

HB302 INTRODUCED



1 P6QIRG-1
2 By Representative Butler
3 RFD: Boards, Agencies and Commissions
4 First Read: 13-Apr-23
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SYNOPSIS:

Under existing law, the Alabama Board of Electrical Contractors is responsible for the licensing and regulation of electrical contractors in the state.

This bill would provide for the definition of an electrical worker and a provisional license, and would delete references to master electrician.

This bill would provide further for the election of board officers and for the duties of the board, including the subpoena of witnesses, the investigation of complaints, and providing for reciprocity.

This bill would provide an individual previously issued a provisional license three years to take the licensure examination, and would require the board to waive the examination fee for one sitting.

This bill would lessen the time frame during which an expired license may be restored from five years to two years after expiration.

This bill would also provide further for exemptions and would remove the authority of a county or municipality to require an additional electrical contracting proficiency examination before issuing a local license to perform electrical work within the county or municipality.

Section 111.05 of the Constitution of Alabama of



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29 2022, prohibits a general law whose purpose or effect
30 would be to require a new or increased expenditure of
31 local funds from becoming effective with regard to a
32 local governmental entity without enactment by a 2/3
33 vote unless: it comes within one of a number of
34 specified exceptions; it is approved by the affected
35 entity; or the Legislature appropriates funds, or
36 provides a local source of revenue, to the entity for
37 the purpose.

38 The purpose or effect of this bill would be to
39 require a new or increased expenditure of local funds
40 within the meaning of the amendment. However, the bill
41 does not require approval of a local governmental
42 entity or enactment by a 2/3 vote to become effective
43 because it comes within one of the specified exceptions
44 contained in the amendment.

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A BILL

TO BE ENTITLED

AN ACT

51 Relating to the Alabama Board of Electrical
52 Contractors; to amend Sections 34-36-3, 34-36-4, 34-36-6,
53 34-36-7, 34-36-8, 34-36-9, 34-36-13, and 34-36-16, Code of
54 Alabama 1975; to provide further for definitions, to delete
55 references to master electrician; to provide further for the
56 election of board officers; to provide further for the duties



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57 of the board, including the subpoena of witnesses, the
58 investigation of complaints, and providing for reciprocity; to
59 provide an individual previously issued a provisional license
60 three years to take the licensure examination, and require the
61 board to waive the examination fee for one sitting; to lessen
62 the time frame for restoring an expired license from five
63 years to two years; to provide further for exemptions; to
64 remove the authority of a county or municipality to require an
65 additional electrical contracting proficiency examination
66 before issuing a local license to work within the county or
67 municipality; and in connection therewith would have as its
68 purpose or effect the requirement of a new or increased
69 expenditure of local funds within the meaning of Section
70 111.05 of the Constitution of Alabama of 2022.

71 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

72 Section 1. Sections 34-36-3, 34-36-4, 34-36-6, 34-36-7,
73 34-36-8, 34-36-9, 34-36-13, and 34-36-16 of the Code of
74 Alabama 1975, are amended to read as follows:

75 "§34-36-3

76 (a) The following terms shall have the meanings
77 respectively ascribed to them used in this chapter, for the
78 purposes of this chapter, unless the context clearly requires
79 a different meaning:

80 (1) BOARD. The Alabama Board of Electrical Contractors.

81 (2) DIRECTOR. The Executive Director of the Alabama
82 Board of Electrical Contractors.

83 (3) ELECTRICAL CONTRACTING. Any job or project in the
84 State of Alabama wherein the electrical contractor proposes to



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85 bid, install, maintain, alter, or repair any electric wiring
86 devices or equipment.

