

House Bill 810

By: Representative Vance of the 133<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Titles 8, 10, 36, 43, and 46 of the Official Code of Georgia Annotated, relating to  
2 buildings and housing, commerce and trade, local government, professions and businesses,  
3 and public utilities and public transportation, respectively, so as change certain provisions  
4 relating to certain professions practicing in this state; to change certain provisions relating  
5 to electrical contractors, plumbers, conditioned air contractors, low voltage contractors, and  
6 utility contractors; to change certain definitions; to provide for qualifications of the State  
7 Construction Industry Licensing Board; to provide for certain restrictions relating to classes  
8 of low voltage licenses; to change certain provisions related to the power and duties of the  
9 divisions and the division director; to provide for additional licensing requirements; to  
10 provide requirements for license renewals and inactive licenses; to provide for approval of  
11 safety training; to change certain provisions relating to applicability; to provide for  
12 conforming cross-references and terminology; to provide for related matters; to provide for  
13 an effective date; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

H. B. 810

- 1 -

15 **PART I**

16 **SECTION 1-1.**

17 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,  
 18 is amended by revising Chapter 14, relating to electrical contractors, plumbers, conditioned  
 19 air contractors, low-voltage contractors, and utility contractors, as follows:

20 "CHAPTER 14

21 43-14-1.

22 This chapter is enacted for the purpose of safeguarding homeowners, other property  
 23 owners, tenants, and the general public against faulty, inadequate, inefficient, or unsafe  
 24 electrical, plumbing, ~~low-voltage~~ low voltage wiring, utility contracting, or conditioned air  
 25 installations. The practice of electrical contracting, plumbing contracting, ~~installing, or~~  
 26 ~~repairing, low-voltage~~ low voltage contracting, utility contracting, and conditioned air  
 27 contracting are declared to be businesses or professions affecting the public interest; and  
 28 this chapter shall be liberally construed so as to accomplish the purposes stated in this Code  
 29 section.

30 43-14-2.

31 As used in this chapter, the term:

32 ~~(1)~~(1) 'Alarm system' means any device or combination of devices used to detect a  
 33 situation, causing an alarm in the event of a burglary, fire, robbery, medical emergency,  
 34 or equipment failure, or on the occurrence of any other predetermined event.

35 ~~(1)~~(2) 'Board' means the State Construction Industry Licensing Board.

36 ~~(2)~~(3) 'Certificate of competency' means a valid and current certificate issued by the  
 37 Division of Electrical Contractors created in Code Section 43-14-3, which certificate shall

38 give the named electrical contractor to which it is issued authority to engage in electrical  
39 contracting of the kind described therein. Certificates of competency shall be of two  
40 kinds, Class I and Class II, according to the classification of license held by the electrical  
41 contractor.

42 ~~(3)~~(4) 'Conditioned air contracting' means the installation, repair, or service of  
43 conditioned air systems or conditioned air equipment; which includes, but is not limited  
44 to:

45 (A) Service to or installation of the electrical connection between the electrical  
46 disconnect and conditioned air equipment ~~is considered to be installation, repair, or~~  
47 ~~service of conditioned air equipment or the conditioned air system;~~ and

48 (B) Service to or installation of the electrical circuit from the electrical distribution  
49 panel to the conditioned air equipment where the electrical service to the building or  
50 site is a single-phase electrical circuit not exceeding 200 amperes ~~is considered to be~~  
51 ~~installation, repair, or service of conditioned air equipment or the conditioned air~~  
52 ~~system.~~

53 ~~(4)~~(5) 'Conditioned air contractor' means ~~an individual who is~~ any person engaged in  
54 conditioned air contracting under express or implied contract or ~~who~~ that bids for, offers  
55 to perform, purports to have the capacity to perform, or does perform conditioned air  
56 contracting services under express or implied contract. ~~The term 'conditioned air~~  
57 ~~contractor'~~ Such term shall not include ~~a person~~ an individual who is an employee of a  
58 conditioned air contractor and who receives only a salary or hourly wage for performing  
59 conditioned air contracting work.

60 ~~(5)~~(6) 'Conditioned air equipment' means heating and air-conditioning equipment  
61 covered under state codes and the natural gas piping system on the outlet side of the gas  
62 meter.

63 ~~(6)~~(7) 'Electrical contracting' means the installation, maintenance, alteration, or repair  
64 of any electrical equipment, apparatus, control system, or electrical wiring device which

65 is attached to or incorporated into any building or structure in this state but shall not  
66 include ~~low-voltage~~ low voltage contracting.

67 ~~(7)~~(8) 'Electrical contractor' means any person ~~who engages~~ engaged in the business of  
68 electrical contracting under express or implied contract or ~~who~~ that bids for, offers to  
69 perform, purports to have the capacity to perform, or does perform electrical contracting  
70 services under express or implied contract. ~~The term 'electrical contractor'~~ Such term  
71 shall not include ~~a person~~ an individual who is an employee of an electrical contractor  
72 and who receives only a salary or hourly wage for performing electrical contracting work.

73 ~~(8)~~(9) 'Executive director' means the executive director of the State Construction  
74 Industry Licensing Board.

75 ~~(8.1)~~(10) 'General system' means any electrical system, other than an alarm or  
76 telecommunication system, involving ~~low-voltage~~ low voltage wiring.

77 ~~(9)~~(11) 'Journeyman plumber' means any ~~person~~ individual other than a master plumber  
78 who has practical knowledge of the installation of plumbing and installs plumbing under  
79 the direction of a master plumber.

80 ~~(10)~~(12) 'License' means a valid and current certificate of registration issued by a  
81 division of the board, which certificate shall give the named person to whom it is issued  
82 authority to engage in the activity prescribed thereon.

83 ~~(10.1)~~(13) 'Low voltage ~~Low-voltage~~ contracting' means the installation, alteration,  
84 service, or repair of a telecommunication system, alarm system, or general system  
85 involving ~~low-voltage~~ low voltage wiring.

86 ~~(10.2)~~(14) 'Low voltage ~~Low-voltage~~ contractor' means ~~an individual who is~~ any person  
87 engaged in ~~low-voltage~~ low voltage contracting under express or implied contract or ~~who~~  
88 that bids for, offers to perform, purports to have the capacity to perform, or does perform  
89 ~~low-voltage~~ low voltage contracting services under express or implied contract. ~~An~~  
90 ~~employee of a low-voltage contractor who receives only a salary or hourly wage for~~  
91 ~~performing low-voltage contracting work shall not be required to be licensed under this~~

92 ~~chapter, except that those employees upon whom the qualification of a partnership,~~  
93 ~~limited liability company, or corporation rests as outlined in subsection (b) of Code~~  
94 ~~Section 43-14-8.1 shall be licensed.~~

95 ~~(10.3)~~(15) 'Low voltage ~~'Low-voltage~~ wiring' means:

96 (A) Wiring systems of 50 volts or less and control circuits directly associated  
97 therewith;

98 (B) Wiring systems having a voltage in excess of 50 volts, provided such systems  
99 consist solely of power limited circuits meeting the definition of a Class II and Class  
100 III wiring system as defined in Article 725 of the National Electrical Code; or

101 (C) Line voltage wiring having a voltage not in excess of 300 volts to ground and  
102 installed from the load-side terminals of a suitable disconnecting means which has been  
103 installed for the specific purpose of supplying the ~~low-voltage~~ low voltage wiring  
104 system involved or installed from a suitable junction box which has been installed for  
105 such specific purpose.

