in this Code section, the term 'division' means the Division of Electrical
418 Contractors.

419 (b)(1) No person shall engage in electrical contracting unless such person has a valid
420 license issued by the division.

421 (2) A person that is not licensed as an electrical contractor shall be prohibited from
422 advertising in any manner that such person is in the business or profession of electrical
423 contracting unless the work is performed by a licensed electrical contractor.

424 (c) The division shall certify all applicants for licensure under this Code section who
425 satisfy the requirements of this Code section.

426 (d) No partnership, limited liability company, or corporation shall have the right to engage
427 in the business of electrical contracting unless there is regularly connected with such
428 partnership, limited liability company, or corporation a person or persons actively engaged
429 in the performance of such business on a full-time basis who have valid licenses issued to
430 them as provided for in this chapter; provided, however, that partners, officers, and
431 employees of any individual who fulfilled the licensing requirements shall continue to be
432 authorized to engage in the business of electrical contracting under a license which was
433 valid at the time of the licensee's death for a period of 90 days from the date of such death.
434 The division may, at its discretion, grant one additional 90 day grace period for such

435 partners, officers, and employees. It shall be the duty of all partnerships, limited liability
436 companies, and corporations qualified under this chapter to notify the appropriate division
437 within seven days of the severance of connection with such partnership, limited liability
438 company, or corporation of any person or persons upon whom such qualification rested.

439 (e) Any individual seeking to obtain a license as an Electrical Contractor Class I under the
440 provisions of this chapter shall file a completed application with division on a form
441 prescribed by the division, pay the required fees established by the State Construction
442 Industry Licensing Board, and meet the following requirements:

443 (1) Successfully pass a board approved examination with a minimum score of 70;

444 (2) Meet eligibility requirements according to one of the following criteria:

445 (A) At least three years of full-time experience in the electrical field as would be
446 covered by the Georgia Electrical Code, the National Electrical Code, or any successor
447 code, which shall mean working experience gained through the direct installation of
448 electrical systems and directly related activities of a type covered by the National
449 Electrical Code or its successor code. To satisfy the experiential requirements for
450 licensure as an Electrical Contractor Class I under this criteria, an applicant shall
451 demonstrate successful completion of electrical projects encompassing not fewer than
452 five of the experience areas described in divisions (i) through (vii) of this subparagraph
453 and shall additionally demonstrate competency in the experience area described in
454 division (viii) of this subparagraph:

455 (i) Installation of raceway systems, including pull boxes, junction boxes, conduit
456 bodies, and the connections in the system and to cabinets, panelboards, switchboards,
457 and boxes;

458 (ii) Installation of conductors, including flexible cords, cables, splices, taps,
459 terminations, bonding jumpers, overcurrent protective devices, and metering devices,
460 in cabinets, panelboards, switchboards, boxes, and conduit, which meet all sizing,
461 ampacity, and voltage installation requirements;

462 (iii) Installation of service entrances, metering devices, cabinets, switchboards,
463 service risers and fasteners, overcurrent protective devices, disconnecting means,
464 ground electrodes, main bonding jumpers, and ground fault protectors, which meet
465 sizing, rating, clearances, and weatherproofing installation requirements;
466 (iv) Installation of motors and generators with feeders, branch circuits, overcurrent
467 protective devices, disconnect means, and controllers, which meet sizing, rating,
468 usage, and location requirements;
469 (v) Installation of switches, disconnects, and controls that supply lighting fixtures,
470 appliances, electrical circuits, controls for heating and air conditioning equipment,
471 and other utilization and general use equipment;
472 (vi) Installation of materials and equipment required for use in special occupancies
473 according to the state minimum standard codes;
474 (vii) Bonding of interior metal piping systems, installation of properly sized
475 equipment grounding conductors, grounding of exposed noncurrent carrying metal
476 parts of electrical equipment, and protection of grounding conductors from physical
477 damage; and
478 (viii) Determination of general lighting loads, minimum branch circuits, minimum
479 ampacity of conductors in feeder and branch circuits, maximum allowable conductor
480 fill for raceways, net loads, using specified or optional methods, rates or demand
481 factors, and derating factors given in the state minimum standard codes; and
482 (B) Completed a two-year academic diploma or certificate program in electrical
483 contracting offered by an accredited technical college, university, or other institution
484 recognized by the division, and has completed two years of full-time experience, which
485 experience shall meet the definition of qualifying experience set forth in
486 subparagraph (A) of this paragraph and shall consist of work of a type covered by the
487 state minimum standard codes, or has successfully completed an electrical

488 apprenticeship program accredited or approved by the United States Department of
489 Labor;

490 (3) Submit a signed affidavit attesting to the applicant's completion of the experiential
491 requirements set forth in this subsection. Such affidavit shall be executed by the
492 supervising licensed contractor or, in the alternative, by a licensed architect, professional
493 engineer, or electrical engineer, and shall be made under oath. Where the applicant's
494 qualifying full-time experience was obtained under the supervision of more than one such
495 individual, a separate affidavit shall be submitted from each individual for the period of
496 experience supervised; and

497 (4) Submit at least one secure and verifiable document, as defined in Code Section
498 50-36-2, establishing the applicant's identity, an affidavit verifying lawful presence in the
499 United States pursuant to Code Section 50-36-1, and any required immigration
500 documentation for noncitizen applicants.

501 (f) Any individual seeking to obtain a license as an Electrical Contractor Class II under the
502 provisions of this chapter shall file a completed application with the division on a form
503 prescribed by the division, shall pay the required fees established by the State Construction
504 Industry Licensing Board, and shall meet the following requirements:

505 (1) Successfully pass a board approved examination with a minimum score of 70;

506 (2) Meet one of the following criteria:

507 (A) At least four years of full-time experience in the electrical field as would be
508 covered by the Georgia Electrical Code, the National Electrical Code, or any successor
509 code of which not less than two years shall have been in the installation, alteration, or
510 repair of three-phase electrical systems, including the following:

511 (i) Work involving electrical installations exceeding single-phase, 200 amperes, as
512 governed by the National Electrical Code or its successor code;

- 513 (ii) Installation of raceway systems, including pull boxes, junction boxes, conduit
514 bodies, and the connections in the system and to cabinets, panelboards, switchboards,
515 and boxes;
- 516 (iii) Installation of conductors, including flexible cords, cables, splices, taps,
517 terminations, bonding jumpers, overcurrent protective devices, and metering devices,
518 in cabinets, panelboards, switchboards, boxes, and conduit, which meet all sizing,
519 ampacity, and voltage installation requirements;
- 520 (iv) Installation of service entrances, metering devices, cabinets, switchboards,
521 service risers and fasteners, overcurrent protective devices, disconnecting means,
522 ground electrodes, main bonding jumpers, and ground fault protectors which meet all
523 sizing, rating, clearances, and weatherproofing installation requirements;
- 524 (v) Installation of motors and generators with feeders, branch circuits, overcurrent
525 protective devices, disconnect means, and controllers, which meet all sizing, rating,
526 usage, and location requirements;
- 527 (vi) Installation of switches, disconnects, and controls that supply lighting fixtures,
528 appliances, electrical circuits, controls for heating and air conditioning equipment,
529 and other utilization and general use equipment;
- 530 (vii) Installation of materials and equipment required for use in special occupancies
531 according to use and code installation requirements, as defined by the National
532 Electrical Code or its successor code;
- 533 (viii) Bonding of interior metal piping systems, installation of properly sized
534 equipment grounding conductors, grounding of exposed noncurrent carrying metal
535 parts of electrical equipment, and protection of grounding conductors from physical
536 damage; and
- 537 (ix) Determination of general lighting loads, minimum branch circuits, minimum
538 ampacity of conductors in feeder and branch circuits, maximum allowable conductor

539 fill for raceways, net loads, using specified or optional methods, rates or demand
540 factors, and derating factors given in the state minimum standard codes;

541 (B) Completed a two-year academic diploma or certificate program in electrical
542 contracting offered by an accredited technical college, university, or other institution
543 recognized by the division, and has completed four years of full-time experience, of
544 which not less than two years shall have been in the installation, alteration, or repair of
545 three-phase electrical systems which experience shall meet the definition of qualifying
546 experience set forth in subparagraph (A) of this paragraph and shall consist of work of
547 a type covered by the Georgia Electrical Code, the National Electrical Code, or any
548 successor code; or

549 (C) Completed an electrical apprenticeship program accredited or approved by the
550 United States Department of Labor and has completed two years of full-time experience
551 in the installation, alteration, or repair of three-phase electrical systems which
552 experience shall meet the definition of qualifying experience set forth in paragraph (2)
553 of this subsection and shall consist of work of a type covered by the Georgia Electrical
554 Code, the National Electrical Code, or any successor code;

555 (3) Submit a signed affidavit attesting to the applicant's completion of the experiential
556 requirements set forth in this subsection. Such affidavit shall be executed by the
557 supervising licensed contractor or, in the alternative, by a licensed architect, professional
558 engineer, or electrical engineer, and shall be made under oath. Where the applicant's
559 qualifying full-time experience was obtained under the supervision of more than one such
560 individual, a separate affidavit shall be submitted from each individual for the period of
561 experience supervised; and

562 (4) Submit at least one secure and verifiable document, as defined in Code Section
563 50-36-2, establishing the applicant's identity, an affidavit verifying lawful presence in the
564 United States pursuant to Code Section 50-36-1, and any required immigration
565 documentation for noncitizen applicants.

566 (g) An application for a license under this Code section shall constitute express consent
567 and authorization for the Secretary of State or his or her representative to perform a
568 criminal background check. Each applicant who submits an application to the Secretary
569 of State for licensure agrees to provide the Secretary of State with any and all information
570 necessary to run a criminal background check, including, but not limited to, classifiable
571 sets of fingerprints. The applicant shall be responsible for all fees associated with the
572 performance of such background check.

573 (h) The decision of the division regarding the qualifications of licensure shall, in the
574 absence of fraud, be conclusive. All individuals, individuals serving as partners in
575 partnerships, applicants for limited liability companies, or applicants for corporations
576 desiring to engage in electrical contracting shall be licensed under this Code section before
577 engaging in such vocation and business, including at the local level.