87 (4) ELECTRICAL CONTRACTOR. Any person, firm, or
88 corporation who is engaged in the business of soliciting and
89 installing electrical power or control systems; maintaining,
90 altering, or repairing electrical power or control systems,
91 any electrical wiring devices, equipment, or any other
92 electrical apparatus. A person who possesses the necessary
93 qualifications, training, and technical knowledge to plan, lay
94 out, and supervise the installation of electrical wiring,
95 apparatus, or equipment for lighting, heating, power, or
96 controls and who possesses any of the following
97 qualifications:

98 a. Four years of practical experience as a journeyman
99 electrician in charge of jobs.

100 b. Four years of experience in the design and
101 construction of electrical systems.

102 (5) ELECTRICAL WORKER. Any person who has received
103 training, or is receiving training, in the installation,
104 maintenance, and repair of electrical systems and circuitry
105 and has demonstrated skills and knowledge concerning the
106 potential hazards of electricity. The position of electrical
107 worker does not require a license from the board. An
108 electrical worker may only perform electrical work in this
109 state if he or she is any of the following:

110 a. Employed by, and responsible to, a properly licensed
111 electrical contractor.

112 b. Employed by a company that employs a properly



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113 licensed electrical contractor and the electrical worker is
114 responsible to that licensed electrical contractor.

115 c. Employed by a workforce staffing company that
116 contracts to provide workers to a licensed electrical
117 contractor and responsible to a licensed electrical
118 contractor.

119 ~~(5)~~ (6) JOURNEYMAN ELECTRICIAN. A person who possesses
120 necessary qualifications, training, and technical knowledge to
121 install electrical wiring, apparatus, or equipment lighting,
122 heating, or power or control covered by this chapter. He or
123 she shall work under ~~a master or state certified~~ an electrical
124 contractor and shall be capable of doing work according to
125 plans and specifications furnished to him or her and in
126 accordance with standard rules and regulations governing such
127 work.

128 ~~(6)~~ (7) LICENSE. A valid and current certificate of
129 registration issued by the director on behalf of the board
130 which shall give the named person to whom it is issued
131 authority to engage in the activity prescribed thereon.

132 ~~(7)~~ (8) LICENSEE. Any person holding a license issued by
133 the board.

134 ~~(8)~~ (9) PERSON. A human person, not a legal entity.

135 (10) PROVISIONAL LICENSE. A person who holds a limited
136 license issued by the board before August 31, 2012, to perform
137 electrical contracting tasks and functions only within the
138 boundaries and jurisdiction of the local authority where the
139 licensee holds a local electrical contractor license.

140 (b) Additional terms may be defined by the board, by



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141 rule."

142 "§34-36-4

143 (a) The Alabama Board of Electrical Contractors is
144 created.

145 (b) A person to be eligible for appointment to serve on
146 the board shall be a citizen and resident of Alabama. Each
147 person appointed to the board from each congressional district
148 shall be actively engaged in the electrical ~~construction~~
149 contracting business as a qualified person with electrical
150 construction background of not less than five consecutive
151 years, ~~and shall hold certificates to validate his or her~~
152 ~~competence as an electrical contractor in the electrical~~
153 ~~construction field~~ immediately preceding appointment. The two
154 persons appointed to the board as at-large members shall be
155 members of the Alabama State Electrical Workers Association.
156 The ~~membership of the board should be inclusive and should~~
157 ~~reflect the racial, gender, geographic, urban/rural~~ Governor
158 shall coordinate his or her appointments to assure the board
159 membership is inclusive and reflects the racial, gender,
160 geographic, urban, rural, and economic diversity of the state.

161 (c) The board shall consist of nine members to be
162 appointed by the Governor. One member shall be appointed from
163 each congressional district, and there shall be two at-large
164 members who shall be appointed from within the state. The
165 board members from the First, Second, and Third Congressional
166 Districts shall be appointed for terms of one year; the board
167 members from the Fourth, Fifth, and Sixth Congressional
168 Districts shall be appointed for terms of two years; and the



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169 board member from the Seventh Congressional District as well
170 as the at-large members shall be appointed for terms of three
171 years. Thereafter, all board members shall be appointed for
172 terms of three years. Each term shall expire on June 30 of the
173 last year of the term, and no member shall serve more than two
174 consecutive three-year terms. Vacancies on the board for any
175 cause shall be filled by appointment by the Governor for the
176 remainder of the unexpired term. Members shall serve until
177 their successors are appointed.

