

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

ENGROSSED

A BILL
TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

§41-9A-3.

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

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

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

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

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

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

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

25 (c) To request a waiver, a license or certificate
26 holder employee of the employing entity shall submit to the
27 applicable occupational licensing board, in writing, notice of

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

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

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

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

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

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Boards, Agencies
and Commissions..... 04-MAR-21

Read for the second time and placed
on the calendar 1 amendment 11-MAR-21

Read for the third time and passed
as amended..... 06-APR-21

Yeas 96, Nays 0, Abstains 0

Jeff Woodard
Clerk