

1 HB759  
2 141526-1  
3 By Representative Hurst  
4 RFD: Boards, Agencies and Commissions  
5 First Read: 26-APR-12  
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8 SYNOPSIS: This bill would grandfather in as a  
9 state-licensed electrician a person licensed as an  
10 electrician by a municipality prior to January 1,  
11 2010, provided the person was licensed by the  
12 municipality for five continuous years prior  
13 thereto.

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15 A BILL  
16 TO BE ENTITLED  
17 AN ACT  
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19 To amend Section 34-36-7, Code of Alabama 1975,  
20 relating to the licensing of electricians, to further provide  
21 for the licensure of certain electricians licensed by a  
22 municipality under certain conditions prior to January 1,  
23 2010.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Section 34-36-7, Code of Alabama 1975, is  
26 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, to apply for licensure without  
20 any further examination requirements.

21 "(e) Notwithstanding the provisions of subsection  
22 (d) or any other provisions of this chapter, any person  
23 licensed as an electrician contractor or a journeyman  
24 electrician by a municipality prior to January 1, 2010, shall  
25 be grandfathered in as a licensee under this chapter for the  
26 type of license held by the person prior to January 1, 2010,  
27 and may continue to engage in the activity authorized by the

1 license provided the person was licensed by the municipality  
2 not less than five continuous years prior to January 1, 2010."

3 Section 2. This act shall become effective on the  
4 first day of the third month following its passage and  
5 approval by the Governor, or its otherwise becoming law.