

1 SB115
2 138573-3
3 By Senator Bussman
4 RFD: Governmental Affairs
5 First Read: 07-FEB-12
6 PFD: 01/30/2012

1 SB115

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4 ENROLLED, An Act,

5 Relating to the Alabama Sunset Law; to continue the
6 existence and functioning of the Alabama Board of Electrical
7 Contractors with certain modifications; to amend Section
8 34-36-7, Code of Alabama 1975, so as to require that
9 applicants for licensure be United States citizens or legally
10 present in the United States.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Pursuant to the Alabama Sunset Law, the
13 Sunset Committee recommends the continuance of the Alabama
14 Board of Electrical Contractors with the additional
15 recommendations for statutory change as set out in Section 3.

16 Section 2. The existence and functioning of the
17 Alabama Board of Electrical Contractors, created and
18 functioning pursuant to Sections 34-36-1 to 34-36-18,
19 inclusive, Code of Alabama 1975, is continued, and those code
20 sections are expressly preserved.

21 Section 3. Section 34-36-7 of the Code of Alabama
22 1975, is amended to read as follows:

23 "§34-36-7.

24 "(a) All applicants for licensure must submit a
25 completed application, application fee, and supportive

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

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

22 "(c) No license shall be issued except in compliance
23 with this chapter and none shall be issued except to a person
24 or a person in a firm, partnership, association, or
25 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 Section 4. The Legislature concurs in the
22 recommendations of the Sunset Committee as provided in
23 Sections 1, 2, and 3.

1 Section 5. This act shall become effective
2 immediately upon its passage and approval by the Governor, or
3 its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB115

Senate 15-MAR-12

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris
Secretary

House of Representatives

Passed: 22-MAR-12

By: Senator Bussman