106 ~~(11)~~(16) 'Master plumber' means any individual ~~engaging~~ engaged in the business of  
107 plumbing under express or implied contract or who bids for, offers to perform, purports  
108 to have the capacity to perform, or does perform plumbing contracting services under  
109 express or implied contract.

110 ~~(12)~~(17) 'Plumbing' means:

111 (A) ~~The~~ the practice of installing, maintaining, altering, or repairing piping fixtures,  
112 appliances, and appurtenances in connection with sanitary drainage or storm drainage  
113 facilities, venting systems, medical gas piping systems, natural gas piping systems on  
114 the outlet side of gas meters, or public or private water supply systems within or  
115 adjacent to any building, structure, or conveyance; ~~provided, however, that after July 1,~~  
116 ~~1997, only master plumbers and journeyman plumbers who have been certified by the~~  
117 ~~Division of Master Plumbers and Journeyman Plumbers to perform such tasks shall be~~

118 ~~authorized to install, maintain, alter, or repair medical gas piping systems. The term~~  
 119 ~~'plumbing' also includes the and~~  
 120 ~~(B) The practice of and materials used in installing, maintaining, extending, or altering~~  
 121 ~~the natural gas, storm-water, sewerage, and water supply systems of any premises to~~  
 122 ~~their connection with any point of public disposal or other acceptable terminal;~~  
 123 ~~provided, however, that licensure under this chapter shall not be required for a~~  
 124 ~~contractor certified by the Department of Public Health to make the connection to any~~  
 125 ~~on-site waste-water management system from the stub out exiting the structure to an~~  
 126 ~~on-site waste-water management system. Notwithstanding any other provision of this~~  
 127 ~~chapter, any person who holds a valid master plumbing license or any company which~~  
 128 ~~holds a valid utility contractor license shall be qualified to construct, alter, or repair any~~  
 129 ~~plumbing system which extends from the property line up to but not within five feet of~~  
 130 ~~any building, structure, or conveyance, regardless of the cost or depth of any such~~  
 131 ~~plumbing system.~~

132 ~~(12.1)~~(18) 'Telecommunication system' means a switching system and associated  
 133 apparatus which performs the basic function of two-way voice or data service, or both,  
 134 and which can be a commonly controlled system capable of being administered both  
 135 locally and remotely via secured access.

136 ~~(13)~~(19) 'Utility contracting' means undertaking to construct, erect, alter, or repair or  
 137 have constructed, erected, altered, or repaired any utility system.

138 ~~(14)~~(20) 'Utility contractor' means a sole proprietorship, partnership, or corporation  
 139 which is engaged in utility contracting under express or implied contract or which bids  
 140 for, offers to perform, purports to have the capacity to perform, or does perform utility  
 141 contracting under express or implied contract.

142 ~~(15)~~(21) 'Utility foreman' means any individual who is employed by a licensed contractor  
 143 to supervise the construction, erection, alteration, or repair of utility systems.

144 ~~(16)~~(22) 'Utility manager' means any individual who is employed by a utility contractor  
 145 to have oversight and charge of the construction, erection, alteration, or repair of utility  
 146 systems.

147 ~~(17)~~(23) 'Utility system' means:

148 (A) Any system at least five feet underground, when installed or accessed by trenching,  
 149 open cut, cut and cover, or other similar construction methods which install or access  
 150 the system from the ground surface, including, but not limited to, gas distribution  
 151 systems, electrical distribution systems, communication systems, water supply systems,  
 152 and sanitary sewerage and drainage systems; and

153 (B) Reservoirs and filtration plants, water and waste-water treatment plants, leachate  
 154 collection and treatment systems associated with landfills, and pump stations, when the  
 155 system distributes or collects a service, product, or commodity for which a fee or price  
 156 is paid for said service, product, or commodity or for the disposal of said service,  
 157 product, or commodity.

158 43-14-3.

159 (a) There is created within the executive branch of state government the State Construction  
 160 Industry Licensing Board. The board shall be assigned to the Secretary of State's office for  
 161 administrative purposes and shall be under the jurisdiction of the division director.

162 (b) The board shall be composed of 27 members as follows:

163 (1) Five members known as the Division of Electrical Contractors, one of whom shall  
 164 be a ~~consulting~~ professional engineer engaged in electrical practice, another of whom  
 165 shall be ~~the chief electrical~~ an inspector with electrical inspection duties of a county or  
 166 municipality, ~~and shall have served in such office for five years immediately preceding~~  
 167 ~~appointment to the board~~ a third-party inspector regularly providing inspections to a  
 168 county or municipality, and the remaining three of whom shall be ~~engaged in the~~  
 169 ~~electrical contracting business~~ licensed electrical contractors in this state;

170 (2) Five members known as the Division of Master Plumbers and Journeyman Plumbers,  
171 one of whom shall be a full-time plumbing inspector of a county or municipality, three  
172 of whom shall be master or contracting plumbers, and one of whom shall be a  
173 journeyman plumber;

174 (3) Five members known as the Division of Conditioned Air Contractors, one of whom  
175 shall be a licensed professional engineer engaged in mechanical practice, one of whom  
176 shall be the chief conditioned air inspector of a county or municipality, and three of  
177 whom shall be conditioned air contractors with more than five years of installation and  
178 service experience in the trade;

179 (4) Five members known as the Division of ~~Low-voltage~~ Low Voltage Contractors, one  
180 of whom shall be an alarm system ~~low-voltage~~ low voltage contractor, one of whom shall  
181 be an unrestricted ~~low-voltage~~ low voltage contractor, one of whom shall be a  
182 telecommunication system ~~low-voltage~~ low voltage contractor, one of whom shall be a  
183 professional electrical engineer, and one of whom shall be ~~the chief electrical~~ an inspector  
184 with electrical inspection duties of a county or municipality or contracted by a county or  
185 municipality to perform electrical inspections;

186 (5) Five members known as the Division of Utility Contractors, three of whom shall be  
187 utility contractors, one of whom shall be a registered professional engineer, and one of  
188 whom shall be an insurance company representative engaged primarily in the bonding of  
189 construction projects; and

190 (6) Two members who shall not have any connection with the electrical contracting,  
191 plumbing, or conditioned air contracting businesses whatsoever but who shall have a  
192 recognized interest in consumer affairs and consumer protection concerns.

193 (c) All members shall be appointed by the Governor, subject to confirmation by the  
194 Senate, for four-year terms.

195 (d) A member shall serve until a successor has been duly appointed and qualified.



196 (e) The Governor shall make appointments to fill the unexpired portions of any terms  
197 vacated for any reason. In making such appointments, the Governor shall preserve the  
198 composition of the board as required by this chapter. Members shall be eligible for  
199 reappointment.

200 (f) Any ~~appointive~~ appointed member who, during his or her term, shall cease to meet the  
201 qualifications for original appointment shall ~~thereby~~ forfeit membership on the board.

202 (g) Each member of the board shall take an oath of office before the Governor or the  
203 Governor's designee to faithfully perform the duties of such office.

204 (h) The Governor may remove any member for failure to attend meetings, neglect of duty,  
205 incompetence, revocation or suspension of professional trade license, or other dishonorable  
206 conduct.

207 (i) Members of the board shall be reimbursed as provided for in subsection (f) of Code  
208 Section 43-1-2.

209 43-14-4.

210 (a) The office of chairperson shall be rotated among the five divisions enumerated in Code  
211 Section 43-14-3 unless the board, through its rules and regulations, provides otherwise.  
212 Any vacancy in the office of chairperson shall be filled by the members for the unexpired  
213 term. The ~~person~~ individual selected to fill the vacancy shall be a member of the same  
214 division as the previous chairperson.