578 (i) Any person or entity violating this Code section shall be subject to discipline and
579 penalties as provided in this chapter, including, but not limited to, license denial,
580 suspension, revocation, administrative fines, injunction, or any other lawful enforcement
581 action authorized by the division.

582 43-14-9.

583 (a) As used in this Code section, the term 'division' means the Division of Low Voltage
584 Contractors.

585 (b) No person shall engage in alarm system, general low voltage system, or
586 telecommunications system low voltage contracting unless such person has a valid license
587 issued by the division.

588 (c) No individual, partnership, limited liability company, or corporation shall advertise,
589 offer, bid, contract, or perform, for compensation, Low Voltage General (LV-G), Low
590 Voltage Telecommunications (LV-T), Low Voltage Alarm (LV-A), or Low Voltage

591 Unrestricted (LV-U) work in this state unless such individual or entity holds a valid low
592 voltage contractor license issued by the division in the applicable classification.

593 (d) No partnership, limited liability company, or corporation shall have the right to engage
594 in the business of low voltage contracting unless there is regularly connected with such
595 partnership, limited liability company, or corporation a person or persons, actively engaged
596 in the performance of such business on a full-time basis and supervising the low voltage
597 systems installation, repair, alteration, and service work of all employees of such
598 partnership, limited liability company, or corporation, who have valid licenses issued to
599 them as provided in this chapter; provided, however, that partners, officers, and employees
600 of any individual who fulfilled the licensing requirements shall continue to be authorized
601 to engage in the business of low voltage contracting under a license which was valid at the
602 time of the licensee's death for a period of 90 days from the date of such death. The
603 division may, at its discretion, upon application by the low voltage contractor showing
604 good cause, grant one additional 90 day grace period.

605 (e) The division shall certify all applicants for licensure under this Code section who
606 satisfy the requirements of this Code section.

607 (f) It shall be the duty of all partnerships, limited liability companies, and corporations
608 qualified under this chapter to notify the appropriate division within seven days of the
609 severance of connection with such partnership, limited liability company, or corporation
610 of any person or persons upon whom such qualification rested.

611 (g) Partnerships, limited liability companies, or corporations having more than one office
612 location from which low voltage contracting is performed shall have at least one person
613 stationed in each branch office of such partnership, limited liability company, or
614 corporation who is engaged in the performance of low voltage contracting on a full-time
615 basis; who is supervising the low voltage wiring systems installation, repair, alteration, and
616 service work of all employees of such branch office locations; and who has a valid license
617 issued as provided in this Code section.

618 (h) Any individual seeking to obtain a state-wide Low Voltage Contractor Class LV-G
619 license under the provisions of this chapter shall file a completed application with the
620 division on a form prescribed by the division, pay the required fees established by the State
621 Construction Industry Licensing Board, and meet the following requirements:

622 (1) Successfully pass a board approved examination with a minimum score of 70;

623 (2) Have completed at least one year of full-time experience performing low voltage
624 wiring in telecommunications under the direct supervision of a licensed Low Voltage
625 Unrestricted Contractor or another state equivalent contractor, which experience shall
626 have been obtained within six years immediately preceding the date of application, and
627 which shall include:

628 (A) The installation, alteration, service, or repair of power limited low voltage
629 electrical systems, including, but not limited to, intercom, public address, and sound
630 systems, residential and commercial low voltage audio systems, low voltage lighting
631 systems, including associated controls, transformers, and power supplies, and other
632 general power limited low voltage wiring systems that do not constitute alarm or
633 telecommunications systems; or

634 (B) Completion of coursework in electronics or low voltage systems through an
635 accredited technical college, university, or certificate program shall be credited toward
636 the experience requirement for low voltage general (LV-G), based on the actual
637 instructional time completed, up to a maximum of six months;

638 (3) Submit a signed affidavit from the supervising low voltage unrestricted contractor(s),
639 attesting to the applicant's completion of the experiential requirements set forth in this
640 subsection; and

641 (4) Submit at least one secure and verifiable document, as defined in Code Section
642 50-36-2, establishing the applicant's identity, an affidavit verifying lawful presence in the
643 United States pursuant to Code Section 50-36-1, and any required immigration
644 documentation for noncitizen applicants.

645 (i) Any individual seeking to obtain a state-wide Low Voltage Contractor Class LV-T
646 license under the provisions of this chapter shall file a completed application with the
647 division on a form prescribed by the division, pay the required fees established by the State
648 Construction Industry Licensing Board, and meet the following requirements:

649 (1) Successfully pass a board approved examination with a minimum score of 70;

650 (2) Have completed a minimum of three years of full-time experience performing low
651 voltage wiring under the direct supervision of a licensed Low Voltage Unrestricted
652 Contractor or another state equivalent contractor, which experience shall have been
653 obtained within six years immediately preceding the date of application and includes:

654 (A) At least one year of full-time experience performing low voltage wiring in general
655 low voltage systems. Qualifying experience under this subsection shall include the
656 installation, alteration, service, or repair of power limited low voltage electrical
657 systems, including, but not limited to:

658 (i) Intercom, public address, and sound systems;

659 (ii) Residential and commercial low voltage audio systems;

660 (iii) Low voltage lighting systems, including associated controls, transformers, and
661 power supplies; and

662 (iv) Other general power limited low voltage wiring systems that do not constitute
663 alarm or telecommunications systems; or

664 (B) At least two years of full-time experience performing low voltage wiring in
665 telecommunications. Qualifying experience under this subsection may include work
666 involving installation, configuration, testing, administration, management, maintenance,
667 or repair of low voltage telecommunications systems, including, but not limited to, the
668 following:

669 (i) Telecommunications and communications systems, including voice and data
670 systems such as plain old telephone service, Voice over Internet Protocol,

671 telecommunications equipment connections, terminations, cross-connects, patching,
672 and related infrastructure;
673 (ii) Audio, video, and security systems, including residential and commercial audio
674 and video systems, video surveillance systems, intercom systems, public address
675 systems, access control systems, and power over ethernet based systems;
676 (iii) Networked and wireless systems, including residential and commercial Wi-Fi
677 systems, local area or home area network based systems, internet protocol networking
678 equipment such as routers, switches, hubs, and related devices, and distributed
679 antenna systems for voice and data communications; and
680 (iv) Fiber optic, commercial wireless, and other communications systems, including
681 fiber optic system installation, termination, testing, and management; commercial
682 wireless systems such as cellular and private communications systems, and
683 proprietary, specialized, or otherwise unregulated communications systems within the
684 scope of low voltage work; or
685 (C) Completion of coursework in electronics or low voltage systems through an
686 accredited technical college, university, or certificate program shall be credited toward
687 the experience requirement for low voltage general (LV-G), based on the actual
688 instructional time completed, up to a maximum of six months;
689 (3) Submit a signed affidavit from the supervising low voltage unrestricted contractor(s),
690 attesting to the applicant's completion of the experiential requirements set forth in this
691 subsection; and
692 (4) Submit at least one secure and verifiable document, as defined in Code Section
693 50-36-2, establishing the applicant's identity, an affidavit verifying lawful presence in the
694 United States pursuant to Code Section 50-36-1, and any required immigration
695 documentation for noncitizen applicants.
696 (j) Any individual seeking to obtain a state-wide Low Voltage Contractor Class LV-A
697 license under the provisions of this chapter shall file a completed application with the

698 division on a form prescribed by the division, shall pay the required fees established by the
699 State Construction Industry Licensing Board, and shall meet the following requirements:

700 (1) Successfully pass a board approved examination with a minimum score of 70;

701 (2) Have completed a minimum of three years of full-time experience performing low
702 voltage wiring under the direct supervision of a licensed Low Voltage Unrestricted
703 Contractor or another state equivalent contractor, which experience shall have been
704 obtained within six years immediately preceding the date of application and includes:

705 (A) At least one year of full-time experience performing low voltage wiring in general
706 systems. Qualifying experience under this subsection shall include the installation,
707 alteration, service, or repair of power limited low voltage electrical systems, including,
708 but not limited to:

709 (i) Intercom, public address, and sound systems;

710 (ii) Residential and commercial low voltage audio systems;

711 (iii) Low voltage lighting systems, including associated controls, transformers, and
712 power supplies; and

713 (iv) Other general power limited low voltage wiring systems that do not constitute
714 alarm or telecommunications systems;

715 (B) At least two years of full-time experience performing low voltage wiring in alarm
716 systems. Qualifying experience under this paragraph shall include work involving the
717 installation, configuration, testing, administration, management, maintenance, or repair
718 of the following alarm systems and related technologies:

719 (i) Life safety alarm systems, including any alarm system designed, intended, or
720 configured to transmit life safety related alarm events to a central monitoring station
721 or other supervising entity;

722 (ii) Alarm system communication pathways, including the utilization of approved and
723 recognized transmission methods such as analog telephone lines, cellular networks,

724 internet based protocols, Voice over Internet Protocol, or other comparable
725 communication technologies; and
726 (iii) Alarm system planning and lifecycle activities, including the planning, design,
727 engineering, installation, programming, testing, inspection, servicing, repair, and
728 ongoing maintenance of proprietary or open-source alarm systems; and
729 (C) Completion of coursework in electronics or low voltage systems through an
730 accredited technical college, university, or certificate program shall be credited toward
731 the experience requirement for low voltage general (LV-G), based on the actual
732 instructional time completed, up to a maximum of six months;
733 (3) Submit a signed affidavit from the supervising low voltage unrestricted contractor,
734 attesting to the applicant's completion of the experiential requirements set forth in this
735 subsection; and
736 (4) Submit at least one secure and verifiable document, as defined in Code Section
737 50-36-2, establishing the applicant's identity, an affidavit verifying lawful presence in the
738 United States pursuant to Code Section 50-36-1, and any required immigration
739 documentation for noncitizen applicants.
740 (k) Any individual seeking to obtain a state-wide Low Voltage Contractor Class LV-U
741 license under the provisions of this chapter shall file a completed application with the
742 division on a form prescribed by the division, shall pay the required fees established by the
743 State Construction Industry Licensing Board, and shall meet the following requirements:
744 (1) Successfully pass a board approved examination with a minimum score of 70;
745 (2) Have completed a minimum of four years of full-time experience performing low
746 voltage wiring under the direct supervision of a licensed Low Voltage Unrestricted
747 Contractor or another state equivalent contractor, which experience shall have been
748 obtained within six years immediately preceding the date of application, and also
749 includes:

