

1 HB413  
2 147814-2  
3 By Representative Butler  
4 RFD: Boards, Agencies and Commissions  
5 First Read: 07-MAR-13

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8 SYNOPSIS: Under existing law, an electrical contractor  
9 who has taken an examination offered by the board  
10 within the preceding 12 months and holds a license  
11 or permit issued by a county or municipal  
12 government to perform electrical contracting work,  
13 is exempt from the Alabama Electrical Contractors  
14 Act.

15 This bill would extend the date by which  
16 certain electrical contractors, who have passed a  
17 nationally standardized examination, may be  
18 licensed without further examination requirements.

19 This bill would allow any individual who  
20 successfully passed a nationally standardized  
21 journeyman electrician examination to apply for  
22 licensure without further examination requirements  
23 for one year.

24 This bill would also require an electrical  
25 contractor who holds a license issued by a county  
26 or municipal government to obtain a provisional  
27 license from the Alabama Board of Electrical

1 Contractors to continue working within a 100-mile  
2 radius of his or her residence.

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4 A BILL  
5 TO BE ENTITLED  
6 AN ACT  
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8 To amend Sections 34-36-7, as amended by Act  
9 2012-102, 2012 Regular Session (Acts 2012), and 34-36-16, Code  
10 of Alabama 1975, relating to the issuance of licenses under  
11 and exemptions from the Alabama Electrical Contractors Act; to  
12 extend the date by which certain electrical contractors who  
13 have passed a nationally standardized examination may be  
14 licensed without further examination; to allow licensure as a  
15 journeyman electrician without further examination  
16 requirements for one year for any otherwise qualified  
17 individual who successfully passes a nationally standardized  
18 journeyman electrician examination; and to require an  
19 electrical contractor who holds a license issued by a county  
20 or municipal government to obtain a provisional license from  
21 the Alabama Board of Electrical Contractors to continue  
22 working within a 100-mile radius of his or her residence.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. Sections 34-36-7, as amended by Act  
25 2012-102, 2012 Regular Session (Acts 2012), and 34-36-16 of  
26 the Code of Alabama 1975, are amended to read as follows:

27 "§34-36-7.

1           "(a) All applicants for licensure must submit a  
2 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 establish such norms of achievement as shall be  
15 required for a passing grade. The board may, by rule, adopt  
16 the National Electrical Code for the purpose of examinations.

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

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

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

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

22 "(e) An individual who, at a date determined by the  
23 board, has successfully passed with a minimum score of 70  
24 percent, a nationally standardized proctored journeyman  
25 electrician examination administered in the State of Alabama,  
26 by Block and Associates, Southern Building Code Conference  
27 Institute, International Code Council, Experior, Promissor,

1 Thomson Prometric, PROV, or any other standardized examination  
2 approved by the board, shall be deemed to be in compliance  
3 with the testing requirement set forth by the board for  
4 licensure as a journeyman electrician. Individuals meeting  
5 this qualification shall also be required to complete all  
6 other qualifications set forth by this chapter and the board  
7 prior to issuance of a journeyman electrician license.  
8 Journeyman electrician applicants affected by this provision  
9 shall have one year after the effective date of the act adding  
10 this subsection to apply for licensure without any further  
11 examination requirements.

12 "§34-36-16.

13 "(a) It shall be unlawful for any person to violate  
14 any provision of this chapter regulating electrical  
15 contracting, and any person convicted of such violation shall  
16 be punished as prescribed for a Class A misdemeanor.

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

23 "(c) Subsection (b) shall not apply to an electrical  
24 contractor who ~~has taken an examination offered by the board~~  
25 ~~within the preceding 12 months,~~ who holds a license or permit  
26 issued by a county or municipal government to perform the  
27 tasks and functions that can only be performed by a licensed

1 electrical contractor, and who performs those tasks and  
2 functions within ~~the boundaries of the county or municipality~~  
3 ~~that issued the license or permit~~ a 100-mile radius of his or  
4 her residence, as long as the electrical contractor has  
5 applied for and obtained a provisional license from the board  
6 to continue to work locally."

7 Section 2. This act shall become effective  
8 immediately following its passage and approval by the  
9 Governor, or its otherwise becoming law.