215 (b) The board shall meet at the call of the chairperson or upon the recommendation of a  
216 majority of its members.

217 (c) Each division within the board shall also elect from its membership a chairperson who  
218 shall serve for a term of two years. Any vacancy in the office of chairperson shall be filled  
219 by one of the members for the unexpired term.

220 (d) Any member elected chairperson of a division may serve more than one consecutive  
221 term of office.

222 (e) Each division shall carry out its powers and duties provided for in this chapter with the  
223 assistance of the executive director and staff of the board.

224 (f) The divisions shall meet at the call of the chairperson.

225 (g) Three members of each division shall constitute a quorum for the transaction of  
226 business of such division.

227 43-14-5.

228 The board shall have the power to:

229 (1) Request from the various state departments and other agencies and authorities of the  
230 state and its political subdivisions and their agencies and authorities such available  
231 information as it may require in its work; and all such agencies and authorities shall  
232 furnish such requested available information to the board within a reasonable time;

233 (2) Provide by regulation for reciprocity with other states in the registration and licensing  
234 of electrical contractors, master plumbers, journeyman plumbers, ~~low-voltage~~ low voltage  
235 contractors, utility contractors, or conditioned air contractors and in the certification of  
236 utility contracting foremen, provided that such other states have requirements  
237 substantially ~~equal~~ similar to the requirements in force in this state for registration,  
238 licensure, and certification; provided, further, that a similar privilege is offered to  
239 residents of this state;

240 (3) Adopt an official seal for its use and ~~change it at pleasure~~ modify such seal as the  
241 boards deem necessary;

242 (4) Establish ~~the~~ policies for regulating the businesses of electrical contracting,  
243 ~~plumbing, low-voltage, utility~~ plumbing contracting, low voltage contracting, utility  
244 contracting, and conditioned air contracting;

245 ~~(4.1)~~(5) Upon notice and hearing authorized and conducted in accordance with Code  
246 Section ~~43-14-10~~ 43-14-14 and any rules and regulations promulgated by the board,  
247 either by the board directly or through a valid delegation of the board's enforcement

248 power to a division thereof, assess civil penalties in an amount up to \$10,000.00 per  
 249 violation against any person found to be in violation of any requirement of this chapter;  
 250 ~~(5)(6)~~ Determine qualifications for licensure or certification including such experience  
 251 requirements as the board deems necessary; and  
 252 ~~(6)(7)~~ Promulgate and adopt rules and regulations necessary to carry out this chapter.

253 43-14-6.

254 (a) The Division of Electrical Contractors, with respect to applicants for a license to  
 255 engage in or licensees engaging in the business of electrical contracting; the Division of  
 256 Master Plumbers and Journeyman Plumbers, with respect to applicants for a license to  
 257 engage in or licensees engaging in the business of plumbing as master plumbers or  
 258 journeyman plumbers; the Division of ~~Low-voltage~~ Low Voltage Contractors, with respect  
 259 to applicants for a license to engage in or licensees engaging in the business of ~~low-voltage~~  
 260 low voltage contracting; the Division of Utility Contractors with respect to applicants for  
 261 a license to engage in or licensees engaging in the business of utility contracting and with  
 262 respect to applicants for a certificate to be a utility manager or utility foreman or holders  
 263 of a utility manager or utility foreman certificate; and the Division of Conditioned Air  
 264 Contractors, with respect to applicants for a license to engage in or licensees engaging in  
 265 the business of conditioned air contracting, shall:

266 (1) Approve examinations for all applicants for licenses or certificates, except for utility  
 267 contractor licenses and utility foreman certificates, as follows:

268 (A) The Division of Electrical Contractors shall approve separate examinations for  
 269 Class I and Class II licenses. Class I licenses shall be restricted to electrical contracting  
 270 involving multifamily structures of not more than two levels or single-family dwellings  
 271 of up to three levels. ~~In addition, the;~~ provided, however, that such structures shall have  
 272 single-phase electrical installations which do not exceed 400 amperes at the service  
 273 drop or the service lateral. Class II licenses shall be unrestricted;

274 (B) The Division of Master Plumbers and Journeyman Plumbers shall approve separate  
275 examinations for Master Plumber Class I, Master Plumber Class II, and Journeyman  
276 Plumbers. Master Plumber Class I licenses shall be restricted to plumbing involving  
277 single-family dwellings and one-level dwellings designed for not more than two  
278 families and commercial structures not to exceed 10,000 square feet in area. Master  
279 Plumber Class II licenses shall be unrestricted. Only Master Plumber Class II licenses  
280 and Journeyman Plumbers shall be authorized to install, maintain, alter, or repair  
281 medical gas piping systems;

282 (C) The Division of Conditioned Air Contractors shall approve separate examinations  
283 for Class I and Class II licenses. Class I licenses shall be restricted to the installation,  
284 repair, or service of conditioned air systems or equipment not exceeding 175,000 BTU  
285 (net) of heating and five tons (60,000 BTU) of cooling. Class II licenses shall be  
286 unrestricted; and

287 (D) The Division of ~~Low-voltage~~ Low Voltage Contractors shall approve separate  
288 examinations for:

289 (i) Low Voltage ~~Low-voltage~~ Contractor Class LV-A; licenses restricted to alarm and  
290 general system low voltage contracting;

291 (ii) Low Voltage ~~Low-voltage~~ Contractor Class LV-T; licenses restricted to  
292 telecommunication and general system low voltage contracting;

293 (iii) Low Voltage Contractor Class LV-G licenses restricted to general system low  
294 voltage contracting; and

295 (iv) Low Voltage Contractor ~~Low-voltage Contractor Class LV-U, and Low-voltage~~  
296 ~~Contractor Class LV-G. Class LV-A licenses shall be restricted to alarm and general~~  
297 ~~system low-voltage contracting, Class LV-T licenses shall be restricted to~~  
298 ~~telecommunication and general system low-voltage contracting, Class LV-G licenses~~  
299 ~~shall be restricted to general system low-voltage contracting, and Class LV-U licenses~~

300 that shall be unrestricted and permit the performance of alarm, telecommunication,  
 301 and general system ~~low-voltage~~ low voltage contracting;

302 (2) Register and license or grant a certificate and issue renewal licenses and renewal  
 303 certificates biennially to all persons meeting the qualifications for a license or certificate.

