

1 HB501
2 210539-3
3 By Representative Sanderford
4 RFD: Boards, Agencies and Commissions
5 First Read: 04-MAR-21

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2 ENROLLED, An Act,

3 Relating to occupational licensing boards; to add
4 Section 41-9A-3, Code of Alabama 1975, to establish a waiver
5 process for the Alabama Board of Electrical Contractors, the
6 State of Alabama Plumbers and Gas Fitters Examining Board, the
7 Home Builders Licensure Board, the State Licensing Board for
8 General Contractors, and the Board of Heating, Air
9 Conditioning, and Refrigeration Contractors to use for
10 allowing an employing entity, and its employed licensees, to
11 continue operations on a temporary basis after the incapacity
12 of the designated qualifying representative, license holder,
13 or certificate holder.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Section 41-9A-3 is added to the Code of
16 Alabama 1975, to read as follows:

17 §41-9A-3.

18 (a) For the purposes of this section, an
19 occupational licensing board includes all of the following:

20 (1) The Alabama Board of Electrical Contractors,
21 operating pursuant to Chapter 36 of Title 34, Code of Alabama
22 1975.

23 (2) The State Licensing Board for General
24 Contractors, operating pursuant to Chapter 8 of Title 34, Code
25 of Alabama 1975.

1 (3) The Board of Heating, Air Conditioning, and
2 Refrigeration Contractors, operating pursuant to Chapter 31 of
3 Title 34, Code of Alabama 1975.

4 (4) The Home Builders Licensure Board, operating
5 pursuant to Chapter 14A of Title 34, Code of Alabama 1975.

6 (5) The State of Alabama Plumbers and Gas Fitters
7 Examining Board, operating pursuant to Chapter 37 of Title 34,
8 Code of Alabama 1975.

9 (b) If the designated qualifying representative,
10 license holder, or certificate holder for an entity employing
11 other licensees of the same occupational licensing board, is
12 no longer able to hold a valid license or certificate from
13 that occupational licensing board, due to his or her death or
14 mental or physical incapacity, and the holding of a valid
15 license or certificate is necessary for the employing entity
16 to continue operations, the applicable occupational licensing
17 board shall issue a special hardship or temporary license or
18 certificate waiver to the employing entity. The waiver shall
19 allow the employing entity, and the employed licensees and
20 certificate holders to continue operations on a temporary
21 basis.

22 (c) To request a waiver, a license or certificate
23 holder employee of the employing entity shall submit to the
24 applicable occupational licensing board, in writing, notice of
25 the death or incapacity of the designated qualifying

1 representative, license holder, or certificate holder, and any
2 documentation required by the occupational licensing board, on
3 forms provided by the occupational licensing board. A request
4 for waiver shall be submitted to the occupational licensing
5 board within 45 days after the designated qualifying
6 representative, license holder, or certificate holder dies or
7 becomes incapacitated. Any request for waiver submitted after
8 that time may be denied after a show cause hearing by the
9 occupational licensing board.

10 (d) A waiver shall be valid for no more than ~~90~~ a
11 maximum of 135 days from the date granted after the date of
12 death or incapacitation of the designated qualifying
13 representative, license holder, or certificate holder..

14 (e) Each occupational licensing board may impose a
15 waiver fee, in an amount equal to one half of the total
16 renewal fee for the license or certificate for which waiver is
17 requested.

18 (f) Each occupational licensing board shall adopt
19 rules as necessary to implement this act.

20 Section 2. This act shall become effective
21 immediately following its passage and approval by the
22 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 06-APR-21, as amended.

Jeff Woodard
Clerk

Senate

17-MAY-21

Passed