178 (d) The board shall meet at least semiannually and as
179 often as necessary. The board shall meet annually to elect
180 officers from its membership, ~~whose initial terms shall expire~~
181 ~~on June 30 next following their election.~~ To be eligible for
182 election as an officer, a board member shall have served for
183 at least two years on the board at the time of election.

184 Special meetings of the board may be held as the board
185 provides in its rules ~~and regulations~~. The board shall meet at
186 least once in the first quarter and once in the third quarter
187 of the year. Five members of the board shall constitute a
188 quorum.

189 (e) The board may adopt rules ~~and regulations~~ to carry
190 out this chapter.

191 (f) Any member of the board or duly appointed hearing
192 officer designated by the board may administer oaths and take
193 testimony concerning all matters within the jurisdiction of
194 the board.

195 (g) The board may sue and be sued in its official name.
196 Absent negligence, wantonness, recklessness, or deliberate



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197 misconduct, members of the board are immune from liability for
198 all good faith acts performed in the execution of their duties
199 of the board.

200 (h) The board shall adopt a seal for its use containing
201 the words: Alabama Board of Electrical~~Contractors' Licensing~~
202 ~~Board~~ Contractors.

203 (i) The board may employ, and at its pleasure
204 discharge, an executive director. The board may hire other
205 officers, attorneys, and administrative employees which may be
206 necessary to implement this chapter. The board may employ, on
207 an as needed basis, ~~an investigator~~ investigators to
208 investigate complaints. ~~The board shall not employ electrical~~
209 ~~inspectors nor provide for any electrical inspections.~~ The
210 board shall outline the duties and fix the compensation and
211 expense allowances of all employees pursuant to the Merit
212 System Act of Alabama.

213 (j) The board is subject to the Alabama Sunset Law and
214 is classified as an enumerated agency pursuant to Section
215 41-20-3. The board shall automatically terminate on October 1,
216 2012, and every four years thereafter, unless a bill is
217 enacted that the board be continued, modified, or
218 reestablished.

219 (k) Each board member shall be accountable to the
220 Governor for the proper performance of his or her duties as a
221 member of the board. The Governor shall investigate any
222 complaints or unfavorable reports concerning the actions of
223 the board and shall take appropriate action thereon, including
224 removal of any board member for misfeasance, malfeasance,



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225 neglect of duty, commission of a felony, incompetence, or
226 permanent inability to perform official duties. A board member
227 may be removed at the request of the board after failing to
228 attend three consecutive properly noticed meetings."

229 "§34-36-6

230 (a) By rule, the board shall make provisions to do all
231 of the following:

232 (1) Prepare or approve all examinations of applicants
233 for licenses for electrical contractors and journeyman
234 electricians.

235 (2) Determine the qualifications of electrical
236 contractors to engage in the business of electrical
237 contracting.

238 (3) Determine the qualifications of journeyman
239 electricians to engage in electrical work.

240 (4) Provide for the investigation of written complaints
241 filed with the board concerning alleged violations of this
242 chapter and any rules adopted by the board.

243 (5) Conduct investigations. The board may subpoena
244 witnesses and command the production of any books, documents,
245 records, and papers the board deems pertinent to any matter
246 under investigation. The board, by order of the chair or
247 executive director, may require any person to produce within
248 the state, at a reasonable time and place as the board may
249 designate, any books, documents, records, or papers kept in
250 any office or place without or within this state, or certified
251 copies thereof, whenever the production is reasonably required
252 and pertinent to any matter under investigation before or by



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253 the board, in order that an examination may be made by the
254 board, or by any person employed by the board.