304 The following licenses or certificates shall be issued by the divisions:

- 305 (A) Electrical Contractor Class I;
- 306 (B) Electrical Contractor Class II;
- 307 (C) Master Plumber Class I;
- 308 (D) Master Plumber Class II;
- 309 (E) Journeyman Plumber;
- 310 (F) Conditioned Air Contractor Class I;
- 311 (G) Conditioned Air Contractor Class II;
- 312 (H) ~~Low-voltage~~ Low Voltage Contractor Class LV-A;
- 313 (I) ~~Low-voltage~~ Low Voltage Contractor Class LV-T;
- 314 (J) ~~Low-voltage~~ Low Voltage Contractor Class LV-G;
- 315 (K) ~~Low-voltage~~ Low Voltage Contractor Class LV-U;
- 316 (L) Utility Contractor; Class A;
- 317 (M) Utility Contractor; Class B;
- 318 (N) Utility Contractor; Class U;
- 319 (O) Utility Manager (certificate); and
- 320 (P) Utility Foreman (certificate);

321 (3) Investigate, with the aid of the division director, alleged violations of this chapter or  
 322 other laws and rules and regulations of the board relating to the profession;

323 (4) After notice and hearing, have the power to reprimand any person, licensee, or  
 324 certificate holder, or to suspend, revoke, or cancel the license or certificate of or refuse  
 325 to grant, renew, or restore a license or certificate to any person, licensee, or certificate  
 326 holder upon any one of the following grounds:

- 327 (A) The commission of any false, fraudulent, or deceitful act or the use of any forged,  
328 false, or fraudulent document in connection with the license or certificate requirements  
329 of this chapter or the rules and regulations of the board;
- 330 (B) Failure at any time to comply with the requirements for a license or certificate  
331 under this chapter or the rules and regulations of the board;
- 332 (C) Habitual intemperance in the use of alcoholic spirits, narcotics, or stimulants to  
333 such an extent as to render the license or certificate holder unsafe or unfit to practice  
334 any profession licensed or certified under this chapter;
- 335 (D) Engaging in any dishonorable or unethical conduct likely to deceive, defraud, or  
336 harm the public;
- 337 (E) Knowingly performing any act which in any way assists an unlicensed or  
338 noncertified person to practice such profession;
- 339 (F) Violating, directly or indirectly, or assisting in or abetting any violation of any  
340 provision of this chapter or any rule or regulation of the board;
- 341 (G) The performance of any faulty, inadequate, inefficient, or unsafe electrical,  
342 plumbing, ~~low-voltage~~ low voltage contracting, utility contracting, or conditioned air  
343 contracting likely to endanger life, health, or property. The performance of any work  
344 that does not comply with the standards set by state codes or by local codes in  
345 jurisdictions where such codes are adopted, provided that such local codes are as  
346 stringent as the state codes, or by other codes or regulations which have been adopted  
347 by the board, shall be prima-facie evidence of the faulty, inadequate, inefficient, or  
348 unsafe character of such electrical, plumbing, ~~low-voltage~~ low voltage contracting,  
349 utility contracting, or conditioned air contracting; provided, however, that the board,  
350 in its sole discretion, for good cause shown and under such conditions as it may  
351 prescribe, may restore a license to any person whose license has been suspended or  
352 revoked;

353 (H) With respect to utility contractors, the bidding by such a utility contractor in excess  
 354 of license coverage; or

355 (I) With respect to utility contractors, violations of Chapter 9 of Title 25;

356 (5) Review amendments to or revisions in the state minimum standard codes as prepared  
 357 pursuant to Part 1 of Article 1 of Chapter 2 of Title 8; and the Department of Community  
 358 Affairs shall be required to provide to the division director a copy of any amendment to  
 359 or revision in the state minimum standard codes at least 45 days prior to the adoption  
 360 thereof; and

361 (6) Do all other things necessary and proper to exercise their powers and perform their  
 362 duties in accordance with this chapter.

363 (b) The Division of Electrical Contractors may also provide, by rules and regulations, for  
 364 the issuance of certificates of competency pertaining to financial responsibility and  
 365 financial disclosure; provided, however, that such rules and regulations are adopted by the  
 366 board. The division shall issue certificates of competency and renewal certificates to  
 367 persons meeting the qualifications therefor.

368 (c) The divisions mentioned in subsection (a) of this Code section shall also hear appeals  
 369 resulting from the suspension of licenses by an approved municipal or county licensing or  
 370 inspection authority pursuant to Code Section ~~43-14-12~~ 43-14-16.

371 (d)(~~1~~) The Division of Conditioned Air Contractors shall be authorized to:

372 (1) Require ~~require~~ persons seeking renewal of Conditioned Air Contractor Class I and  
 373 Class II licenses to complete board approved continuing education of not ~~more~~ less than  
 374 four hours annually;

375 (2) Approve ~~The division shall be authorized to approve~~ courses offered by institutions  
 376 of higher learning, vocational technical schools, and trade, technical, or professional  
 377 organizations; provided, however, that continuing education courses or programs related  
 378 to conditioned air contracting provided or conducted by public utilities, equipment  
 379 manufacturers, or institutions under the State Board of the Technical College System of

380 Georgia shall constitute acceptable continuing professional education programs for the  
 381 purposes of this subsection. ~~Continuing~~ Such continuing education courses or programs  
 382 shall be in the areas of safety, technological advances, business management, or  
 383 government regulation. Courses or programs conducted by manufacturers specifically  
 384 to promote their products shall not be approved. The continuing education requirements  
 385 of this subsection shall not be required for any licensed conditioned air contractor who  
 386 is a registered professional engineer;

387 ~~(2)(3) Administer all~~ All provisions of this subsection relating to continuing professional  
 388 education ~~shall be administered by the division.;~~

389 ~~(3)(4) Waive~~ ~~The division shall be authorized to waive~~ the continuing education  
 390 requirements in cases of hardship, disability, or illness or under such other circumstances  
 391 as the board deems appropriate. ~~;~~ and

392 ~~(4)(5) Promulgate~~ ~~The division shall be authorized to promulgate~~ rules and regulations  
 393 to implement and ensure compliance with the requirements of this Code section.

394 ~~(5) The continuing education requirements of this subsection shall not be required of any~~  
 395 ~~licensed conditioned air contractor who is a registered professional engineer.~~

396 ~~(6) This Code section shall apply to each licensing and renewal cycle which begins after~~  
 397 ~~the 1990-1991 renewal.~~

398 (e)~~(f)~~ The Division of Electrical Contractors shall be authorized to:

399 (1) Require individuals ~~require persons~~ seeking renewal of Electrical Contractor Class  
 400 I and Class II licenses to complete board approved courses or courses which meet board  
 401 criteria for continuing education ~~courses~~ of not ~~more~~ less than four hours annually.;

402 (2) Approve ~~The division shall be authorized to approve~~ continuing education courses  
 403 to be held within or outside this state that are available to all licensed electrical  
 404 contractors on a reasonable nondiscriminatory fee basis. Any request for division  
 405 approval of a continuing education course shall be submitted in a timely manner with due  
 406 regard for the necessity of investigation and consideration by the division. The division



407 may contract with institutions of higher learning, professional organizations, or other  
408 qualified persons to provide programs that meet the requirements of this ~~paragraph~~  
409 subsection and any rules or regulations established by the division. Such programs shall  
410 be self-sustaining by the individual fees set and collected by the provider of the program;

411 and

412 ~~(2)(3) Waive The division shall be authorized to waive~~ the continuing education  
413 requirements in cases of hardship, disability, or illness or under such other circumstances  
414 as the division deems appropriate.

415 ~~(f)(1)~~ The Division of Utility Contractors shall be authorized to:

416 (1) Require individuals ~~require persons~~ seeking renewal of utility foreman certificates  
417 and utility manager certificates issued under this chapter to complete board approved  
418 continuing education of not more than four hours annually;

419 (2) Approve ~~The division shall be authorized to approve~~ courses offered by institutions  
420 of higher learning, vocational-technical schools, and trade, technical, or professional  
421 organizations; provided, however, that continuing education courses or programs related  
422 to utility contracting provided or conducted by institutions under the State Board of the  
423 Technical College System of Georgia shall constitute acceptable continuing professional  
424 education programs for the purposes of this subsection; and

425 ~~(2)(3) Waive The division shall be authorized to waive~~ the continuing education  
426 requirements in cases of hardship, disability, or illness or under such other circumstances  
427 as the division deems appropriate.

