

1 SB374
2 126970-2
3 By Senator Marsh
4 RFD: Small Business
5 First Read: 07-APR-11

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

This bill would extend the date by which certain electrical contractors, who have passed a nationally standardized examination, may be licensed without further examination requirements from July 1, 2011, to December 31, 2011.

This bill would allow any individual who successfully passed a nationally standardized journeyman electrician examination on or before January 1, 2011, to apply for licensure without further examination requirements for one year.

This bill would also require an electrical contractor who holds a license issued by a county or municipal government to obtain a provisional

1 license from the Alabama Board of Electrical
2 Contractors to continue working locally.

3
4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 To amend Sections 34-36-7 and 34-36-16, Code of
9 Alabama 1975, as amended by Act 2010-540, 2010 Regular Session
10 (Acts 2010, p. 932), relating to the issuance of licenses
11 under and exemptions from the Alabama Electrical Contractors
12 Act; to extend the date by which certain electrical
13 contractors who have passed a nationally standardized
14 examination may be licensed without further examination from
15 July 1, 2011, to December 31, 2011; to allow licensure as a
16 journeyman electrician without further examination
17 requirements for one year for any otherwise qualified
18 individual who successfully passes a nationally standardized
19 journeyman electrician examination on or before January 1,
20 2011; and to require an electrical contractor who holds a
21 license issued by a county or municipal government to obtain a
22 provisional license from the Alabama Board of Electrical
23 Contractors to continue working locally.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Sections 34-36-7 and 34-36-16 of the Code
26 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

1 corporation. A firm, partnership, association, or corporation,
2 as such, shall not be licensed.

3 "(d) An individual who has successfully passed, on
4 or before January 1, 2010, with a minimum score of 70 percent,
5 or an individual who has successfully passed after January 1,
6 2010, with a minimum score of 75 percent, a nationally
7 standardized proctored electrical examination administered in
8 the State of Alabama, by Block and Associates, International
9 Code Council, Experior, Promissor, Thomson Prometric, PROV, or
10 any other exam approved by the board, shall be deemed to be in
11 compliance with the testing requirement set forth by the board
12 for licensure as an electrical contractor. Individuals meeting
13 this qualification shall also be required to complete all
14 other qualifications set forth by this chapter and the board
15 prior to issuance of an electrical contractor license.
16 Electrical contractor applicants affected by this provision
17 shall have until ~~July 1~~ December 31, 2011, to apply for
18 licensure without any further examination requirements.

19 "(e) An individual who has successfully passed, on
20 or before January 1, 2011, with a minimum score of 70 percent,
21 a nationally standardized proctored journeyman electrician
22 examination administered in the State of Alabama, by Block and
23 Associates, Southern Building Code Conference Institute,
24 International Code Council, Experior, Promissor, Thomson
25 Prometric, PROV, or any other standardized examination
26 approved by the board, shall be deemed to be in compliance
27 with the testing requirement set forth by the board for

1 licensure as a journeyman electrician. Individuals meeting
2 this qualification shall also be required to complete all
3 other qualifications set forth by this chapter and the board
4 prior to issuance of a journeyman electrician license.
5 Journeyman electrician applicants affected by this provision
6 shall have one year after the effective date of the act adding
7 this subsection to apply for licensure without any further
8 examination requirements.

9 "§34-36-16.

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

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

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

1 contractor has applied for and obtained a provisional license
2 from the board to continue to work locally."

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.