

1 HB357
2 216716-1
3 By Representatives Pettus and Rich
4 RFD: Boards, Agencies and Commissions
5 First Read: 15-FEB-22

8 SYNOPSIS: Under existing law, the Alabama Board of
9 Electrical Contractors is responsible for the
10 licensing and regulation of electrical contractors
11 in the state.

12 This bill would provide for the definition
13 of an electrical worker and a provisional license,
14 and would delete references to master electrician.

15 This bill would provide further for the
16 election of board officers and for the duties of
17 the board, including the subpoena of witnesses, the
18 investigation of complaints, and providing for
19 reciprocity.

20 This bill would provide an individual
21 previously issued a provisional license three years
22 to take the licensure examination, and would
23 require the board to waive the examination fee for
24 one sitting.

25 This bill would lessen the time frame during
26 which an expired license may be restored from five
27 years to two years after expiration.

1 This bill would also provide further for
2 exemptions and would remove the authority of a
3 county or municipality to require an additional
4 electrical contracting proficiency examination
5 before issuing a local license to perform
6 electrical work within the county or municipality.

7 Amendment 621 of the Constitution of Alabama
8 of 1901, now appearing as Section 111.05 of the
9 Official Recompilation of the Constitution of
10 Alabama of 1901, as amended, prohibits a general
11 law whose purpose or effect would be to require a
12 new or increased expenditure of local funds from
13 becoming effective with regard to a local
14 governmental entity without enactment by a 2/3 vote
15 unless: it comes within one of a number of
16 specified exceptions; it is approved by the
17 affected entity; or the Legislature appropriates
18 funds, or provides a local source of revenue, to
19 the entity for the purpose.

20 The purpose or effect of this bill would be
21 to require a new or increased expenditure of local
22 funds within the meaning of the amendment. However,
23 the bill does not require approval of a local
24 governmental entity or enactment by a 2/3 vote to
25 become effective because it comes within one of the
26 specified exceptions contained in the amendment.

1 A BILL
2 TO BE ENTITLED
3 AN ACT

4
5 To amend Sections 34-36-3, 34-36-4, 34-36-6,
6 34-36-7, 34-36-8, 34-36-9, 34-36-13, and Section 34-36-16, as
7 amended by Act 2021-272, 2021 Regular Session, Code of Alabama
8 1975, relating to the Alabama Board of Electrical Contractors;
9 to provide further for definitions, to delete references to
10 master electrician; to provide further for the election of
11 board officers; to provide further for the duties of the
12 board, including the subpoena of witnesses, the investigation
13 of complaints, and providing for reciprocity; to provide an
14 individual previously issued a provisional license three years
15 to take the licensure examination, and require the board to
16 waive the examination fee for one sitting; to lessen the time
17 frame for restoring an expired license from five years to two
18 years; to provide further for exemptions; to remove the
19 authority of a county or municipality to require an additional
20 electrical contracting proficiency examination before issuing
21 a local license to work within the county or municipality; and
22 in connection therewith would have as its purpose or effect
23 the requirement of a new or increased expenditure of local
24 funds within the meaning of Amendment 621 of the Constitution
25 of Alabama of 1901, now appearing as Section 111.05 of the
26 Official Recompilation of the Constitution of Alabama of 1901,
27 as amended.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Sections 34-36-3, 34-36-4, 34-36-6,
3 34-36-7, 34-36-8, 34-36-9, 34-36-13, and Section 34-36-16, as
4 amended by Act 2021-272, 2021 Regular Session, Code of Alabama
5 1975, are amended to read as follows:

6 "§34-36-3.

7 "The following terms shall have the meanings
8 respectively ascribed to them used in this chapter, for the
9 purposes of this chapter, unless the context clearly requires
10 a different meaning:

11 "(1) BOARD. The Alabama Board of Electrical
12 Contractors.

13 "(2) DIRECTOR. The Executive Director of the Alabama
14 Board of Electrical Contractors.

15 "(3) ELECTRICAL CONTRACTING. Any job or project in
16 the State of Alabama wherein the electrical contractor
17 proposes to bid, install, maintain, alter, or repair any
18 electric wiring devices or equipment.

19 "(4) ELECTRICAL CONTRACTOR. Any person, firm, or
20 corporation who is engaged in the business of soliciting and
21 installing electrical power or control systems; maintaining,
22 altering, or repairing electrical power or control systems,
23 any electrical wiring devices, equipment, or any other
24 electrical apparatus. A person who possesses the necessary
25 qualifications, training, and technical knowledge to plan, lay
26 out, and supervise the installation of electrical wiring,
27 apparatus, or equipment for lighting, heating, power, or

1 controls and who possesses any of the following
2 qualifications:

3 "a. Four years of practical experience as a
4 journeyman electrician in charge of jobs.