255 (6) Investigate written complaints relating to faulty,
256 inefficient, unlicensed, or unsafe electrical work likely to
257 endanger life, health, or property.

258 (7) Provide for reciprocity with other states in the
259 registration and licensing of electrical contractors and
260 journeyman electricians, provided that those other states have
261 requirements substantially equal to or greater than the
262 requirements of this state for registration and licensure and
263 that a similar privilege is offered to licensees of this
264 board.

265 (b) The board may suspend, revoke, or refuse to issue
266 or renew a license and impose a civil penalty in an amount not
267 to exceed five thousand dollars (\$5,000), after notice and
268 opportunity for a hearing pursuant to the Alabama
269 Administrative Procedure Act, upon proof of any of the
270 following actions by a licensee or applicant:

271 (1) Violating any provision of this chapter.

272 (2) Attempting to procure a license to practice
273 electrical contracting or to work as ~~a master electrician~~ an
274 electrical contractor or journeyman electrician by bribery or
275 fraudulent misrepresentations.

276 (3) Being convicted or found guilty, regardless of
277 adjudication, of a crime in any jurisdiction which directly
278 relates to the practice of electrical contracting, ~~working as~~
279 ~~a journeyman electrician, or the ability to practice~~
280 ~~electrical contracting or to work as a master electrician or~~



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281 ~~journeyman electrician.~~

282 (4) Making or filing a report or record which the
283 licensee knows to be false, willfully failing to file a report
284 or record required by state or federal law, willfully impeding
285 or obstructing such filing, or inducing another person to
286 impede or obstruct such filing. Such reports or records shall
287 include only those which are signed in the capacity of a
288 licensed electrical contractor, ~~master electrician,~~ or
289 journeyman electrician.

290 (5) Being found guilty of fraud or deceit or of
291 negligence, incompetency, or misconduct in the practice of
292 electrical contracting or working as ~~a master electrician~~ an
293 electrical contractor or journeyman electrician.

294 (6) Practicing ~~on~~ with a revoked, suspended, or
295 inactive license.

296 (7) Aiding or abetting any person to evade any
297 provision of this chapter.

298 (8) Knowingly combining or conspiring with any person
299 by allowing one's license to be used by any unlicensed person
300 with the intent to evade this chapter. When a licensee allows
301 his or her license to be used by any firm, partnership,
302 association, or corporation without having any active
303 participation in the operations or management of the firm,
304 partnership, association, or corporation, ~~such~~ the act
305 constitutes prima facie evidence of an intent to evade this
306 chapter.

307 (9) Acting in the capacity of a contractor under any
308 license issued under this chapter except in the name of the



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309 licensee as set forth on the issued license.

310 (10) Failing to sufficiently and consistently oversee
311 and be responsible for the electrical work purportedly
312 performed by an electrical worker or a journeyman electrician
313 under the oversight of an electrical contractor or his or her
314 affiliated company, in order to ensure that all electrical
315 work is compliant with the applicable code or codes and the
316 health, safety, and welfare of the public.

317 (c) Upon finding a person, corporation, or business
318 entity engaged in electrical contracting ~~as defined in this~~
319 ~~chapter~~ to be in violation of any of the provisions contained
320 ~~herein~~ within this chapter, the board may investigate the
321 activities of licensed and unlicensed contractors. If the
322 board finds that a person, corporation, or business entity is
323 engaged in performing electrical contracting covered by this
324 chapter without having obtained a proper license, the board
325 may do any of the following:

326 (1) Deny an application for licensure with cause.

327 (2) Impose an administrative fine of not more than five
328 thousand dollars (\$5,000).

329 (3) Issue a cease and desist order.

330 (4) Petition the circuit court of the county where the
331 act occurred to enforce the cease and desist order or collect
332 the assessed fine, or both.

333 (d) Any person aggrieved by any adverse action taken by
334 the board may appeal the adverse action to the circuit court
335 of the county in which the adverse action occurred in
336 accordance with the Alabama Administrative Procedure Act.