750 (A) At least one year of full-time experience performing low voltage wiring in general
751 systems. Qualifying experience under this subsection shall include the installation,
752 alteration, service, or repair of power limited low voltage electrical systems, including,
753 but not limited to:

- 754 (i) Intercom, public address, and sound systems;
755 (ii) Residential and commercial low voltage audio systems;
756 (iii) Low voltage lighting systems, including associated controls, transformers, and
757 power supplies; and
758 (iv) Other general power limited low voltage wiring systems that do not constitute
759 alarm or telecommunications systems;

760 (B) At least one year of full-time experience performing low voltage wiring in
761 telecommunications. Qualifying experience under this paragraph shall include work
762 involving installation, configuration, testing, administration, management, maintenance,
763 or repair of low voltage telecommunications systems, including, but not limited to, the
764 following:

- 765 (i) Telecommunications and communications systems, including voice and data
766 systems such as plain old telephone service, Voice over Internet Protocol,
767 telecommunications equipment connections, terminations, cross-connects, patching,
768 and related infrastructure;
769 (ii) Audio, video, and security systems, including residential and commercial audio
770 and video systems, video surveillance systems, intercom systems, public address
771 systems, access control systems, and Power over Ethernet based systems;
772 (iii) Networked and wireless systems, including residential and commercial Wi-Fi
773 systems, local area or home area network based systems, Internet Protocol
774 networking equipment such as routers, switches, hubs, and related devices, and
775 distributed antenna systems for voice and data communications; and

776 (iv) Fiber optic, commercial wireless, and other communications systems, including
777 fiber optic system installation, termination, testing, and management; commercial
778 wireless systems such as cellular and private communications systems; and
779 proprietary, specialized, or otherwise unregulated communications systems within the
780 scope of low voltage work;

781 (C) At least two years of full-time experience performing low voltage wiring in alarm
782 systems. Qualifying experience under this paragraph shall include work involving the
783 installation, configuration, testing, administration, management, maintenance, or repair
784 of the following alarm systems and related technologies:

785 (i) Life safety alarm systems, including any alarm system designed, intended, or
786 configured to transmit life safety related alarm events to a central monitoring station
787 or other supervising entity;

788 (ii) Alarm system communication pathways, including the utilization of approved and
789 recognized transmission methods such as analog telephone lines, cellular networks,
790 internet based protocols, Voice over Internet Protocol, or other comparable
791 communication technologies; and

792 (iii) Alarm system planning and lifecycle activities, including the planning, design,
793 engineering, installation, programming, testing, inspection, servicing, repair, and
794 ongoing maintenance of proprietary or open-source alarm systems; and

795 (D) Completion of coursework in electronics or low voltage systems through an
796 accredited technical college, university, or certificate program shall be credited toward
797 the experience requirement for low voltage general (LV-G), based on the actual
798 instructional time completed, up to a maximum of six months;

799 (3) Submit a signed affidavit from the supervising low voltage unrestricted contractor,
800 attesting to the applicant's completion of the experiential requirements set forth in this
801 paragraph; and

802 (4) Submit at least one secure and verifiable document, as defined in Code Section
803 50-36-2, establishing the applicant's identity, an affidavit verifying lawful presence in the
804 United States pursuant to Code Section 50-36-1, and any required immigration
805 documentation for noncitizen applicants.

806 (l) An application for a license under this Code section shall constitute express consent and
807 authorization for the Secretary of State or his or her representative to perform a criminal
808 background check. Each applicant who submits an application to the Secretary of State for
809 licensure agrees to provide the Secretary of State with any and all information necessary
810 to run a criminal background check, including, but not limited to, classifiable sets of
811 fingerprints. The applicant shall be responsible for all fees associated with the performance
812 of such background check.

813 (m) The decision of the division regarding the qualifications of licensure shall, in the
814 absence of fraud, be conclusive. All individuals, individuals serving as partners in
815 partnerships, applicants for limited liability companies, or applicants for corporations
816 desiring to engage in the vocation of low voltage contracting shall be licensed under this
817 Code section before engaging in such vocation.

818 (n) Any person or entity violating this Code section shall be subject to discipline and
819 penalties as provided in this chapter, including, but not limited to, license denial,
820 suspension, revocation, administrative fines, injunction, or any other lawful enforcement
821 action authorized by the division.

822 43-14-10.

823 (a) As used in this Code section, the term 'division' means the Division of Utility
824 Contractors.

825 (b)(1) No person shall engage in utility contracting unless such person has a valid license
826 issued by the division.

827 (2) A person that is not licensed as a utility contractor shall be prohibited from
828 advertising in any manner that such person is in the business or profession of utility
829 contracting unless the work is performed by a licensed electrical contractor.

830 (c) The division shall certify all applicants for licensure under this Code section who
831 satisfy the requirements in this Code section.

832 (d) Any utility contractor holding a valid utility contractor's license under this chapter shall
833 be authorized to bid for and perform work on any utility system in this state without
834 obtaining a license under Chapter 41 of this title. It shall be unlawful for the owner of a
835 utility system or anyone soliciting work to be performed on a utility system to refuse to
836 allow a utility contractor holding a valid utility contractor's license under this chapter to bid
837 for or perform work on a utility system on the basis that such contractor does not hold a
838 license under Chapter 41 of this title.

839 (e) Any company which holds a valid utility contractor's license shall be qualified to
840 construct, alter, or repair any plumbing system which extends from the property line up to
841 but not within five feet of any building, structure, or conveyance, regardless of the cost or
842 depth of any such plumbing system; provided, however, that only persons who hold a valid
843 license to engage in plumbing under this chapter shall be qualified to construct, alter, or
844 repair any plumbing system within five feet of any building, structure, or conveyance.

845 (f)(1) No sole proprietorship, partnership, or corporation shall have the right to engage
846 in the business of utility contracting unless:

847 (A) Such business holds a utility contractor license; and

848 (B) There is regularly connected with such business a person or persons who hold a
849 valid utility manager certificate issued under this chapter, and such utility manager must
850 be actively engaged in the performance of such business on a full-time basis and must
851 oversee the utility contracting work of all employees of the business.

852 (2) If a sole proprietorship, partnership, or corporation has more than one permanent
853 office, then each permanent office shall be registered with the division and at least one

854 person who holds a valid utility manager certificate issued under this chapter shall be
855 stationed in each office on a full-time basis and shall oversee the utility contracting work
856 of all employees of that office.

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

861 (g) Any corporation, partnership, or sole proprietorship desiring to qualify for and be
862 issued a utility contractor license under the provisions of this Code section shall file an
863 application with the division on a form prescribed by the division, pay the application fee
864 established by the State Construction Industry Licensing Board, and meet the following
865 requirements:

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

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

868 (B) The place and date such partnership was formed, or such corporation was
869 incorporated;

870 (C) The address of each permanent office location of the business registered with the
871 division, defined under this article as a place of business where utility contracting is
872 undertaken from in terms of bid or proposed acquisition, procurement, utility
873 construction, is not a temporary structure, has permanent utilities installed, and has been
874 in service for a period of more than three years;

875 (D) The name and certification number of the qualifying utility manager holding a
876 current utility manager certificate issued under this chapter who is employed at each
877 permanent office location of the business from which utility contracting is performed;
878 and

879 (E) If the applicant operates more than one permanent office location, the name of the
880 qualifying utility manager holding a current utility manager certificate issued under this

881 chapter who is employed on a full-time basis at each permanent office location of the
882 business from which utility contracting is performed; and
883 (2) Submit a written safety policy that meets the minimum standards established by the
884 board and the United States Department of Labor Occupational Safety and Health
885 Administration.

886 (h) An application for licensure under this Code section shall constitute express consent
887 and authorization for the Secretary of State or his or her representative to perform a
888 criminal background check. Each applicant who submits an application to the Secretary
889 of State for licensure or a permit agrees to provide the Secretary of State with any and all
890 information necessary to run a criminal background check, including, but not limited to,
891 classifiable sets of fingerprints. The applicant shall be responsible for all fees associated
892 with the performance of such background check.

893 (i) The decision of the division as to the qualifications of applicants shall, in the absence
894 of fraud, be conclusive.

895 (j) It shall be the duty of the utility manager certificate holders and the licensed utility
896 contractor to notify the division, in accordance with board rules, of the severance of
897 connection between such utility contractor and the utility manager certificate holder or
898 holders upon whom the qualification of the utility contractor rested.

899 (k) In the event that a licensed utility contractor temporarily does not have employed a
900 utility manager certificate holder to oversee its utility contracting work, upon notice by
901 such utility contractor to the division within seven days following the last day of
902 employment of the utility manager certificate holder, the division shall grant the utility
903 contractor a 90 day grace period in which to employ a utility manager certificate holder to
904 oversee its utility contracting work before any action may be taken by the division to
905 revoke the utility contractor's license. The division may, at its discretion, upon application
906 by the utility contractor showing good cause, grant one additional 90 day grace period.
907 Grace periods totaling not more than 180 days may be granted during any two-year period.

908 Failure to have employed a utility manager certificate holder to oversee the utility
909 contracting work of the utility contractor shall be grounds for the revocation or suspension
910 of the utility contractor license after a notice of hearing.

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

914 (m) It shall be unlawful for any person to violate the provisions of Chapter 9 of Title 25
915 applicable to utility contractors.

916 (n) Any person or entity violating this Code section shall be subject to discipline and
917 penalties as provided in this chapter, including, but not limited to, license denial,
918 suspension, revocation, administrative fines, injunction, or any other lawful enforcement
919 action authorized by the division.

920 43-14-11.

921 (a) As used in this Code section, the term 'division' means the Division of Utility
922 Contractors.