5 "b. Four years of experience in the design and
6 construction of electrical systems.

7 "(5) ELECTRICAL WORKER. Any person who has received
8 training, or is receiving training, in the installation,
9 maintenance, and repair of electrical systems and circuitry
10 and has demonstrated skills and knowledge concerning the
11 potential hazards of electricity. The position of electrical
12 worker does not require a license from this board. An
13 electrical worker may only perform electrical work in this
14 state if he or she is any of the following:

15 "a. Employed by, and responsible to, a properly
16 licensed electrical contractor.

17 "b. Employed by a company that employs a properly
18 licensed electrical contractor and the electrical worker is
19 responsible to that licensed electrical contractor.

20 "c. Employed by a workforce staffing company that
21 contracts to provide workers to a licensed electrical
22 contractor and responsible to a licensed electrical
23 contractor.

24 "(5) (6) JOURNEYMAN ELECTRICIAN. A person who
25 possesses necessary qualifications, training, and technical
26 knowledge to install electrical wiring, apparatus, or
27 equipment lighting, heating, or power or control covered by

1 this chapter. He or she shall work under ~~a master or state~~
2 ~~certified~~ an electrical contractor and shall be capable of
3 doing work according to plans and specifications furnished to
4 him or her and in accordance with standard rules and
5 regulations governing such work.

6 ~~"(6)(7)~~ LICENSE. A valid and current certificate of
7 registration issued by the director on behalf of the board
8 which shall give the named person to whom it is issued
9 authority to engage in the activity prescribed thereon.

10 ~~"(7)(8)~~ LICENSEE. Any person holding a license
11 issued by the board.

12 ~~"(8)(9)~~ PERSON. A human person, not a legal entity.

13 ~~"(10)~~ PROVISIONAL LICENSE. A person who holds a
14 limited license issued by the board before August 31, 2012, to
15 perform electrical contracting tasks and functions only within
16 the boundaries and jurisdiction of the local authority where
17 the licensee holds a local electrical contractor license.

18 "§34-36-4.

19 "(a) The Alabama Board of Electrical Contractors is
20 created.

21 "(b) A person to be eligible for appointment to
22 serve on the board shall be a citizen and resident of Alabama.
23 Each person appointed to the board from each congressional
24 district shall be actively engaged in the electrical
25 ~~construction~~ contracting business as a qualified person with
26 electrical construction background of not less than five
27 consecutive years, ~~and shall hold certificates to validate his~~

1 ~~or her competence as an electrical contractor in the~~
2 ~~electrical construction field~~ immediately preceding the
3 appointment. The two persons appointed to the board as
4 at-large members shall be members of the Alabama State
5 Electrical Workers Association. ~~The membership of the board~~
6 ~~should be inclusive and should reflect the racial, gender,~~
7 ~~geographic, urban/rural~~ Governor shall coordinate his or her
8 appointments to assure the board membership is inclusive and
9 reflects the racial, gender, geographic, urban, rural, and
10 economic diversity of the diversity of the state.

11 "(c) The board shall consist of nine members to be
12 appointed by the Governor. One member shall be appointed from
13 each congressional district, and there shall be two at-large
14 members who shall be appointed from within the state. The
15 board members from the First, Second, and Third Congressional
16 Districts shall be appointed for terms of one year; the board
17 members from the Fourth, Fifth, and Sixth Congressional
18 Districts shall be appointed for terms of two years; and the
19 board member from the Seventh Congressional District as well
20 as the at-large members shall be appointed for terms of three
21 years. Thereafter, all board members shall be appointed for
22 terms of three years. Each term shall expire on June 30 of the
23 last year of the term, and no member shall serve more than two
24 consecutive three-year terms. Vacancies on the board for any
25 cause shall be filled by appointment by the Governor for the
26 remainder of the unexpired term. Members shall serve until
27 their successors are appointed.

1 "(d) The board shall meet at least semiannually and
2 as often as necessary. The board shall meet annually to elect
3 officers from its membership, ~~whose initial terms shall expire~~
4 ~~on June 30 next following their election.~~ To be eligible for
5 election as an officer, a board member shall have served for
6 at least two years on the board at the time of election.