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337 (e) In addition to the administrative fines authorized
338 in subsections (b) and (c), the board may require any person
339 or licensee who is found to be in violation of Section 34-36-2
340 or subsection (b) or (c), after notice and opportunity for a
341 hearing pursuant to the Alabama Administrative Procedure Act,
342 to pay the costs, fees, and expenses of the board incurred in
343 connection with any related proceedings before the board.
344 Payment of any costs, fees, and expenses ordered by the board
345 shall be made and enforced in the same manner as an
346 administrative fine. For the purposes of this subsection,
347 costs shall include, but not be limited to, all of the
348 following:

- 349 (1) Investigative fees and expenses.
350 (2) Reasonable and necessary attorney fees and
351 expenses.
352 (3) Actual costs related to expert testimony.
353 (4) Witness travel expenses.
354 (5) Deposition costs.
355 (6) Travel expenses for board staff.
356 (7) Charges incurred for obtaining documentary
357 evidence.

358 (8) Other categories of expenses incurred by the board.

359 (f) The board, by rule, may provide a schedule of costs
360 or fines, or both, that may be imposed upon any person or
361 licensee who has violated Section 34-36-2 or subsection (b) or
362 (c). The maximum costs or fines levied for each violation may
363 not exceed five thousand dollars (\$5,000) each."

364 "§34-36-7



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365 (a) All applicants for licensure ~~must~~ shall submit a
366 completed application, application fee, and supportive
367 documentation of qualifications before taking an examination
368 approved by the board. The board shall examine applicants at
369 least once every three months according to the method deemed
370 by it to be the most appropriate to test the qualifications of
371 applicants. Any national standardized or written examination
372 proctored by an independent third party which the board shall
373 approve as substantially similar to the examination required
374 to be licensed under this chapter may be administered to all
375 applicants in lieu of or in conjunction with any other
376 examination which the board shall give to test the
377 qualifications of applicants. The board ~~shall also have the~~
378 ~~right to~~ may establish such norms of achievement as shall be
379 required for a passing grade. The board ~~may~~, by rule, may
380 adopt the National Electrical Code for the purpose of
381 examinations.

382 ~~(b) The board may recognize a license issued by any~~
383 ~~other state that, in the opinion of the board, has standards~~
384 ~~of practice or licensure equal to or higher than those~~
385 ~~required by this state. The board shall actively seek to~~
386 ~~reciprocate with those states meeting such standards. The~~
387 ~~board shall actively seek to maintain those states currently~~
388 ~~under agreement.~~

389 ~~(e)~~ (b) No license shall be issued except in compliance
390 with this chapter and none shall be issued except to a person
391 or a person in a firm, partnership, association, or
392 corporation. A firm, partnership, association, or corporation,



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393 as such, shall not be licensed. A licensee shall be a citizen
394 of the United States or, if not a citizen of the United
395 States, a person who is legally present in the United States
396 with appropriate documentation from the federal government.

397 ~~(d) An individual who has successfully passed, on or~~
398 ~~before January 1, 2010, with a minimum score of 70 percent, or~~
399 ~~an individual who has successfully passed after January 1,~~
400 ~~2010, with a minimum score of 75 percent, a nationally~~
401 ~~standardized proctored electrical examination administered in~~
402 ~~the State of Alabama, by Block and Associates, International~~
403 ~~Code Council, Experior, Promissor, Thomson Prometric, PROV, or~~
404 ~~any other exam approved by the board, shall be deemed to be in~~
405 ~~compliance with the testing requirement set forth by the board~~
406 ~~for licensure as an electrical contractor. Individuals meeting~~
407 ~~this qualification shall also be required to complete all~~
408 ~~other qualifications set forth by this chapter and the board~~
409 ~~prior to issuance of an electrical contractor license.~~
410 ~~Electrical contractor applicants affected by this provision~~
411 ~~shall have until July 1, 2011, to apply for licensure without~~
412 ~~any further examination requirements.~~

413 (c) An individual holding a provisional license issued
414 by the board shall have three calendar years after the
415 effective date of the act adding this subsection to take and
416 pass a nationally standardized proctored electrical
417 examination approved by the board for licensure without any
418 further examination requirements. If the provisional licensee
419 does not pass the examination within those three years, the
420 provisional license shall expire. A provisional license that



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421 expires may not be renewed. The board shall waive the
422 examination fee one time during the three-year time period
423 provided by this subsection."