923 (b) No person shall be employed as a utility manager unless such person holds a valid
924 utility manager certificate issued by the division.

925 (c) No utility system shall be constructed, erected, altered, or repaired unless a certified
926 utility manager or certified utility foreman who holds a current certification is present at
927 the job site of such construction, erection, alteration, or repair of the utility system.

928 (d) The division shall certify all applicants for certification under this Code section who
929 satisfy the requirements of this Code section.

930 (e) Any individual seeking certification as a utility manager under the provisions of this
931 chapter shall file a completed application with the division on a form prescribed by the
932 division, pay the required fees established by the State Construction Industry Licensing
933 Board, and meet the following requirements:

- 934 (1) Successfully pass a board approved examination with a minimum score of 70;
935 (2) Submit proof of completion of 12 hours of board approved safety training courses,
936 which shall include eight hours of Competent Person Training for Excavations and four
937 hours of Competent Person Training for Confined Spaces;
938 (3) Have completed a minimum of three years of full-time experience in the field,
939 performing the construction, erection, alteration, or repair of utility systems. Such
940 experience shall be obtained as follows:
- 941 (A) At least one year of full-time experience working under the supervision of a utility
942 manager holding a valid certificate issued under this chapter, which experience shall
943 qualify the applicant for certification as a utility foreman; and
- 944 (B) At least two additional years of full-time experience obtained while holding a valid
945 utility foreman certificate issued under this chapter;
- 946 (4) Submit a signed affidavit from each utility manager who is employed by a utility
947 contractor and who is or was the applicant's current or former employer, attesting to the
948 applicant's completion of the experiential requirements set forth in this subsection.
949 Qualifying experience under this subsection shall be obtained through a combination of
950 roles, including, but not limited to, supervisory, construction management, or utility
951 operations positions in the field on a utility construction project, as well as:
- 952 (A) Participation in the management of multiple utility construction projects, including
953 scheduling work activities; coordinating labor, equipment, and materials; supporting
954 field supervision; tracking productivity; and assisting with resolution of routine onsite
955 issues during the course of the construction project;
- 956 (B) Involvement in administering scopes of work or construction contracts; managing
957 risks related to utility conflicts, permitting, inspections, traffic control, and public
958 safety; and ensuring compliance with Occupational Safety and Health Administration
959 requirements and applicable federal, state, and local regulations;

- 960 (C) Implementation and enforcement of safety procedures, including excavation,
961 trenching, and confined space entry requirements; participation in safety programs,
962 conducting or participating in daily job safety analyses and safety meetings, reporting
963 incidents, near misses, and hazards; and ensuring proper use of required personal
964 protective equipment;
- 965 (D) Supervision or lead responsibility for utility personnel, including training,
966 assigning duties, evaluating performance, monitoring safe operation of equipment, and
967 administering discipline in accordance with established policies;
- 968 (E) Assisting with review of construction plans, utility maps, and job specifications;
969 identifying underground and overhead utilities; verifying permits, locates, and
970 clearances; and coordinating activities with project managers, engineers, inspectors, and
971 utility representatives;
- 972 (F) Assisting with planning crew assignments, equipment needs, and work schedules;
973 coordinating material delivery and staging; inspecting materials and equipment for
974 damage or irregularities; reporting findings; and participating in the proper use and
975 routine maintenance of heavy equipment;
- 976 (G) Participating in the installation of water, sewer, gas, electrical, and
977 telecommunications utility systems installed on a fee-for-service basis, including
978 bedding, backfill, compaction, and erosion and sediment control measures, in
979 accordance with project specifications and utility standards;
- 980 (H) Inspecting work for compliance with plans and specifications under supervision;
981 assisting with daily logs, production reports, and as-built documentation; and
982 documenting utility locations and field changes; and
- 983 (I) Communicating job site conditions, safety concerns, and work progress to a
984 supervising Utility Foreman or Utility Manager; and
- 985 (5) Submit at least one secure and verifiable document, as defined in Code Section
986 50-36-2, establishing the applicant's identity, and submit an affidavit verifying lawful

987 presence in the United States pursuant to Code Section 50-36-1, together with any
988 required immigration documentation for noncitizen applicants.

989 (f) Application for a license under this Code section shall constitute express consent and
990 authorization for the Secretary of State or his or her representative to perform a criminal
991 background check. Each applicant who submits an application to the Secretary of State for
992 licensure agrees to provide the Secretary of State with any and all information necessary
993 to run a criminal background check, including, but not limited to, classifiable sets of
994 fingerprints. The applicant shall be responsible for all fees associated with the performance
995 of such background check.

996 (g) An applicant may request an oral administration of the examination.

997 (h) The decision of the division regarding the qualifications of licensure shall, in the
998 absence of fraud, be conclusive.

999 (i) Any person or entity violating this Code section shall be subject to discipline and
1000 penalties as provided in this chapter, including, but not limited to, license denial,
1001 suspension, revocation, administrative fines, injunction, or any other lawful enforcement
1002 action authorized by the division.

1003 43-14-12.

1004 (a) As used in this Code section, the term 'division' means the Division of Utility
1005 Contractors.

1006 (b) No person shall be employed as a utility foreman unless such person holds a valid
1007 current utility foreman certificate issued by the division.

1008 (c) The division shall certify all applicants for certification under this Code section who
1009 satisfy the requirements of this Code section.

1010 (d) No utility system shall be constructed, erected, altered, or repaired unless a certified
1011 utility manager or certified utility foreman who holds a current certification is present at
1012 the job site of such construction, erection, alteration, or repair of the utility system.

1013 (e) Any individual seeking certification as a utility foreman under the provisions of this
1014 chapter shall file an application with the division on a form prescribed by the division, pay
1015 the required fees established by the State Construction Industry Licensing Board, and meet
1016 the following requirements:

1017 (1) Successfully pass a board approved examination with a minimum score of 70;

1018 (2) Have completed at least one year of full-time experience in the field performing the
1019 construction, erection, alteration, or repair of utility systems under the supervision of a
1020 licensed Utility Manager;

1021 (3) Submit proof of completion of 12 hours of board approved safety training courses,
1022 which shall include eight hours of Competent Person Training for Excavations and four
1023 hours of Competent Person Training for Confined Spaces; and

1024 (4) Provide a signed affidavit by a current or former employer attesting to the completion
1025 of experiential requirements. Each employer who oversaw the completion of projects
1026 which satisfied the experiential requirements shall provide their own signed affidavit.

1027 Qualifying experience under this subsection shall be obtained through a combination of
1028 roles, including, but not limited to, crew member, lead worker, assistant foreman, utility
1029 operations, construction support, or other field based positions, provided the work was
1030 performed under the required supervision, and shall include:

1031 (A) Assisting with review of construction plans, utility maps, and job specifications,
1032 identifying underground and overhead utilities, coordinating activities with project
1033 managers, engineers, inspectors, and utility representatives, verifying permits, locates,
1034 and clearances, and assisting with planning crew assignments, equipment needs, and
1035 work schedules;

1036 (B) Participating in daily job safety analyses and safety meetings, performing work in
1037 compliance with Occupational Safety and Health Administration standards and
1038 applicable local, state, and federal regulations, including traffic control requirements,
1039 working in properly protected trenches, participating in confined space entry activities,

- 1040 using required personal protective equipment, and reporting incidents, near misses, and
1041 hazards;
- 1042 (C) Assisting with supervision of utility crews, monitoring safe operation of
1043 equipment, supporting productivity tracking and daily work coordination, and assisting
1044 with resolution of routine onsite issues;
- 1045 (D) Assisting with coordination of material delivery and staging, inspecting materials
1046 and equipment for damage or irregularities and reporting findings, and participating in
1047 the proper use and routine maintenance of heavy equipment;
- 1048 (E) Participating in the installation of water, sewer, gas, electrical, and
1049 telecommunications utility systems installed on a fee-for-service basis, including
1050 bedding, backfill, compaction, and erosion and sediment control measures, in
1051 accordance with project specifications and utility standards;
- 1052 (F) Inspecting work for compliance with plans and specifications under supervision,
1053 assisting with daily logs, production reports, as-built documentation, and documenting
1054 utility locations and field changes; and
- 1055 (G) Communicating job site conditions, safety concerns, and work progress to a
1056 supervising Utility Foreman or Utility Manager.
- 1057 (f) An application for a certification under this Code section shall constitute express
1058 consent and authorization for the Secretary of State or his or her representative to perform
1059 a criminal background check. Each applicant who submits an application to the Secretary
1060 of State for certification agrees to provide the Secretary of State with any and all
1061 information necessary to run a criminal background check, including, but not limited to,
1062 classifiable sets of fingerprints. The applicant shall be responsible for all fees associated
1063 with the performance of such background check.
- 1064 (g) An applicant may request an oral administration of the examination.
- 1065 (h) The decision of the division regarding the qualifications of licensure shall, in the
1066 absence of fraud, be conclusive.

1067 (i) Any person or entity violating this Code section shall be subject to discipline and
1068 penalties as provided in this chapter, including, but not limited to, license denial,
1069 suspension, revocation, administrative fines, injunction, or any other lawful enforcement
1070 action authorized by the division.

1071 43-14-13.

1072 (a) As used in this Code section, the term 'division' means the Division of Master Plumbers
1073 and Journeyman.

1074 (b) No person shall engage in plumbing contracting as a Master Plumber Class I or a
1075 Master Plumber Class II unless such person has a valid license issued by the division.

1076 (c) Notwithstanding any other provisions of this chapter, any person who holds a valid
1077 license as a Master Plumber Class I or a Master Plumber Class II or any company which
1078 holds a valid utility contractor license shall be qualified to construct, alter, or repair any
1079 plumbing system which extends from the property line up to but not within five feet of any
1080 building, structure, or conveyance, regardless of the cost or depth of any such plumbing
1081 system; provided, however, that only persons who hold a valid license to engage in
1082 plumbing under this chapter shall be qualified to construct, alter, or repair any plumbing
1083 system within five feet of any building, structure, or conveyance.