7 Special meetings of the board may be held as the board
8 provides in its rules ~~and regulations~~. The board shall meet at
9 least once in the first quarter and once in the third quarter
10 of the year. Five members of the board shall constitute a
11 quorum.

12 "(e) The board may adopt rules ~~and regulations~~ to
13 carry out this chapter.

14 "(f) Any member of the board or duly appointed
15 hearing officer designated by the board may administer oaths
16 and take testimony concerning all matters within the
17 jurisdiction of the board.

18 "(g) The board may sue and be sued in its official
19 name. Absent negligence, wantonness, recklessness, or
20 deliberate misconduct, members of the board are immune from
21 liability for all good faith acts performed in the execution
22 of their duties of the board.

23 "(h) The board shall adopt a seal for its use
24 containing the words: Alabama Board of Electrical Contractors~~+~~
25 ~~Licensing Board Contractors.~~

26 "(i) The board may employ, and at its pleasure
27 discharge, an executive director. The board may hire other

1 officers, attorneys, and administrative employees which may be
2 necessary to implement this chapter. The board may employ, on
3 an as needed basis, ~~an investigator~~ investigators to
4 investigate complaints. The board shall not employ electrical
5 inspectors nor provide for any electrical inspections. The
6 board shall outline the duties and fix the compensation and
7 expense allowances of all employees pursuant to the Merit
8 System Act of Alabama.

9 "(j) The board is subject to the Alabama Sunset Law
10 and is classified as an enumerated agency pursuant to Section
11 41-20-3. The board shall automatically terminate on October 1,
12 2012, and every four years thereafter, unless a bill is
13 enacted that the board be continued, modified, or
14 reestablished.

15 "(k) Each board member shall be accountable to the
16 Governor for the proper performance of his or her duties as a
17 member of the board. The Governor shall investigate any
18 complaints or unfavorable reports concerning the actions of
19 the board and shall take appropriate action thereon, including
20 removal of any board member for misfeasance, malfeasance,
21 neglect of duty, commission of a felony, incompetence, or
22 permanent inability to perform official duties. A board member
23 may be removed at the request of the board after failing to
24 attend three consecutive properly noticed meetings.

25 "§34-36-6.

26 "(a) By rule, the board shall make provisions to do
27 all of the following:

1 "(1) Prepare or approve all examinations of
2 applicants for licenses for electrical contractors and
3 journeyman electricians.

4 "(2) Determine the qualifications of electrical
5 contractors to engage in the business of electrical
6 contracting.

7 "(3) Determine the qualifications of journeyman
8 electricians to engage in electrical work.

9 "(4) Provide for the investigation of written
10 complaints filed with the board concerning alleged violations
11 of this chapter and any rules adopted by the board.

12 "(5) Conduct investigations. The board may subpoena
13 witnesses and command the production of any books, documents,
14 records, and papers the board deems pertinent to any matter
15 under investigation. The board, by order of the chair or
16 executive director, may require any person to produce within
17 the state, at a reasonable time and place as the board may
18 designate, any books, documents, records, or papers kept in
19 any office or place without or within this state, or certified
20 copies thereof, whenever the production is reasonably required
21 and pertinent to any matter under investigation before or by
22 the board, in order that an examination may be made by the
23 board, or by any person employed by the board.

24 "(6) Investigate written complaints relating to
25 faulty, inefficient, unlicensed, or unsafe electrical work
26 likely to endanger life, health, or property.

1 "(7) Provide for reciprocity with other states in
2 the registration and licensing of electrical contractors and
3 journeyman electricians, provided that those other states have
4 requirements substantially equal to or greater than the
5 requirements of this state for registration and licensure and
6 that a similar privilege is offered to licensees of this
7 board.

8 "(b) The board may suspend, revoke, or refuse to
9 issue or renew a license and impose a civil penalty in an
10 amount not to exceed five thousand dollars (\$5,000), after
11 notice and opportunity for a hearing pursuant to the Alabama
12 Administrative Procedure Act, upon proof of any of the
13 following actions by a licensee or applicant:

14 "(1) Violating any provision of this chapter.

15 "(2) Attempting to procure a license to practice
16 electrical contracting or to work as ~~a master electrician~~ an
17 electrical contractor or journeyman electrician by bribery or
18 fraudulent misrepresentations.