424 "§34-36-8

425 (a) All licenses shall expire annually or at other
426 times designated by the board. All applications for renewal of
427 licenses shall be filed with the executive director prior to
428 the expiration date, accompanied by the annual renewal fee
429 prescribed by the board.

430 (b) The board ~~is authorized to~~ may establish or adopt,
431 or both, continuing education requirements and may approve the
432 program or programs providing education to fulfill the
433 requirements. The board shall set the minimum standards of
434 continuing education. All persons holding an electrical
435 contractor license shall be required to complete 14 hours of
436 continuing education every two years.

437 (c) The board may ~~promulgate~~ adopt rules regarding the
438 approval of continuing education courses and the accounting
439 for continuing education hours.

440 (d) Any person licensed by the board may elect an
441 inactive status certificate by notifying the board in writing.
442 The fee for the issuance and renewal of an inactive status
443 certificate shall be established by the board. The board shall
444 provide by rule those activities which an inactive status
445 certificate holder may engage in and for a procedure for the
446 reinstatement as an active status certificate holder."

447 "§34-36-9

448 ~~An expired~~ A license ~~for an electrical contractor~~ which



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449 has expired for failure to renew may only be restored within
450 ~~five~~ two years from the date of expiration after application
451 and payment of the prescribed restoration fee and satisfaction
452 of all continuing education requirements, if applicable. The
453 restoration fee shall be established by the board and shall be
454 due upon application for restoration. The restoration fee
455 shall be in addition to all accrued renewal fees. Any license
456 which has not been restored within ~~five~~ two years following
457 its expiration may not be renewed, restored, or reissued
458 thereafter. The holder of ~~such~~ a cancelled license may apply
459 for and obtain a valid license only upon compliance with all
460 relevant requirements as prescribed by this chapter or by rule
461 for issuance of a new license."

462 "§34-36-13

463 (a) No person shall engage in the electrical
464 contracting business or perform work as ~~a master~~ an electrical
465 contractor or journeyman electrician unless ~~such~~ the person
466 shall have received a license from the board ~~or from the~~
467 ~~county or municipality where the electrical contracting work~~
468 ~~is being performed; provided, however, the provisions of this~~
469 ~~chapter shall not apply.~~ The following activities, people, and
470 entities are exempt from regulation by obtaining a license
471 from the board:

472 (1) ~~To the installation, construction, or maintenance~~
473 ~~of~~ The activity of installing, constructing, or maintaining
474 power systems for the generation and secondary distribution of
475 electric current constructed under ~~the provisions of~~ the
476 National Electrical Safety Code which regulates the safety



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477 requirements of utilities.

478 (2) ~~To the installation, construction, maintenance, or~~
479 ~~repair of~~ The activity of installing, constructing,
480 maintaining, or repairing telephone or signal systems by or
481 for public utilities or their corporate affiliates, when such
482 work pertains to the services furnished by such utilities.

483 (3) ~~To any~~ Any technician employed by a municipal
484 franchised CATV system, when the work pertains to CATV.

485 (4) ~~To any master or journeyman electrician employed by~~
486 ~~a state licensee of the board or a licensee of a county or~~
487 ~~municipality where the contract work is being performed~~ Any
488 electrical worker who is employed, either directly or through
489 a workforce staffing company, by a statewide licensee of the
490 board.