1084 (d) A person that is not licensed as a Master Plumber Class I or a Master Plumber Class
1085 II shall be prohibited from advertising in any manner that such person is in the business or
1086 profession of plumbing contracting.

1087 (e) No partnership, limited liability company, or corporation shall have the right to engage
1088 in the business of plumbing unless there is regularly connected with such partnership,
1089 limited liability company, or corporation a person actively engaged in the performance of
1090 such business on a full-time basis who has a valid license as a Master Plumber Class I or
1091 a Master Plumber Class II; provided, however, that partners, officers, and employees of any
1092 individual who fulfilled the licensing requirements shall continue to be authorized to

1093 engage in the business of plumbing contracting under a license which was valid at the time
1094 of the licensee's death for a period of 90 days from the date of such death. The division
1095 may, at its discretion, upon application by the plumbing contractor showing good cause,
1096 grant one additional 90 day grace period.

1097 (f) The division shall certify all applicants for licensure under this Code section who
1098 satisfy the requirements of this Code section.

1099 (g) It shall be the duty of all partnerships, limited liability companies, and corporations
1100 qualified under this chapter to notify the appropriate division within seven days of the
1101 severance of connection with such partnership, limited liability company, or corporation
1102 of any person or persons upon whom such qualification rested.

1103 (h) Application for a license under this Code section shall constitute express consent and
1104 authorization for the Secretary of State or his or her representative to perform a criminal
1105 background check. Each applicant who submits an application to the Secretary of State for
1106 licensure agrees to provide the Secretary of State with any and all information necessary
1107 to run a criminal background check, including, but not limited to, classifiable sets of
1108 fingerprints. The applicant shall be responsible for all fees associated with the performance
1109 of such background check.

1110 (i) The decision of the division regarding the qualifications of licensure shall, in the
1111 absence of fraud, be conclusive.

1112 (j) Any individual seeking to be licensed as a journeyman plumber under the provisions
1113 of this chapter shall file a completed application with the division on a form prescribed by
1114 the division, pay the required fees established by the State Construction Industry Licensing
1115 Board, and meet the following requirements:

1116 (1) Successfully pass a board approved examination with a minimum score of 70;

1117 (2) Have completed one year of full-time experience performing plumbing work of a
1118 type covered by the state minimum standard plumbing code, regardless of whether such
1119 code applied to the work in the area or at the time such work was performed by the

1120 applicant. Qualifying experience under this paragraph shall be obtained under the
1121 supervision of a licensed Master Plumber Class I or a Master Plumber Class II and shall
1122 include participation in plumbing work demonstrating practical competency in the
1123 following areas, as applicable to the scope of licensure requested and consistent with the
1124 requirements of this paragraph:

1125 (A) Installation, maintenance, alteration, service, or repair of plumbing systems,
1126 including potable water supply and distribution systems; sanitary, waste, storm
1127 drainage, and venting systems; plumbing fixtures and equipment; and fuel gas piping
1128 systems and fuel-gas-fired appliances, including piping downstream of the gas meter
1129 or storage tank;

1130 (B) Plumbing system layout, pipe sizing, material selection, inspection, testing,
1131 diagnosing, and troubleshooting of plumbing and fuel gas systems, including the
1132 application of applicable plumbing codes, standards, and manufacturer installation
1133 requirements, performed under appropriate supervision;

1134 (C) Application of safe work practices, including job site and trench safety, confined
1135 space awareness, fall protection, lockout and tagout procedures, and the proper
1136 selection and use of personal protective equipment;

1137 (D) Performance of supporting plumbing related work directly associated with the
1138 installation, alteration, service, or repair of plumbing systems, including support of
1139 plumbing system components, trenching, excavation, and backfilling, material handling
1140 and staging, demolition and general labor, operation of tools or equipment commonly
1141 used in plumbing work, assisting licensed plumbers, and installation of pipe and tubing
1142 supports, including hangers, strut, supports, and bracing; and

1143 (E) Full-time employment as an estimator or project manager for a Class I Restricted
1144 or Class II Unrestricted Master Plumbing Contractor, where such employment involves
1145 regular exposure to plumbing systems, plans, specifications, and job site coordination;

1146 (3) Submit a signed affidavit from the licensed Master Plumber Class I or Master
1147 Plumber Class II who supervised or otherwise oversaw the applicant's work, whether as
1148 a current or former employer, attesting to the applicant's completion of the experiential
1149 requirements set forth in this subsection. When the applicant's qualifying experience was
1150 obtained under the supervision of more than one such individual, a separate signed
1151 affidavit shall be submitted by each individual who supervised or oversaw the applicable
1152 portion of the applicant's experience; and

1153 (4) Submit at least one secure and verifiable document, as defined in Code Section
1154 50-36-2, establishing the applicant's identity, an affidavit verifying lawful presence in the
1155 United States pursuant to Code Section 50-36-1, and any required immigration
1156 documentation for noncitizen applicants.

1157 (k) Any individual seeking to be licensed as a Master Plumber Class I under the provisions
1158 of this chapter shall file a completed application with the division on a form prescribed by
1159 the division, pay the required fees established by the State Construction Industry Licensing
1160 Board, and meet the following requirements:

1161 (1) Successfully pass the board approved examination with a minimum score of 70;

1162 (2) Have completed a minimum of four years of full-time experience in plumbing work
1163 as would be covered by items of the Georgia State Plumbing Code, at least three years
1164 of which shall have been performed while licensed as a Journeyman Plumber under this
1165 chapter. Qualifying experience under this subsection shall include participation in
1166 plumbing work demonstrating practical competency, as applicable to the scope of
1167 licensure requested and consistent with the requirements of this paragraph. Such
1168 experience shall be obtained under the supervision of a licensed master plumber;
1169 provided, however, that for licensure as a Statewide Master Plumber Class I, qualifying
1170 experience shall be limited to plumbing work performed within the restricted scope of
1171 practice applicable to a Master Plumber Class I, as defined in this chapter. Such
1172 qualifying experience includes, but is not limited to:

- 1173 (A) Installation, maintenance, alteration, service, or repair of plumbing systems,
1174 including potable water supply and distribution systems, sanitary, waste, storm
1175 drainage, and venting systems, plumbing fixtures and equipment, and fuel gas piping
1176 systems and fuel-gas-fired appliances, including piping downstream of the gas meter
1177 or storage tank;
- 1178 (B) Plumbing system layout, pipe sizing, material selection, inspection, testing,
1179 diagnosing, and troubleshooting of plumbing and fuel gas systems, including the
1180 application of applicable plumbing codes, standards, and manufacturer installation
1181 requirements, performed under appropriate supervision;
- 1182 (C) Application of safe work practices, including job site and trench safety, confined
1183 space awareness, fall protection, lockout and tagout procedures, and the proper
1184 selection and use of personal protective equipment;
- 1185 (D) Performance of supporting plumbing related work directly associated with the
1186 installation, alteration, service, or repair of plumbing systems, including support of
1187 plumbing system components; trenching, excavation, and backfilling; material handling
1188 and staging, demolition and general labor, operation of tools or equipment commonly
1189 used in plumbing work, assisting licensed plumbers, and installation of pipe and tubing
1190 supports, including hangers, strut, supports, and bracing; and
- 1191 (E) Full-time employment as an estimator or project manager for a Master Plumber
1192 Class I or Master Plumber Class II, where such employment involves regular exposure
1193 to plumbing systems, plans, specifications, and job site coordination;
- 1194 (3) Submit a signed affidavit from any licensed Master Plumber Class I or Master
1195 Plumber Class II who supervised or otherwise oversaw the applicant's work, whether as
1196 a current or former employer, attesting to the applicant's completion of the primary
1197 experiential requirements set forth in this subsection. When the applicant's qualifying
1198 full-time experience was obtained under the supervision of more than one such

1199 individual, a separate signed affidavit shall be submitted by each individual who
1200 supervised or oversaw the applicable portion of the applicant's experience; and

1201 (4) Submit at least one secure and verifiable document, as defined in Code Section
1202 50-36-2, establishing the applicant's identity, an affidavit verifying lawful presence in the
1203 United States pursuant to Code Section 50-36-1, and any required immigration
1204 documentation for noncitizen applicants.

1205 (l) Any individual seeking to be licensed as a Master Plumber Class II under the provisions
1206 of this chapter shall file a completed application with the division on a form prescribed by
1207 the division, pay the required fees established by the State Construction Industry Licensing
1208 Board, and meet the following requirements:

1209 (1) Successfully pass the board approved examination with a minimum score of 70;

1210 (2) Have completed a minimum of five years of full-time experience in plumbing work
1211 as would be covered by items of the state minimum standard plumbing code, with at least
1212 four of the five years being licensed as a Journeyman Plumber. Qualifying experience
1213 under this subsection shall include participation in plumbing work demonstrating
1214 practical competency in the following areas, as applicable to the scope of licensure
1215 requested and consistent with the requirements of this paragraph. Such experience shall
1216 be obtained under the supervision of a licensed master plumber; provided, however, that
1217 for licensure as a Master Plumber Class II, not less than two years of the required
1218 experience shall have been obtained performing plumbing work within the unrestricted
1219 scope of practice applicable to a Master Plumber Class II, as defined in this chapter:

1220 (A) Participation in the installation, maintenance, alteration, service, or repair of
1221 plumbing systems, including potable water supply and distribution systems, sanitary,
1222 waste, storm drainage, and venting systems, plumbing fixtures and equipment, and fuel
1223 gas piping systems and fuel-gas-fired appliances, including piping downstream of the
1224 gas meter or storage tank;

1225 (B) Involvement in plumbing system layout, pipe sizing, material selection, and
1226 installation methods, performed under appropriate supervision where required;
1227 (C) Participation in the inspection, testing, troubleshooting, and correction of plumbing
1228 and fuel gas systems, including verification of system performance and compliance
1229 with applicable plumbing codes, standards, and manufacturer installation requirements;
1230 (D) Implementation and application of safe work practices, including job site and
1231 trench safety, confined space awareness, fall protection, lockout and tagout procedures,
1232 and the proper selection and use of personal protective equipment; and
1233 (E) Supervision or lead responsibility for plumbing personnel, including training,
1234 assignment of duties, oversight of work quality, and enforcement of safety and code
1235 compliance requirements;
1236 (3) Submit a signed affidavit from any licensed Master Plumber Class I or Master
1237 Plumber Class II who supervised or otherwise oversaw the applicant's work, whether as
1238 a current or former employer, attesting to the applicant's completion of the primary
1239 experiential requirements set forth in this subsection. When the applicant's qualifying
1240 experience was obtained under the supervision of more than one such individual, a
1241 separate signed affidavit shall be submitted by each individual who supervised or
1242 oversaw the applicable portion of the applicant's experience; and
1243 (4) Submit at least one secure and verifiable document, as defined in Code Section
1244 50-36-2, establishing the applicant's identity, an affidavit verifying lawful presence in the
1245 United States pursuant to Code Section 50-36-1, and any required immigration
1246 documentation for noncitizen applicants.
1247 (m) Any person or entity violating this Code section shall be subject to discipline and
1248 penalties as provided in this chapter, including, but not limited to, license denial,
1249 suspension, revocation, administrative fines, injunction, or any other lawful enforcement
1250 action authorized by the division.