19 "(3) Being convicted or found guilty, regardless of
20 adjudication, of a crime in any jurisdiction which directly
21 relates to the practice of electrical contracting, ~~working as~~
22 ~~a journeyman electrician, or the ability to practice~~
23 ~~electrical contracting or to work as a master electrician or~~
24 ~~journeyman electrician.~~

25 "(4) Making or filing a report or record which the
26 licensee knows to be false, willfully failing to file a report
27 or record required by state or federal law, willfully impeding

1 or obstructing such filing, or inducing another person to
2 impede or obstruct such filing. Such reports or records shall
3 include only those which are signed in the capacity of a
4 licensed electrical contractor, ~~master electrician,~~ or
5 journeyman electrician.

6 "(5) Being found guilty of fraud or deceit or of
7 negligence, incompetency, or misconduct in the practice of
8 electrical contracting or working as ~~a master electrician~~ an
9 electrical contractor or journeyman electrician.

10 "(6) Practicing ~~on~~ with a revoked, suspended, or
11 inactive license.

12 "(7) Aiding or abetting any person to evade any
13 provision of this chapter.

14 "(8) Knowingly combining or conspiring with any
15 person by allowing one's license to be used by any unlicensed
16 person with the intent to evade this chapter. When a licensee
17 allows his or her license to be used by any firm, partnership,
18 association, or corporation without having any active
19 participation in the operations or management of the firm,
20 partnership, association, or corporation, ~~such~~ the act
21 constitutes prima facie evidence of an intent to evade this
22 chapter.

23 "(9) Acting in the capacity of a contractor under
24 any license issued under this chapter except in the name of
25 the licensee as set forth on the issued license.

26 "(10) Failing to sufficiently and consistently
27 oversee and be responsible for the electrical work purportedly

1 performed by an electrical worker or a journeyman electrician
2 under the oversight of an electrical contractor or his or her
3 affiliated company, in order to ensure that all electrical
4 work is compliant with the applicable code or codes and the
5 health, safety, and welfare of the public.

6 "(c) Upon finding a person, corporation, or business
7 entity engaged in electrical contracting ~~as defined in this~~
8 ~~chapter~~ to be in violation of any of the provisions contained
9 ~~herein~~ within this chapter, the board may investigate the
10 activities of licensed and unlicensed contractors. If the
11 board finds that a person, corporation, or business entity is
12 engaged in performing electrical contracting covered by this
13 chapter without having obtained a proper license, the board
14 may do any of the following:

15 "(1) Deny an application for licensure with cause.

16 "(2) Impose an administrative fine of not more than
17 five thousand dollars (\$5,000).

18 "(3) Issue a cease and desist order.

19 "(4) Petition the circuit court of the county where
20 the act occurred to enforce the cease and desist order or
21 collect the assessed fine, or both.

22 "(d) Any person aggrieved by any adverse action
23 taken by the board may appeal the adverse action to the
24 circuit court of the county in which the adverse action
25 occurred in accordance with the Alabama Administrative
26 Procedure Act.

27 "§34-36-7.

1 "(a) All applicants for licensure ~~must~~ shall submit
2 a completed application, application fee, and supportive
3 documentation of qualifications before taking an examination
4 approved by the board. The board shall examine applicants at
5 least once every three months according to the method deemed
6 by it to be the most appropriate to test the qualifications of
7 applicants. Any national standardized or written examination
8 proctored by an independent third party which the board shall
9 approve as substantially similar to the examination required
10 to be licensed under this chapter may be administered to all
11 applicants in lieu of or in conjunction with any other
12 examination which the board shall give to test the
13 qualifications of applicants. The board ~~shall also have the~~
14 ~~right to~~ may establish such norms of achievement as shall be
15 required for a passing grade. The board ~~may~~, by rule, may
16 adopt the National Electrical Code for the purpose of
17 examinations.

18 "~~(b) The board may recognize a license issued by any~~
19 ~~other state that, in the opinion of the board, has standards~~
20 ~~of practice or licensure equal to or higher than those~~
21 ~~required by this state. The board shall actively seek to~~
22 ~~reciprocate with those states meeting such standards. The~~
23 ~~board shall actively seek to maintain those states currently~~
24 ~~under agreement.~~

25 "~~(c)~~ (b) No license shall be issued except in
26 compliance with this chapter and none shall be issued except
27 to a person or a person in a firm, partnership, association,

1 or corporation. A firm, partnership, association, or
2 corporation, as such, shall not be licensed. A licensee shall
3 be a citizen of the United States or, if not a citizen of the
4 United States, a person who is legally present in the United
5 States with appropriate documentation from the federal
6 government.