428 ~~(g)(1)~~ The Division of Master Plumbers and Journeyman Plumbers shall be authorized to:

429 (1) Require individuals ~~require persons~~ seeking renewal of Journeyman Plumber, Master  
430 Plumber Class I, and Master Plumber Class II licenses to complete board approved  
431 continuing education of not ~~more~~ less than four hours annually;

432 (2) Approve ~~The division shall be authorized to approve~~ courses offered by institutions  
433 of higher learning, vocational-technical schools, and trade, technical, or professional

434 organizations; provided, however, that continuing education courses or programs related  
 435 to plumbing provided or conducted by institutions under the State Board of the Technical  
 436 College System of Georgia shall constitute acceptable continuing professional education  
 437 programs for the purposes of this subsection; and

438 ~~(2)(3) Waive~~ ~~The division shall be authorized to waive~~ the continuing education  
 439 requirements in cases of hardship, disability, or illness or under such other circumstances  
 440 as the division deems appropriate.

441 (h) Each division shall make all reasonable efforts to make the continuing education  
 442 offered pursuant to this Code section available online or through home study courses and  
 443 accessible at times outside of the normal work hours of those licensed by such division.

444 43-14-7.

445 (a) All orders and processes of the board and the divisions of the board shall be signed and  
 446 attested by the division director; and any notice or legal process necessary to be served  
 447 upon the board or the divisions may be served upon the division director.

448 (b) The division director or his or her designee is vested with the power and authority to  
 449 make such investigations in connection with the enforcement of this chapter and the rules  
 450 and regulations of the board as ~~he~~ the director, the board, the divisions of the board, or any  
 451 district attorney may deem necessary or advisable.

452 43-14-8.

453 (a)(1) No person shall engage in the electrical contracting ~~business as an electrical~~  
 454 ~~contractor~~ unless such person has a valid license from the Division of Electrical  
 455 Contractors and a certificate of competency, if such certificates are issued by the division  
 456 pursuant to subsection (b) of Code Section 43-14-6.

457 (2) A person ~~who~~ that is not licensed as an electrical contractor or ~~who~~ that does not have  
 458 a certificate of competency, if such certificates are issued by the division pursuant to

459 subsection (b) of Code Section 43-14-6, or both as may be applicable, shall be prohibited  
460 from advertising in any manner that such person is in the business or profession of  
461 electrical contracting unless the work is performed by a licensed electrical contractor.

462 (b)(1) No person shall engage in ~~the business of plumbing contracting~~ as a master  
463 plumber unless such person has a valid license from the Division of Master Plumbers and  
464 Journeyman Plumbers. Notwithstanding any other provisions of this chapter, any person  
465 who holds a valid master plumber license or any company which holds a valid utility  
466 contractor license shall be qualified to construct, alter, or repair any plumbing system  
467 which extends from the property line, regardless of the cost or depth of any such  
468 plumbing system; provided, however, that any company which holds a valid utility  
469 contractor license shall not construct, alter, or repair any plumbing system which extends  
470 from the property line to within five feet of any building structure, or conveyance,  
471 regardless of the cost or depth of any such plumbing system.

472 (2) No person shall engage in ~~the business of plumbing contracting~~ as a journeyman  
473 plumber unless such person has a valid license from the Division of Master Plumbers and  
474 Journeyman Plumbers. A person that is not licensed as a journeyman plumber shall be  
475 prohibited from advertising in any manner that such person is in the business or  
476 profession of plumbing contracting unless the work is performed under the direction of  
477 a licensed plumbing contractor.

478 (3) A person who does not have a valid license from the Division of Master Plumbers  
479 and Journeyman Plumbers shall be prohibited from advertising in any manner that such  
480 person is in the business or profession of plumbing as a master plumber or journeyman  
481 plumber unless such person is licensed by the Division of Master Plumbers and  
482 Journeyman Plumbers and unless the work is performed by a licensed plumber.

483 (c)(1) No person shall engage in ~~the business of conditioned air contracting as a~~  
484 ~~conditioned air contractor~~ unless such person has a valid conditioned air contractor  
485 license from the Division of Conditioned Air Contractors.

486 (2) A person ~~who~~ that is not licensed as a conditioned air contractor shall be prohibited  
487 from advertising in any manner that such person is in the business or profession of a  
488 conditioned air contractor unless the work is performed by a licensed conditioned air  
489 contractor.

490 (d)(1) No person shall engage in low voltage contracting unless such person has a valid  
491 license from the Division of Low Voltage Contractors; provided, however, that an  
492 employee of a low voltage contractor who receives only a salary or hourly wage for  
493 performing low voltage contracting work shall not be required to be licensed under this  
494 chapter, except that those employees upon whom the qualification of a partnership,  
495 limited liability company, or corporation rests as provided for in Code Section 43-14-9  
496 shall be required to be licensed.

497 (2) Except as provided in paragraph (1) of this subsection, a person that is not licensed  
498 as a low voltage contractor shall be prohibited from advertising in any manner that such  
499 person is in the business or profession of a low voltage contractor unless the work is  
500 performed by a licensed low voltage contractor.

501 ~~(d)~~(e) Notwithstanding any other provision of this chapter, prior to and including  
502 September 30, 1983, the following persons; desiring to qualify under the provisions stated  
503 in this subsection, shall be issued a state-wide license without restriction by the appropriate  
504 division of the State Construction Industry Licensing Board, provided that such individual  
505 submits proper application and pays or has paid the required fees and is not otherwise in  
506 violation of this chapter:

507 (1) Any individual holding a license issued by the State Construction Industry Licensing  
508 Board, prior to the effective date of this chapter;

509 (2) Any individual holding a license issued by the State Board of Electrical Contractors,  
510 the State Board of Examiners of Plumbing Contractors, or the State Board of Warm Air  
511 Heating Contractors;

512 (3) Any individual holding a license to engage in such vocation issued to him or her by  
513 any governing authority of any political subdivision; and

514 (4) Any individual who has successfully and efficiently engaged in such vocation in a  
515 local jurisdiction, which did not issue local licenses, for a period of at least two  
516 consecutive years immediately prior to the time of application. To prove that he or she  
517 has successfully engaged in said vocation, the individual shall only be required to give  
518 evidence of three successful jobs completed over such period. Such applicant shall swear  
519 before a notary public that such evidence is true and accurate prior to its submission to  
520 the division.

521 ~~(e)~~(f) The decision of the division as to the necessity of taking the examination or as to the  
522 qualifications of applicants taking the required examination shall, in the absence of fraud,  
523 be conclusive. All individuals, partnerships, limited liability companies, or corporations  
524 desiring to engage in ~~such vocation after September 30, 1983~~, a business licensed under  
525 this chapter shall take the examination and qualify under this chapter before engaging in  
526 such vocation or business, including ~~such vocation~~ at the local level.

527 ~~(f)~~(g) No partnership, limited liability company, or corporation shall have the right to  
528 engage in the business of electrical contracting unless there is regularly connected with  
529 such partnership, limited liability company, or corporation a person or persons actually  
530 actively engaged in the performance of such business on a full-time basis who have valid  
531 licenses issued to them as provided for in this chapter; provided, however, that partners,  
532 officers, and employees of any individual who fulfilled the licensing requirements shall  
533 continue to be authorized to engage in the business of electrical contracting under a license  
534 which was valid at the time of the licensee's death for a period of 90 days from the date of  
535 such death. The division may, at its discretion, upon application by the electrical contractor  
536 showing good cause, grant one additional 90 day grace period.