1251 43-14-14.

1252 (a) As used in this Code section, the term 'division' means the Division of Conditioned Air
1253 Contractors.

1254 (b) No person shall engage in conditioned air contracting unless such person has a valid
1255 license issued by the division.

1256 (c) The division shall certify all applicants for licensure under this Code section who
1257 satisfy the requirements of this Code section.

1258 (d) A person that is not licensed as a conditioned air contractor shall be prohibited from
1259 advertising in any manner that such person is in the business or profession of a conditioned
1260 air contractor unless the work is performed by a licensed conditioned air contractor.

1261 (e) No partnership, limited liability company, or corporation shall have the right to engage
1262 in the business of conditioned air contracting unless there is regularly connected with such
1263 partnership, limited liability company, or corporation a person or persons actively engaged
1264 in the performance of such business on a full-time basis who have valid licenses issued to
1265 them as provided for in this chapter; provided, however, that partners, officers, and
1266 employees of the individual who fulfilled the licensing requirements shall continue to be
1267 authorized to engage in the business of conditioned air contracting under a license which
1268 was valid at the time of the licensee's death for a period of 90 days from the date of such
1269 death. The division may, at its discretion, upon application by the conditioned air
1270 contractor showing good cause, grant one additional 90 day grace period.

1271 (f) Partnerships, limited liability companies, or corporations having more than one office
1272 location from which conditioned air contracting is performed shall have at least one person
1273 stationed in each branch office of such partnership, limited liability company, or
1274 corporation who is engaged in the performance of conditioned air contracting on a full-time
1275 basis who is supervising the installation, repair, alteration, and service work of air
1276 conditioning and heating systems of all employees of such branch office locations; and who
1277 has a valid license issued as provided in this Code section.

1278 (g) It shall be the duty of all partnerships, limited liability companies, and corporations
1279 qualified under this chapter to notify the appropriate division within seven days of the
1280 severance of connection with such partnership, limited liability company, or corporation
1281 of any person or persons upon whom such qualification rested.

1282 (h) Any individual seeking to be licensed as a Conditioned Air Contractor Class I under
1283 the provisions of this chapter shall file a completed application with the division on a form
1284 prescribed by the division, pay the required fees established by the State Construction
1285 Industry Licensing Board, and meet the following requirements:

1286 (1) Successfully pass a board approved examination with a minimum score of 70;

1287 (2) Have completed a minimum of years of full-time experience performing conditioned
1288 air work of a type covered by the state minimum standard codes, regardless of whether
1289 such code applied to the work in the area or at the time such work was performed by the
1290 applicant;

1291 (A) Qualifying experience under this subsection shall consist of two years of
1292 residential installation experience as a lead mechanic, one year as a service technician,
1293 one year of residential supervisory experience; and

1294 (B) An applicant shall receive credit toward the experience requirements of this section
1295 based on the actual instructional time completed in relevant coursework, meaning
1296 coursework directly related to the scope of licensure requested, provided that such
1297 credit shall not exceed two years for completion of a technical school or technical
1298 college diploma program in air conditioning technology, engineering, or engineering
1299 technology from an institution accredited by an accrediting body recognized by the
1300 division, or one year for completion of a vocational-technical school certificate program
1301 from an institution accredited by an accrediting body recognized by the division;

1302 (3) Submit a signed affidavit from any licensed architect, licensed professional engineer,
1303 public building official or building inspector, or licensed conditioned air contractor who
1304 directly supervised or otherwise oversaw the applicant's work, whether as a current or

1305 former employer, attesting to the applicant's completion of the experiential requirements
1306 set forth in this Code section. When the applicant's qualifying experience was obtained
1307 under the supervision of more than one such individual, a separate signed affidavit shall
1308 be submitted by each individual who supervised or oversaw the applicable portion of the
1309 applicant's experience;

1310 (4) Complete the Type II Federal Environmental Protection Agency Section 608
1311 Technician Certification;

1312 (5) Complete a board approved heat loss and gain and duct design course; and

1313 (6) Submit at least one secure and verifiable document, as defined in Code Section
1314 50-36-2, establishing the applicant's identity, and submit an affidavit verifying lawful
1315 presence in the United States pursuant to Code Section 50-36-1, together with any
1316 required immigration documentation for noncitizen applicants.

1317 (i) Any individual seeking to be licensed as a Conditioned Air Contractor Class II under
1318 the provisions of this chapter shall file a completed application with the division on a form
1319 prescribed by the division, pay the required fees established by the State Construction
1320 Industry Licensing Board, and meet the following requirements:

1321 (1) Successfully pass a board approved examination with a minimum score of 70;

1322 (2)(A) Have completed a minimum of five years of full-time experience performing
1323 conditioned air work covered by the state minimum standard codes, regardless of
1324 whether such code applied to the work in the area or at the time such work was
1325 performed by the applicant. Qualifying experience under this subsection shall consist
1326 of two years of commercial supervisory experience, one year as a service technician or
1327 service supervisor, and two years of installation as a lead mechanic with at least one of
1328 the years being commercial only, installing conditioned air systems that exceed a net
1329 175,000 BTU of heating and 60,000 BTU of cooling.

1330 (B) An applicant shall receive credit toward the experience requirements of this Code
1331 section based on the actual instructional time completed in relevant coursework,

1332 meaning coursework directly related to the scope of licensure requested, provided that
1333 such credit shall not exceed two years for completion of a technical school or technical
1334 college diploma program in air conditioning technology, engineering, or engineering
1335 technology from an institution accredited by an accrediting body recognized by the
1336 division, or one year for completion of a vocational-technical school certificate program
1337 from an institution accredited by an accrediting body recognized by the division;
1338 (3) Submit a signed affidavit from a licensed architect, licensed professional engineer,
1339 public building official or building inspector, or licensed conditioned air contractor who
1340 directly supervised or otherwise oversaw the applicant's work, whether as a current or
1341 former employer, attesting to the applicant's completion of the experiential requirements
1342 set forth in this subsection. When the applicant's qualifying experience was obtained
1343 under the supervision of more than one such individual, a separate signed affidavit shall
1344 be submitted by each individual who supervised or oversaw the applicable portion of the
1345 applicant's experience;
1346 (4) Complete the Type II and Type III Federal Environmental Protection Agency Section
1347 608 Technician Certification;
1348 (5) Complete a board approved heat loss and gain and duct design course; and
1349 (6) Submit at least one secure and verifiable document, as defined in Code Section
1350 50-36-2, establishing the applicant's identity, an affidavit verifying lawful presence in the
1351 United States pursuant to Code Section 50-36-1, and any required immigration
1352 documentation for noncitizen applicants.
1353 (j) Application for a license under this Code section shall constitute express consent and
1354 authorization for the Secretary of State or his or her representative to perform a criminal
1355 background check. Each applicant who submits an application to the Secretary of State
1356 for licensure agrees to provide the Secretary of State with any and all information
1357 necessary to run a criminal background check, including, but not limited to, classifiable

1358 sets of fingerprints. The applicant shall be responsible for all fees associated with the
1359 performance of such background check.

1360 (k) The decision of the division regarding the qualifications of licensure shall, in the
1361 absence of fraud, be conclusive. All individuals, individuals serving as partners in
1362 partnerships, applicants for limited liability companies, or applicants for corporations
1363 desiring to engage in conditioned air contracting shall be licensed under this Code section
1364 before engaging in such vocation and business, including at the local level.

1365 (l) Any person or entity violating this Code section shall be subject to discipline and
1366 penalties as provided in this chapter, including, but not limited to, license denial,
1367 suspension, revocation, administrative fines, injunction, or any other lawful enforcement
1368 action authorized by the division.

1369 43-14-15.

1370 Whenever it shall appear to a division of the board or to the executive director or to a
1371 county or municipal inspection authority that any person is or has been violating this
1372 chapter or any of the lawful rules, regulations, or orders of the board, the division of the
1373 board, the local inspection authority, or the appropriate prosecuting attorney may file a
1374 petition for an injunction in the proper superior court of this state against such person for
1375 the purpose of enjoining any such violation. It shall not be necessary to allege or prove that
1376 there is no adequate remedy at law. The right of injunction provided for in this Code
1377 section shall be in addition to any other legal remedy which the board has and shall be in
1378 addition to any right of criminal prosecution provided for by law.

1379 43-14-16.

1380 (a) Any municipal or county inspection authority which meets the standards established
1381 by the board shall be authorized, after notice and hearing, to suspend the license or
1382 certification, or refuse to restore a license or certification to any person or licensee upon

1383 the grounds set out in paragraph (4) of subsection (a) of Code Section 43-14-6; provided,
1384 however, that such suspension of a license by a local inspection authority shall be
1385 applicable only within the jurisdiction of such local authority. Any person aggrieved by
1386 an action of a local authority shall be entitled to an appeal to the appropriate division of the
1387 board and a hearing.