491 (5) ~~To the~~ The owner of any premises or an ~~employee of~~
492 ~~any such owner~~ electrical worker employed by the premises
493 owner when performing electrical work or installing,
494 constructing, maintaining, altering, or repairing electrical
495 wiring, equipment, or apparatus on such premises.

496 (6) ~~To an~~ An employee of an electric utility when
497 installing or repairing electric appliances and equipment for
498 a customer.

499 (7) ~~To any~~ Any retail merchant, or its employees making
500 the installation of or the repair or maintenance on any
501 appliance that the merchant has sold; or to any ~~modular or~~
502 manufacturer of ~~the~~ modular housing ~~industry within the state~~
503 which is regulated by state and federal governments.

504 (8) ~~To the installation, construction, or maintenance~~



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505 ~~of~~ The activity of installing, constructing, or maintaining
506 systems that operate on 25 volts or less.

507 (9) ~~To the installation, construction, or maintenance~~
508 ~~of~~ The activity of installing, constructing, or maintaining
509 direct broadcast satellite services.

510 (10) The activity of an electrical worker when properly
511 responsible to a licensee of the board.

512 (b) (1) No license shall be issued by the board without
513 an examination of the applicant for the purpose of
514 ascertaining his or her qualifications for ~~such the~~ work, ~~but~~
515 ~~no such~~. Reciprocal licensees are exempt from reexamination by
516 the board. No examination shall be required for the annual
517 renewal of ~~such a~~ license.

518 (2) This section shall in no way prohibit the governing
519 authorities of each county ~~and or~~ municipality in the ~~State of~~
520 Alabama state from exercising their authority to require any
521 person ~~engaging in the electrical contracting business or~~
522 ~~performing work as a master or journeyman electrician to stand~~
523 ~~and attain a passing grade on an examination administered by~~
524 ~~such county or municipality to evidence their ability and~~
525 ~~proficiency to engage in the electrical contracting business~~
526 ~~or to perform work as a master or journeyman electrician~~
527 ~~within their jurisdiction; provided, however, that any person~~
528 ~~who holds a valid statewide license issued by the board shall~~
529 ~~be deemed qualified and, upon satisfactory proof of the~~
530 ~~license, shall be allowed to perform forthwith electrical work~~
531 ~~in any county or municipality under the terms and conditions~~
532 ~~set forth in this chapter, if such person has the proper~~



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533 ~~county or municipal building permit and business license~~ to
534 purchase a local license or permit to perform work within the
535 jurisdiction of the county or municipality.

536 (c) All persons performing work under a license issued
537 by the board must abide by all state and local laws and
538 ordinances."

539 "§34-36-16

540 (a) Except as provided in Section 13A-9-111.1, it shall
541 be unlawful for any person to violate any provision of this
542 chapter regulating electrical contracting, and any person
543 convicted of such violation shall be punished as prescribed
544 for a Class A misdemeanor.

545 (b) It shall be unlawful, except as otherwise provided,
546 on or after December 31, 2011, for a person not licensed as an
547 electrical contractor to solicit, represent, seek to perform,
548 or perform those tasks and functions that can only be
549 performed by a licensed electrical contractor in accordance
550 with this chapter.

551 ~~(c) Subsection (b) shall not apply to an electrical~~
552 ~~contractor who has taken an examination offered by the board~~
553 ~~within the preceding 12 months, who holds a license or permit~~
554 ~~issued by a county or municipal government to perform the~~
555 ~~tasks and functions that can only be performed by a licensed~~
556 ~~electrical contractor, and who performs those tasks and~~
557 ~~functions within the boundaries of the county or municipality~~
558 ~~that issued the license or permit."~~

559 Section 2. Although this bill would have as its purpose
560 or effect the requirement of a new or increased expenditure of



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561 local funds, the bill is excluded from further requirements
562 and application under Section 111.05 of the Constitution of
563 Alabama of 2022, because the bill defines a new crime or
564 amends the definition of an existing crime.

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