537 ~~(g)~~(h) No partnership, limited liability company, or corporation shall have the right to  
538 engage in the business of plumbing unless there is regularly connected with such

539 partnership, limited liability company, or corporation a person or persons ~~actually~~ actively  
540 engaged in the performance of such business on a full-time basis who have valid licenses  
541 for master plumbers issued to them as provided in this chapter; provided, however, that  
542 partners, officers, and employees of any individual who fulfilled the licensing requirements  
543 shall continue to be authorized to engage in the business of plumbing contracting under a  
544 license which was valid at the time of the licensee's death for a period of 90 days from the  
545 date of such death. The division may, at its discretion, upon application by the plumbing  
546 contractor showing good cause, grant one additional 90 day grace period.

547 ~~(h)~~(i) No partnership, limited liability company, or corporation shall have the right to  
548 engage in the business of conditioned air contracting unless there is regularly connected  
549 with such partnership, limited liability company, or corporation a person or persons  
550 ~~actually~~ actively engaged in the performance of such business on a full-time basis who  
551 have valid licenses issued to them as provided for in this chapter; provided, however, that  
552 partners, officers, and employees of the individual who fulfilled the licensing requirements  
553 shall continue to be authorized to engage in the business of conditioned air contracting  
554 under a license which was valid at the time of the licensee's death for a period of 90 days  
555 ~~following from~~ from the date of such death. The division may, at its discretion, upon application  
556 by the conditioned air contractor showing good cause, grant one additional 90 day grace  
557 period.

558 ~~(i)~~(j) It shall be the duty of all partnerships, limited liability companies, and corporations  
559 qualified under this chapter to notify the appropriate division ~~immediately~~ within seven  
560 days of the severance of connection with such partnership, limited liability company, or  
561 corporation of any person or persons upon whom such qualification rested.

562 ~~(j)~~(k) ~~Applicants~~ All applicants for examinations and licenses provided for by this chapter  
563 and ~~all~~ any applicants for renewal of licenses under this chapter shall be required to ~~fill out~~  
564 ~~a form which shall be provided by each division, showing whether or not~~ complete a  
565 division approved form on which the applicant will:

566 (1) Indicate if the applicant is an individual, partnership, limited liability company, or  
 567 corporation; and, if

568 (2) If a partnership, limited liability company, or corporation, provide the names and  
 569 addresses of the partners or members or the names and addresses of the officers, when  
 570 and where formed or incorporated, and such other information as the board or each  
 571 division may require; and

572 (3) If the renewal is for ~~All forms of applications for renewal of licenses shall also show~~  
 573 ~~whether or not the applicant, if it is a partnership, limited liability company, or~~  
 574 ~~corporation, still has connected with it~~ whether a duly qualified person holding a license  
 575 issued by the division is still connected with such entity.

576 ~~(k) The board shall notify each local governing authority of the provisions of this chapter~~  
 577 ~~relating to licensure, especially the provisions of subsection (d) of this Code section. The~~  
 578 ~~board shall notify such governing authorities that after September 30, 1983, any person~~  
 579 ~~desiring a license to engage in a profession covered by this chapter shall be required to pass~~  
 580 ~~an examination as provided in this chapter.~~

581 (l) Applicants who have a failing examination score on two consecutive testing attempts  
 582 within the approved testing time frame ~~Any applicant for licensure standing the~~  
 583 ~~examination on and after July 1, 1989, who fails the examination for licensure twice after~~  
 584 ~~such date~~ shall be required to present satisfactory evidence to the appropriate division that  
 585 the applicant has completed a board approved review course before such applicant will be  
 586 ~~admitted to a third examination~~ approved to take the examination again. If such applicant  
 587 fails the examination a third time, the applicant shall not be required to complete additional  
 588 board approved review courses prior to taking subsequent examinations.

589 ~~43-14-8.1~~ 43-14-9.

590 (a) For purposes of this Code section only, 'division' means the 'Division of ~~Low-voltage~~  
 591 Low Voltage Contractors.'

592 (b) No person shall engage in alarm system, general system, or telecommunication system  
593 ~~low-voltage~~ low voltage contracting unless such person has a valid license therefor from  
594 the Division of ~~Low-voltage~~ Low Voltage Contracting.

595 (c)(1) ~~Prior to January 1, 1985, any~~ Any person desiring to qualify under the provisions  
596 of this subsection who meets the requirements of this subsection, submits proper  
597 application ~~prior to and including December 31, 1984,~~ and pays or has paid the required  
598 fees and is not otherwise in violation of this chapter shall be issued a state-wide  
599 ~~Low-voltage~~ Low Voltage Contractor Class LV-A, LV-G, LV-U, or LV-T license  
600 without examination.

601 (2) An individual desiring to obtain ~~Low-voltage~~ Low Voltage Contractor Class LV-T  
602 shall submit to the division an affidavit which outlines the experience of said individual  
603 in the practice of ~~low-voltage~~ low voltage wiring relating to telecommunication systems.

604 (3) An individual desiring to obtain a ~~Low-voltage~~ Low Voltage Contractor Class LV-A  
605 license shall submit to the division an affidavit which outlines the experience of said  
606 individual in the practice of ~~low-voltage~~ low voltage wiring relating to alarm systems.

607 (4) An individual desiring to obtain a ~~Low-voltage~~ Low Voltage Contractor Class LV-G  
608 license shall submit to the division an affidavit which outlines the experience of said  
609 individual in the practice of ~~low-voltage~~ low voltage wiring relating to general systems.  
610 Each such affidavit for licensure shall describe in detail the installation of at least three  
611 complete ~~low-voltage~~ wiring jobs which shall demonstrate that the individual has  
612 successfully performed ~~low-voltage~~ wiring in the area of licensure requested for a period  
613 of at least one year immediately prior to the time of application.

614 (5) An individual desiring to obtain a ~~Low-voltage~~ Low Voltage Contractor Class LV-U  
615 license shall submit to the division an affidavit which outlines the experience of said  
616 individual in the practice of ~~low-voltage~~ low voltage wiring relating to alarm and  
617 telecommunication systems and which describes in detail the installation of at least six  
618 complete ~~low-voltage~~ low voltage wiring jobs, three in alarm and three in



619 telecommunication systems, which shall demonstrate that the individual has successfully  
620 performed ~~low-voltage~~ low voltage wiring in those areas for a period of at least one year  
621 immediately prior to the time of application.

622 (6) Each affidavit for licensure required in paragraphs (1) through (4) of this subsection  
623 shall describe in detail the installation of at least three complete low voltage wiring jobs  
624 which shall demonstrate that the individual has successfully performed low voltage  
625 wiring in the area of licensure requested for a period of at least one year prior to the time  
626 of application.

627 (d) The decision of the division as to the necessity of taking the examination or as to the  
628 qualifications of applicants taking the required examination shall, in the absence of fraud,  
629 be conclusive. All individuals, individuals serving as partners in partnerships, applicants  
630 for limited liability companies, or applicants for corporations desiring to engage in the  
631 vocation of ~~low-voltage~~ low voltage contracting ~~after December 31, 1984,~~ shall take the  
632 examination and qualify under this Code section before engaging in such vocation.

633 (e) No partnership, limited liability company, or corporation shall have the right to engage  
634 in the business of ~~low-voltage~~ low voltage contracting unless there is regularly connected  
635 with such partnership, limited liability company, or corporation a person or persons,  
636 ~~actually~~ actively engaged in the performance of such business on a full-time basis and  
637 supervising the ~~low-voltage~~ low voltage systems installation, repair, alteration, and service  
638 work of all employees of such partnership, limited liability company, or corporation, who  
639 have valid licenses issued to them as provided in this chapter.