1388 (b)(1) Nothing in this Code section shall be construed to prohibit the governing authority
1389 of any county or municipality in the state from adopting and enforcing codes at the local
1390 level; provided, however, that no county or municipality may require any licensed
1391 conditioned air contractor or licensed plumber who has executed and deposited a bond
1392 as authorized in paragraph (2) of this subsection to give or furnish or execute any code
1393 compliance bond or similar bond for the purpose of ensuring that all construction,
1394 installation, or modifications are made or completed in compliance with the county or
1395 municipal ordinances or building and construction codes.

1396 (2) In order to protect the public from damages arising from any work by a licensed
1397 conditioned air contractor or licensed plumber, which work fails to comply with the
1398 ordinances or building and construction codes adopted by any county or municipal
1399 corporation, any such licensed conditioned air contractor or licensed plumber may
1400 execute and deposit with the judge of the probate court in the county of his or her
1401 principal place of business a bond in the sum of \$10,000.00. Such bond shall be a cash
1402 bond of \$10,000.00 or executed by a surety authorized and qualified to write surety bonds
1403 in the State of Georgia and shall be approved by the judge of the probate court. Such
1404 bond shall be conditioned upon all work done or supervised by such licensee complying
1405 with the provisions of any ordinances or building and construction codes of any county
1406 or municipal corporation wherein the work is performed. Action on such bond may be
1407 brought against the principal and surety thereon in the name of and for the benefit of any
1408 person who suffers damages as a consequence of said licensee's work not conforming to
1409 the requirements of any ordinances or building and construction codes; provided,

1410 however, that the aggregate liability of the surety to all persons so damaged shall in no
1411 event exceed the sum of such bond.

1412 (3) In any case where a bond is required under this subsection, the conditioned air
1413 contractor or plumber shall file a copy of the bond with the building official in the
1414 political subdivision wherein the work is being performed.

1415 (4) The provisions of this subsection shall not apply to or affect any bonding
1416 requirements involving contracts for public works as provided in Chapter 10 of Title 13.

1417 (c) Nothing in this Code section shall be construed as prohibiting or preventing a
1418 municipality or county from fixing, charging, assessing, or collecting any license fee,
1419 registration fee, tax, or gross receipt tax on any related business or on anyone engaged in
1420 any related business governed by this chapter.

1421 43-14-17.

1422 (a) If a person is in violation Code Section 43-14-8, 43-14-9, 43-14-10, 43-14-13, or
1423 43-14-14, it shall not be necessary for an investigator to observe or witness the unlicensed
1424 person engaged illegally in the process of work or to show work in progress or work
1425 completed in order to prove the unlawful practice of electrical contracting, low voltage
1426 contracting, utility contracting, plumbing contracting, or conditioned air contracting, by an
1427 unlicensed person.

1428 (b) It shall be prima-facie evidence of a violation of this chapter if any person not licensed
1429 as a conditioned air contractor, plumbing contractor, electrical contractor, utility contractor,
1430 or low voltage contractor advertises that such person is in the business or profession of a
1431 conditioned air contractor, plumbing contractor, electrical contractor utility contractor, or
1432 low voltage contractor or advertises in a manner such that the general public would believe
1433 that such person is a licensed conditioned air contractor or in the business or profession of
1434 a conditioned air contractor, is a licensed plumbing contractor in the business or profession
1435 of a plumbing contractor, or is a licensed electrical contractor in the business or profession

1436 of an electrical contractor, is a licensed utility contractor in the business or profession of
1437 a utility contractor, or is a licensed low voltage contractor in the business or profession of
1438 a low voltage contractor. Advertising under this subsection includes, but is not limited to,
1439 newspaper, internet, social media and digital applications, television, radio, telephone
1440 directory listings, mailings, business cards, or signage at a place of business or attached to
1441 a vehicle.

1442 (c) Notwithstanding the provisions of Code Section 43-1-20.1, after notice and hearing,
1443 the board may issue a cease and desist order prohibiting any person from violating the
1444 provisions of this chapter by engaging in the business or profession of a conditioned air
1445 contractor, plumbing contractor, electrical contractor, or low voltage contractor without a
1446 license as required under this chapter or by constructing, erecting, altering, or repairing a
1447 utility system without a properly certified utility manager or properly certified utility
1448 foreman present at the job site.

1449 (d) With respect to plumbing contracting, conditioned air contracting, low voltage
1450 contracting, and electrical contracting, the violation of any cease and desist order of the
1451 board issued under subsection (c) of this Code section shall subject the person violating the
1452 order to further proceedings before the board, and the board shall be authorized to impose
1453 a fine not to exceed \$1,500.00 for each violation thereof. Each day that a person practices
1454 in violation of this Code section and chapter shall constitute a separate violation.

1455 (e) With respect to utility contracting, the violation of any cease and desist order of the
1456 board issued under subsection (c) of this Code section shall subject the person violating the
1457 order to further proceedings before the board, and the board shall be authorized to impose
1458 a fine not to exceed \$5,000.00 for each violation thereof. Each day that a person practices
1459 in violation of this Code section and chapter or constructs, erects, alters, or repairs a utility
1460 system without a properly certified utility manager or properly certified utility foreman
1461 present at such job site shall constitute a separate violation.

1462 (f) Nothing in this Code section shall be construed to prohibit the board from seeking
1463 remedies otherwise available by statute without first seeking a cease and desist order in
1464 accordance with the provisions of this Code section.

1465 (g) Any person violating this chapter shall be guilty of a misdemeanor and, upon
1466 conviction thereof, shall be fined not more than \$1,000.00 or imprisoned for not more than
1467 six months, or both.

1468 43-14-18.

1469 (a) Every person holding a license issued by a division of the board shall display it in a
1470 conspicuous manner at his or her place of business.

1471 (b) All commercial vehicles used by licensees and certificate holders exclusively in the
1472 daily operation of their business shall have prominently displayed thereon the company or
1473 business registration or certificate number issued by the Secretary of State's office. Such
1474 registration number or certificate number, or website address where such number can be
1475 found, shall also be prominently displayed on any advertising relating to work which a
1476 licensee or certificate holder purports to have the capacity to perform. Said registration or
1477 certificate number shall also be printed on all invoices and proposal forms.

1478 43-14-19.

1479 (a) This chapter shall apply to all installations, alterations, and repairs of plumbing, air
1480 conditioning and heating, or electrical or low voltage wiring or utility systems within or on
1481 public or private buildings, structures, or premises except as otherwise provided in this
1482 Code section.

1483 (b) Any person that holds a license issued under this chapter may engage in the business
1484 of plumbing contracting, electrical contracting, conditioned air contracting, low voltage
1485 contracting, or utility contracting but only as prescribed by the license, throughout the state;
1486 and except as provided in Code Section 43-14-16, no municipality or county may require

1487 such person to comply with any additional licensing requirements imposed by such
1488 municipality or county.

1489 (c) This chapter shall not apply to:

1490 (1) The installation, alteration, or repair of plumbing, air conditioning and heating, utility
1491 systems, or electrical services, except low voltage wiring services, up to and including
1492 the meters where such work is performed by and is an integral part of the system owned
1493 or operated by a public service corporation, an electrical, water, or gas department of any
1494 municipality in this state, a railroad company, a pipeline company, or a mining company
1495 in the exercise of its normal function as such;

1496 (2) Low voltage wiring performed by public utilities, except that the portion of the
1497 business of public utilities which involves the installation, alteration, repair, or service
1498 of telecommunications systems for profit shall be covered under this chapter;

1499 (3) The installation, construction, or maintenance of power systems or
1500 telecommunications systems for the generation or distribution of electric current
1501 constructed under the National Electrical Safety Code, which regulates the safety
1502 requirements of utilities; but the interior wiring regulated by the National Electrical
1503 Safety Code shall not be exempt and must be done by an electrical contractor, except as
1504 otherwise provided by law;

1505 (4) Any technician employed by a municipal or county franchised community antenna
1506 television (CATV) system or a municipally owned CATV system in the performance of
1507 work on the system;

1508 (5) Regular full-time employees of an institution, manufacturer, or business who perform
1509 plumbing, electrical, low voltage wiring, utility contracting, or conditioned air contracting
1510 when working on the premises of their employer;

1511 (6) A contractor certified by the Department of Public Health to make the connection to
1512 any on-site waste-water management system from the stub out exiting the structure to an
1513 on-site waste-water management system;

- 1514 (7) Any employee or authorized agent of a regulated gas utility or municipally owned
1515 gas utility while in the course and scope of such employment; or
- 1516 (8) Persons licensed as manufactured or mobile home installers by the state fire marshal
1517 when:
- 1518 (A) Coupling the electrical connection from the service entrance panel outside the
1519 manufactured housing to the distribution panel board inside the manufactured housing;
- 1520 (B) Connecting the exterior sewer outlets to the aboveground sewer system; or
- 1521 (C) Connecting the exterior water line to the aboveground water system.
- 1522 (d) This chapter shall not prohibit:
- 1523 (1) An individual from installing, altering, or repairing plumbing fixtures, air
1524 conditioning and heating, air conditioning and heating fixtures, utility systems, or
1525 electrical or low voltage wiring services in a residential dwelling owned or occupied by
1526 such individual; provided, however, that all such work must be done in conformity with
1527 all other provisions of this chapter, the rules and regulations of the board, and any
1528 applicable county or municipal resolutions, ordinances, codes, or inspection
1529 requirements;
- 1530 (2) An individual employed on the maintenance staff of a facility owned by the state or
1531 by a county, municipality, or other political subdivision from installing, altering, or
1532 repairing plumbing, plumbing fixtures, air conditioning and heating fixtures, utility
1533 systems, or electrical or low voltage wiring services when such work is an integral part
1534 of the maintenance requirements of the facility; provided, however, that all such work
1535 must be done in conformity with all other provisions of this chapter and the orders, rules,
1536 and regulations of the board;
- 1537 (3) Any person from installing, altering, or repairing plumbing, plumbing fixtures, air
1538 conditioning and heating fixtures, utility systems, or electrical or low voltage wiring
1539 services in a farm or ranch service building or as an integral part of any irrigation system
1540 on a farm or ranch when such system is not located within 30 feet of any dwelling or any

1541 building devoted to animal husbandry. Nothing in this subsection shall be construed to
1542 limit the application of any resolution, ordinance, code, or inspection requirements of a
1543 county or municipality relating to such connections;

1544 (4) Any person from installing, altering, or repairing the plumbing component of a lawn
1545 sprinkler system from a backflow preventer which was installed by a licensed plumber;
1546 provided, however, that all such work must be done in conformity with all other
1547 provisions of this chapter, the rules and regulations of the board, and ordinances of the
1548 county or municipality; or

1549 (5) Any propane dealer that is properly insured as required by law and that holds a
1550 liquefied petroleum gas license issued by the Safety Fire Commissioner from installing,
1551 repairing, or servicing a propane system or the gas piping or components of such system;
1552 provided, however, that such propane dealers shall be prohibited from performing the
1553 installation of conditioned air systems or forced air heating systems unless licensed to do
1554 so under this chapter.