7 ~~"(d) An individual who has successfully passed, on~~
8 ~~or before January 1, 2010, with a minimum score of 70 percent,~~
9 ~~or an individual who has successfully passed after January 1,~~
10 ~~2010, with a minimum score of 75 percent, a nationally~~
11 ~~standardized proctored electrical examination administered in~~
12 ~~the State of Alabama, by Block and Associates, International~~
13 ~~Code Council, Experior, Promissor, Thomson Prometric, PROV, or~~
14 ~~any other exam approved by the board, shall be deemed to be in~~
15 ~~compliance with the testing requirement set forth by the board~~
16 ~~for licensure as an electrical contractor. Individuals meeting~~
17 ~~this qualification shall also be required to complete all~~
18 ~~other qualifications set forth by this chapter and the board~~
19 ~~prior to issuance of an electrical contractor license.~~
20 ~~Electrical contractor applicants affected by this provision~~
21 ~~shall have until July 1, 2011, to apply for licensure without~~
22 ~~any further examination requirements.~~

23 "(c) An individual holding a provisional license
24 issued by the board shall have three calendar years after the
25 effective date of the act adding this subsection to take and
26 pass a nationally standardized proctored electrical
27 examination approved by the board for licensure without any

1 further examination requirements. If the provisional licensee
2 does not pass the examination within those three years, the
3 provisional license shall expire. A provisional license that
4 expires may not be renewed. The board shall waive the
5 examination fee one time during the three-year time period
6 provided by this subsection.

7 "§34-36-8.

8 "(a) All licenses shall expire annually or at other
9 times designated by the board. All applications for renewal of
10 licenses shall be filed with the director prior to the
11 expiration date, accompanied by the annual renewal fee
12 prescribed by the board.

13 "(b) The board ~~is authorized to~~ may establish or
14 adopt, or both, continuing education requirements and may
15 approve the program or programs providing education to fulfill
16 the requirements. The board shall set the minimum standards of
17 continuing education. All persons holding an electrical
18 contractor license shall be required to complete 14 hours of
19 continuing education every two years.

20 "(c) The board may ~~promulgate~~ adopt rules regarding
21 the approval of continuing education courses and the
22 accounting for continuing education hours.

23 "(d) Any person licensed by the board may elect an
24 inactive status certificate by notifying the board in writing.
25 The fee for the issuance and renewal of an inactive status
26 certificate shall be established by the board. The board shall
27 provide by rule those activities which an inactive status

1 certificate holder may engage in and for a procedure for the
2 reinstatement as an active status certificate holder.

3 "§34-36-9.

4 "~~An expired~~ A license for an electrical contractor
5 which has expired for failure to renew may only be restored
6 within ~~five~~ two years from the date of expiration after
7 application and payment of the prescribed restoration fee and
8 satisfaction of all continuing education requirements, if
9 applicable. The restoration fee shall be established by the
10 board and shall be due upon application for restoration. The
11 restoration fee shall be in addition to all accrued renewal
12 fees. Any license which has not been restored within ~~five~~ two
13 years following its expiration may not be renewed, restored,
14 or reissued thereafter. The holder of ~~such~~ a cancelled license
15 may apply for and obtain a valid license only upon compliance
16 with all relevant requirements as prescribed by this chapter
17 or by rule for issuance of a new license.

18 "§34-36-13.

19 "(a) No person shall engage in the electrical
20 contracting business or perform work as ~~a master~~ an electrical
21 contractor or journeyman electrician unless such person shall
22 have received a license from the board ~~or from the county or~~
23 ~~municipality where the electrical contracting work is being~~
24 ~~performed; provided, however, the provisions of this chapter~~
25 ~~shall not apply.~~ The following activities, people, and
26 entities are exempted from regulation by or obtaining a
27 license from the board:

1 ~~"(1) To the installation, construction, or~~
2 ~~maintenance of~~ The activity of installing, constructing, or
3 maintaining power systems for the generation and secondary
4 distribution of electric current constructed under ~~the~~
5 ~~provisions of~~ the National Electrical Safety Code which
6 regulates the safety requirements of utilities.

7 ~~"(2) To the installation, construction, maintenance,~~
8 ~~or repair of~~ The activity of installing, constructing,
9 maintaining, or repairing telephone or signal systems by or
10 for public utilities or their corporate affiliates, when such
11 work pertains to the services furnished by such utilities.

12 ~~"(3) To any~~ Any technician employed by a municipal
13 franchised CATV system, when such work pertains to CATV.