640 (f) Partnerships, limited liability companies, or corporations having ~~In cases where a~~  
641 ~~partnership, limited liability company, or corporation has~~ more than one office location  
642 from which ~~low-voltage~~ low voltage contracting is performed; shall have at least one  
643 person stationed in each branch office of such partnership, limited liability company, or  
644 corporation; who is engaged in the performance of ~~low-voltage~~ low voltage contracting on  
645 a full-time basis ~~and;~~ who is supervising the ~~low-voltage~~ low voltage wiring systems

646 installation, repair, alteration, and service work of all employees of such branch office  
647 locations, ~~shall have; and who has~~ a valid license issued as provided in this Code section.

648 ~~(f) It shall be the duty of all partnerships, limited liability companies, and corporations~~  
649 ~~qualified under this Code section to notify the division, in accordance with board rules, of~~  
650 ~~severance of connection with such partnership, limited liability company, or corporation~~  
651 ~~of any person or persons upon whom the qualification of any such partnership, limited~~  
652 ~~liability company, or corporation rested.~~

653 ~~(g) All applicants for examinations and licenses provided for by this Code section and all~~  
654 ~~applicants for renewal of licenses under this Code section shall be required to fill out a~~  
655 ~~form which shall be provided by the division, which form shall show whether or not the~~  
656 ~~applicant is an individual, partnership, limited liability company, or corporation and, if a~~  
657 ~~partnership, limited liability company, or corporation, the names and addresses of the~~  
658 ~~partners or members or the names and addresses of the officers, when and where formed~~  
659 ~~or incorporated, and such other information as the division in its discretion may require.~~  
660 ~~All forms of application for renewal of licenses shall also show whether or not the~~  
661 ~~applicant, if it is a partnership, limited liability company, or corporation, still has connected~~  
662 ~~with it a duly qualified person holding a license issued by the division.~~

663 ~~(h) The division shall notify each local governing authority of the provisions of this~~  
664 ~~chapter relating to licensure, especially the provisions of subsection (b) of this Code~~  
665 ~~section. The division shall notify such governing authorities that after December 31, 1984,~~  
666 ~~any person desiring a license to engage in the vocation of low-voltage contracting shall be~~  
667 ~~required to pass an examination as provided in this chapter.~~

668 ~~43-14-8.2~~ 43-14-10.

669 (a) For purposes of this Code section only, 'division' means the 'Division of Utility  
670 Contractors.'

671 (b)(1) ~~After June 30, 1994, no~~ No sole proprietorship, partnership, or corporation shall  
672 have the right to engage in the business of utility contracting unless:

673 (A) Such ~~such~~ business holds a utility contractor license; and

674 (B) There ~~there~~ is regularly connected with such business a person or persons who  
675 holds a valid utility manager certificate issued under this chapter, and such. ~~Such~~ utility  
676 manager must be actually ~~actively~~ engaged in the performance of such business on a  
677 full-time basis and must oversee the utility contracting work of all employees of the  
678 business.

679 (2) If ~~In cases where~~ a sole proprietorship, partnership, or corporation has more than one  
680 permanent office, then each permanent office shall be registered with the division and at  
681 least one person who holds a valid utility manager certificate issued under this chapter  
682 shall be stationed in each office on a full-time basis and shall oversee the utility  
683 contracting work of all employees of that office.

684 ~~(2)~~(3) The requirements of this Code section shall not prevent any person holding a valid  
685 license issued by the State Construction Industry Licensing Board, or any division  
686 thereof, pursuant to this chapter, from performing any work defined in the Code section  
687 or sections under which the license held by said person was issued.

688 (c) Any corporation, partnership, or sole proprietorship desiring to qualify and be issued  
689 a utility contractor license under the provisions of this subsection shall:

690 (1) Submit a completed application to the division on the form provided indicating:

691 (A) The names and addresses of proprietor, partners, or officers of such applicant;

692 (B) The place and date such partnership was formed or such corporation was  
693 incorporated; and

694 (C) The name of the qualifying utility manager holding a current certificate who is  
695 employed for each permanent office location of the business from which utility  
696 contracting is performed;

- 697 (2) Submit its safety policy which must meet the minimum standards established by the  
698 board;
- 699 (3) Pay or have paid the required fees; and
- 700 (4) Not be otherwise in violation of this chapter.
- 701 (d) The decision of the division as to the qualifications of applicants shall, in the absence  
702 of fraud, be conclusive.
- 703 (e) It shall be the duty of the utility manager certificate holders and the licensed utility  
704 contractor to notify the division, in accordance with board rules, of the severance of  
705 connection between such utility contractor and the utility manager certificate holder or  
706 holders upon whom the qualification of the utility contractor rested.
- 707 (f) In the event that a licensed utility contractor temporarily does not have employed a  
708 utility manager certificate holder to oversee its utility contracting work, upon notice by  
709 such utility contractor to the division within ~~five~~ seven days following the last day of  
710 employment of the utility manager certificate holder, the division shall grant the utility  
711 contractor a 90 day grace period in which to employ a utility manager certificate holder to  
712 oversee its utility contracting work before any action may be taken by the division to  
713 revoke the utility contractor's license. The division may, at its discretion, upon application  
714 by the utility contractor showing good cause, grant one additional 90 day grace period.  
715 Grace periods totaling not more than 180 days may be granted during any two-year period.  
716 Failure to have employed a utility manager certificate holder to oversee the utility  
717 contracting work of the utility contractor shall be grounds for the revocation or suspension  
718 of the utility contractor license after a notice of hearing.
- 719 (g) All applicants for renewal of utility contractor licenses provided for by this Code  
720 section shall be required to submit with the required fee a completed application on a form  
721 provided by the division.

722 (h) It shall be unlawful for any person to contract with any other person for the  
723 performance of utility contracting work who is known by such person not to have a current,  
724 valid license as a utility contractor pursuant to this chapter.

725 ~~43-14-8.3~~ 43-14-11.

726 (a) ~~After June 30, 1994, no~~ No person may be employed as a utility manager unless that  
727 person holds a current utility manager certificate issued by the Division of Utility  
728 Contractors.

729 (b) The division shall certify all applicants for certification under this chapter who satisfy  
730 the requirements of this chapter and the rules and regulations promulgated under this  
731 chapter. Persons wishing to qualify for utility manager certification shall submit a  
732 completed application form documenting required experience and other qualifications as  
733 prescribed by the board with the required fees, and shall pass an examination, and. ~~In order~~  
734 ~~to obtain a utility manager certificate, an applicant must submit proof of completion of a~~  
735 board approved safety training course ~~of safety training~~ in utility contracting ~~approved by~~  
736 ~~the division~~. In order to continue to hold such certificate, the certificate holder must  
737 present proof to the division of completion of a safety training course approved by the  
738 division at least every two years from the date of the completion of the initial safety  
739 training course.

740 (c) An applicant may request an oral administration of the examination.

741 ~~43-14-8.4~~ 43-14-12.

742 (a) ~~After June 30, 1994, no~~ No person may be employed as a utility foreman unless that  
743 person holds a current utility foreman certificate issued by the Division of Utility  
744 Contractors.