1555 (e) Any person qualified by the Department of Transportation to perform work for the
1556 department shall not be required to be licensed under:

1557 (1) Code Section 43-14-10 or certified under Code Sections 43-14-11 and 43-14-12 in
1558 order to perform work for the department; or

1559 (2) Code Section 43-14-10 or certified under Code Sections 43-14-11 and 43-14-12 in
1560 order to perform work for a county, municipality, authority, or other political subdivision
1561 when such work is of the same nature as that for which the person is qualified when
1562 performing department work; provided, however, that such work is not performed on a
1563 utility system as defined in Code Section 43-14-2 for which the person receives
1564 compensation.

1565 (f) Any person who contracts with a licensed conditioned air contractor:

1566 (1) As part of a conditioned air contract to install, alter, or repair duct systems, control
1567 systems, or insulation is not required to hold a license from the Division of Conditioned

1568 Air Contractors. The conditioned air contractor must retain responsibility for completion
1569 of the contract, including any subcontracted work;

1570 (2) To perform a complete installation, alteration, or repair of a conditioned air system
1571 must hold a valid license from the Division of Conditioned Air Contractors; or

1572 (3) To perform for or on behalf of a conditioned air contractor the installation, alteration,
1573 or repair of the electrical, low voltage, or plumbing components of a conditioned air
1574 system must hold a valid license from the appropriate division of the board.

1575 (g) Any utility contractor holding a valid utility contractor's license under this chapter shall
1576 be authorized to bid for and perform work on any utility system in this state without
1577 obtaining a license under Chapter 41 of this title. It shall be unlawful for the owner of a
1578 utility system or anyone soliciting work to be performed on a utility system to refuse to
1579 allow a utility contractor holding a valid utility contractor's license under this chapter to bid
1580 for or perform work on a utility system on the basis that such contractor does not hold a
1581 license under Chapter 41 of this title.

1582 43-14-20.

1583 (a) All licenses and certificates issued under this chapter shall be valid for a period of two
1584 years and shall be subject to biennial renewal upon expiration.

1585 (b) All applications for renewal of a license or certificate shall be filed with the division
1586 director prior to the expiration date, accompanied by the biennial renewal fee prescribed
1587 by the board and certifying that all current requirements of continuing education as
1588 determined by the board have been fulfilled.

1589 (c) Any person who fails to renew a license or certificate on or before its expiration date
1590 may apply for late renewal during a period not to exceed 31 days immediately following
1591 the expiration of the biennial license. Such application shall be submitted and shall include
1592 the required renewal information and late renewal fee, as prescribed by the board.

1593 (d) Any license or certificate that is not renewed on or before its expiration date or during
1594 the late renewal period provided in subsection (c) of this Code section shall lapse and shall
1595 not be in good standing unless reinstated pursuant to this Code section.

1596 (e) If an application for reinstatement is submitted less than three years after the expiration
1597 date of the license or certificate, the applicant shall submit a reinstatement application, the
1598 required reinstatement fee, verification that the licensee or certificate holder has completed
1599 the required continuing education requirements, and any other information, as prescribed
1600 by the board.

1601 (f) If an application for reinstatement is submitted more than three years after the
1602 expiration date of a license or certificate, the applicant shall, in addition to satisfying the
1603 applicable continuing education requirements, comply with any additional requirements
1604 prescribed by the board or the appropriate division. Such requirements may include, when
1605 applicable to the license or certificate sought, reexamination and the submission of an
1606 affidavit attesting that the applicant meets the applicable experience requirements.

1607 (g) Each division of the board is authorized to require individuals seeking renewal of any
1608 license or certificate issued under this chapter to complete continuing education courses
1609 approved by that division.

1610 (h) Each division may approve continuing education courses or programs offered within
1611 or outside this state for licensees and certificate holders, subject to reasonable,
1612 nondiscriminatory fees. Such courses or programs shall relate to the licensed activity and
1613 shall be offered by qualified providers in accordance with rules adopted by the board.
1614 Courses conducted primarily to promote specific products or services shall not be
1615 permitted.

1616 (i) Each division may waive the continuing education requirements in cases of hardship,
1617 disability, or illness or under such other circumstances as the division deems appropriate.

1618 (j) Each division shall make all reasonable efforts to make the continuing education
1619 offered pursuant to this Code section available online or through home study courses and
1620 accessible at times outside of the normal work hours of those licensed by such division.

1621 (k) Continuing education hours shall not be carried forward to a subsequent renewal
1622 period.

1623 (l) Failure to comply with the continuing education or renewal requirements of this Code
1624 section shall render the license or certificate invalid and subject the licensee or certificate
1625 holder to disciplinary action, including denial of renewal or revocation of the license. Such
1626 licensee or certificate holder shall not be authorized to engage in the business or profession
1627 for which licensed until the license or certificate is renewed or reinstated in accordance
1628 with applicable procedures.

1629 43-14-21.

1630 (a) As used in this Code section, the term:

1631 (1) 'Discharge' means an honorable discharge or a general discharge from active military
1632 service. Such term shall not mean a discharge under other than honorable conditions, a
1633 bad conduct discharge, or a dishonorable discharge.

1634 (2) 'Military' means the armed forces of the United States or a reserve component of the
1635 armed forces of the United States, including the National Guard.

1636 (b) A committee composed of the division director, members of the Governor's Office of
1637 Workforce Development, and members of the relevant divisions of the licensing board
1638 representing the profession for which the applicant is seeking a license shall determine the
1639 military specialties or certifications the training or experience for which substantially meets
1640 or exceeds the requirements to obtain a license for Electrical Contractor Class I,
1641 Journeyman Plumber, Conditioned Air Contractor Class I, or Utility Foreman. The
1642 Governor shall designate a chairperson from among the members of the committee.

1643 (c) Any current or former member of the military may apply to the licensing board for the
1644 expedited issuance of a license or certification based upon his or her having obtained a
1645 military specialty or certification, the training or experience for which substantially meets
1646 or exceeds the requirements to obtain a license or certification identified in subsection (b)
1647 of this Code section.

1648 (d) In order to qualify under this Code section, an applicant shall make application not
1649 later than two years after his or her discharge. The licensing board, in its discretion, may
1650 by rule or regulation extend such two-year period for a license or certification, or class
1651 thereof, or may extend such two-year period for an individual applicant if certain
1652 circumstances, including, but not limited to, health, hospitalization, or other related
1653 emergencies or exigencies, prevented the member of the military from making an
1654 application.

1655 (e) Such application shall be in such form and shall require such documentation as the
1656 division director shall determine. If the applicant satisfies the requirements of this Code
1657 section, the division director shall direct the appropriate division to issue the appropriate
1658 license, and the division shall immediately issue such license; provided, however, that the
1659 applicant shall satisfy all financial and insurance requirements for the issuance of such
1660 license. This Code section shall only apply to the initial issuance of a license. After the
1661 initial issuance of a license, the licensee shall be subject to any provisions relating to the
1662 renewal of the license applicable to all licensees.

1663 43-14-22.

1664 The board may establish a process through rules and regulations for licenses issued under
1665 this chapter to be placed on inactive status and the qualifications necessary for such
1666 licenses to be returned to active status; provided, however, that engaging in any conduct
1667 that requires a license under this chapter while holding an inactive license shall be
1668 considered an unlicensed practice and shall be prohibited.

1669 43-14-23.

1670 Each division of the board may, in its discretion, grant a license or certificate to any person
1671 who, at the time of application, is licensed or certified in another state whose requirements
1672 for licensure are substantially equal to the requirements for a similar license or certificate
1673 issued under this chapter, and to grant such person full privileges to engage in equivalent
1674 practice authorized under this chapter without requiring an examination, if applicable,
1675 provided that:

1676 (1) The applicant has been principally engaged in the practice authorized by such license
1677 or certificate for a period of not less than two years immediately preceding the
1678 application;

1679 (2) The applicant submits a proper application, pays a fee in an amount established by
1680 the board, and completes any additional safety training courses required by the board; and

1681 (3) The state in which the applicant is licensed or certified affords substantially
1682 equivalent licensure or certification privileges to persons licensed or certified under this
1683 chapter by the State of Georgia.

1684 43-14-24.

1685 This chapter shall be administered in accordance with Chapter 13 of Title 50, the 'Georgia
1686 Administrative Procedure Act.'

1687 **SECTION 3.**

1688 Code Section 48-7-38 of the Official Code of Georgia Annotated, relating to deduction for
1689 payments to classified subcontractors, disclosure of tax returns, and maintenance of list of
1690 classified subcontractors, is amended by revising paragraph (2) of subsection (a) as follows:

1691 ~~"(2) 'Small business' shall have the same meaning as provided in Code Section 50-5-121~~
1692 means a business which is independently owned and operated and:

- 1693 (A) Tier one: has ten or fewer employees or \$1 million or less in gross receipts per
1694 year;
- 1695 (B) Tier two: has 100 or fewer employees or \$10 million or less in gross receipts per
1696 year; or
- 1697 (C) Tier three: has 300 or fewer employees or \$30 million or less in gross receipts per
1698 year."

1699

SECTION 4.

1700 All laws and parts of laws in conflict with this Act are repealed.