14 ~~"(4) To any master or journeyman electrician~~
15 ~~employed by a state licensee of the board or a licensee of a~~
16 ~~county or municipality where the contract work is being~~
17 ~~performed~~ Any electrical worker who is employed, either
18 directly or through a workforce staffing company, by a
19 statewide licensee of the board.

20 ~~"(5) To the~~ The owner of any premises or an ~~employee~~
21 ~~of any such owner~~ electrical worker employed by the premises
22 owner when performing electrical work or installing,
23 constructing, maintaining, altering, or repairing electrical
24 wiring, equipment, or apparatus on such premises.

25 ~~"(6) To an employee~~ An employee of an electric
26 utility when installing or repairing electric appliances and
27 equipment for a customer.

1 "~~7) To any~~ Any retail merchant, or its employees
2 making the installation of or the repair or maintenance on any
3 appliance that the merchant has sold; or to any ~~modular or~~
4 manufacturer of ~~the~~ modular housing ~~industry within the state~~
5 which is regulated by state and federal governments.

6 "~~(8) To the installation, construction, or~~
7 ~~maintenance of~~ The activity of installing, constructing, or
8 maintaining systems that operate on 25 volts or less.

9 "~~(9) To the installation, construction, or~~
10 ~~maintenance of~~ The activity of installing, constructing, or
11 maintaining direct broadcast satellite services.

12 "(10) The activity of an electrical worker when
13 properly responsible to a licensee of the board.

14 "(b) (1) No license shall be issued by the board
15 without an examination of the applicant for the purpose of
16 ascertaining his or her qualifications for ~~such~~ the work, ~~but~~
17 ~~no such~~. Reciprocal licensees are exempt from re-examination
18 by the board. No examination shall be required for the annual
19 renewal of ~~such~~ a license.

20 "(2) This section shall in no way prohibit the
21 governing authorities of each county ~~and~~ or municipality in
22 the ~~State of Alabama~~ state from exercising their authority to
23 require any person ~~engaging in the electrical contracting~~
24 ~~business or performing work as a master or journeyman~~
25 ~~electrician to stand and attain a passing grade on an~~
26 ~~examination administered by such county or municipality to~~
27 ~~evidence their ability and proficiency to engage in the~~

1 ~~electrical contracting business or to perform work as a master~~
2 ~~or journeyman electrician within their jurisdiction; provided,~~
3 ~~however, that any person who holds a valid statewide license~~
4 ~~issued by the board shall be deemed qualified and, upon~~
5 ~~satisfactory proof of the license, shall be allowed to perform~~
6 ~~forthwith electrical work in any county or municipality under~~
7 ~~the terms and conditions set forth in this chapter, if such~~
8 ~~person has the proper county or municipal building permit and~~
9 ~~business license~~ to purchase a local license or permit to
10 perform work within the jurisdiction of the county or
11 municipality.

12 "(c) All persons performing work under a license
13 issued by the board must abide by all state and local laws and
14 ordinances.

15 "§34-36-16.

16 "(a) Except as provided in Section 13A-9-111.1, it
17 shall be unlawful for any person to violate any provision of
18 this chapter regulating electrical contracting, and any person
19 convicted of such violation shall be punished as prescribed
20 for a Class A misdemeanor.

21 "(b) It shall be unlawful, except as otherwise
22 provided, on or after December 31, 2011, for a person not
23 licensed as an electrical contractor to solicit, represent,
24 seek to perform, or perform those tasks and functions that can
25 only be performed by a licensed electrical contractor in
26 accordance with this chapter.

1 ~~(c) Subsection (b) shall not apply to an electrical~~
2 ~~contractor who has taken an examination offered by the board~~
3 ~~within the preceding 12 months, who holds a license or permit~~
4 ~~issued by a county or municipal government to perform the~~
5 ~~tasks and functions that can only be performed by a licensed~~
6 ~~electrical contractor, and who performs those tasks and~~
7 ~~functions within the boundaries of the county or municipality~~
8 ~~that issued the license or permit."~~

9 Section 2. Although this bill would have as its
10 purpose or effect the requirement of a new or increased
11 expenditure of local funds, the bill is excluded from further
12 requirements and application under Amendment 621 of the
13 Constitution of Alabama of 1901, now appearing as Section
14 111.05 of the Official ReCompilation of the Constitution of
15 Alabama of 1901, as amended, because the bill defines a new
16 crime or amends the definition of an existing crime.

17 Section 3. This act shall become effective on the
18 first day of the third month following its passage and
19 approval by the Governor, or its otherwise becoming law.