745 (b) The division shall certify all applicants for certification under this chapter who satisfy  
746 the requirements of this chapter and the rules and regulations promulgated under this

747 chapter. One requirement for such certification shall be the successful completion of a  
748 board approved safety training course ~~of safety training~~ in utility contracting approved by  
749 the division. In order to continue to hold such certificate, the certificate holder must submit  
750 proof to the division of completion of a safety training course approved by the division at  
751 least every two years from the date of the completion of the initial safety training course.  
752 In lieu of safety training any person desiring to be issued a utility foreman certificate may  
753 submit a completed application on or before December 31, 1994, which documents to the  
754 satisfaction of the division at least two years of experience as a utility foreman during the  
755 period between January 1, 1984, and June 30, 1994. Any person who does not submit a  
756 completed application for certification on or before December 31, 1994, must complete the  
757 required safety training in order to be certified.

758 (c) ~~After June 30, 1994, no~~ No utility system shall be constructed, erected, altered, or  
759 repaired unless a certified utility manager or certified utility foreman who holds a current  
760 certification is present at the job site of such construction, erection, alteration, or repair of  
761 the utility system.

762 ~~43-14-9~~ 43-14-13.

763 (a) Every person holding a license issued by a division of the board shall display it in a  
764 conspicuous manner at his or her place of business.

765 (b) All commercial vehicles used by licensees and certificate holders exclusively in the  
766 daily operation of their business shall have prominently displayed thereon the company or  
767 business registration number issued by the Secretary of State's office. Such registration  
768 number shall also be prominently displayed on any advertising ~~in telephone yellow pages~~  
769 ~~and newspapers~~ relating to work which a licensee or certificate holder purports to have the  
770 capacity to perform. Said registration or certificate number shall also be printed on all  
771 invoices and proposal forms.

772 ~~43-14-10~~ 43-14-14.

773 This chapter shall be administered in accordance with Chapter 13 of Title 50, the 'Georgia  
774 Administrative Procedure Act.'

775 ~~43-14-11~~ 43-14-15.

776 Whenever it shall appear to a division of the board or to the executive director or to a  
777 county or municipal inspection authority that any person is or has been violating this  
778 chapter or any of the lawful rules, regulations, or orders of the board, the division of the  
779 board, the local inspection authority, or the appropriate prosecuting attorney may file a  
780 petition for an injunction in the proper superior court of this state against such person for  
781 the purpose of enjoining any such violation. It shall not be necessary to allege or prove that  
782 there is no adequate remedy at law. The right of injunction provided for in this Code  
783 section shall be in addition to any other legal remedy which the board has and shall be in  
784 addition to any right of criminal prosecution provided for by law.

785 ~~43-14-12~~ 43-14-16.

786 (a) Any municipal or county inspection authority which meets the standards established  
787 by the board shall be authorized, after notice and hearing, to suspend the license or  
788 certificate of competency of, or refuse to restore a license or certificate of competency to,  
789 any person or licensee upon the grounds set out in paragraph (4) of subsection (a) of Code  
790 Section 43-14-6; provided, however, that such suspension of a license by a local inspection  
791 authority shall be applicable only within the jurisdiction of such local authority. Any  
792 person aggrieved by an action of a local authority shall be entitled to an appeal to the  
793 appropriate division of the board and shall be entitled to a hearing.

794 (b)(1) This chapter shall not be construed to prohibit the governing authority of any  
795 county or municipality in the state from adopting and enforcing codes at the local level;  
796 provided, however, that no county or municipality may require any licensed conditioned

797 air contractor or licensed plumber who has executed and deposited a bond as authorized  
798 in paragraph (2) of this subsection to give or furnish or execute any code compliance  
799 bond or similar bond for the purpose of ensuring that all construction, installation, or  
800 modifications are made or completed in compliance with the county or municipal  
801 ordinances or building and construction codes.

802 (2) In order to protect the public from damages arising from any work by a licensed  
803 conditioned air contractor or licensed plumber, which work fails to comply with the  
804 ordinances or building and construction codes adopted by any county or municipal  
805 corporation, any such licensed conditioned air contractor or licensed plumber may  
806 execute and deposit with the judge of the probate court in the county of his or her  
807 principal place of business a bond in the sum of \$10,000.00. Such bond shall be a cash  
808 bond of \$10,000.00 or executed by a surety authorized and qualified to write surety bonds  
809 in the State of Georgia and shall be approved by the judge of the probate court. Such  
810 bond shall be conditioned upon all work done or supervised by such licensee complying  
811 with the provisions of any ordinances or building and construction codes of any county  
812 or municipal corporation wherein the work is performed. Action on such bond may be  
813 brought against the principal and surety thereon in the name of and for the benefit of any  
814 person who suffers damages as a consequence of said licensee's work not conforming to  
815 the requirements of any ordinances or building and construction codes; provided,  
816 however, that the aggregate liability of the surety to all persons so damaged shall in no  
817 event exceed the sum of such bond.

818 (3) In any case where a bond is required under this subsection, the conditioned air  
819 contractor or plumber shall file a copy of the bond with the building official in the  
820 political subdivision wherein the work is being performed.

821 (4) The provisions of this subsection shall not apply to or affect any bonding  
822 requirements involving contracts for public works as provided in Chapter 10 of Title 13.



823 (c) No provision of this chapter shall be construed as prohibiting or preventing a  
824 municipality or county from fixing, charging, assessing, or collecting any license fee,  
825 registration fee, tax, or gross receipt tax on any related business or on anyone engaged in  
826 any related business governed by this chapter.

827 ~~43-14-12.1~~ 43-14-17.

828 (a) If a person is in violation of paragraph (1) or (2) of subsection (c) of Code Section  
829 43-14-8, it shall not be necessary for an investigator to observe or witness the unlicensed  
830 person engaged illegally in the process of work or to show work in progress or work  
831 completed in order to prove the unlawful practice of conditioned air contracting, plumbing  
832 contracting, or electrical contracting by an unlicensed person.

833 (b) It shall be prima-facie evidence of a violation of this chapter if any person not licensed  
834 as a conditioned air contractor, plumbing contractor, or electrical contractor advertises that  
835 such person is in the business or profession of a conditioned air contractor, plumbing  
836 contractor, or electrical contractor or advertises in a manner such that the general public  
837 would believe that such person is a licensed conditioned air contractor or in the business  
838 or profession of a conditioned air contractor, is a licensed plumbing contractor in the  
839 business or profession of a plumbing contractor, or is a licensed electrical contractor in the  
840 business or profession of an electrical contractor. Advertising under this subsection  
841 includes, but is not limited to, newspaper, internet, social media and digital apps, television,  
842 radio, telephone directory listings, mailings, business cards, or ~~sign~~ at signage at a place  
843 of business or attached to a vehicle.

844 (c) Notwithstanding the provisions of Code Section 43-1-20.1, after notice and hearing,  
845 the board may issue a cease and desist order prohibiting any person from violating the  
846 provisions of this chapter by engaging in the business or profession of a conditioned air  
847 contractor, plumbing contractor, or electrical contractor without a license as required under  
848 this chapter.

849 (d) The violation of any cease and desist order of the board issued under subsection (c) of  
850 this Code section shall subject the person violating the order to further proceedings before  
851 the board, and the board shall be authorized to impose a fine not to exceed ~~\$500.00~~  
852 \$1,500.00 for each violation thereof. Each day that a person practices in violation of this  
853 Code section and chapter shall constitute a separate violation.

854 (e) Nothing in this Code section shall be construed to prohibit the board from seeking  
855 remedies otherwise available by statute without first seeking a cease and desist order in  
856 accordance with the provisions of this Code section.

857 ~~43-14-12.2~~ 43-14-18.

858 (a) If a person is in violation of Code Section ~~43-14-8.2, 43-14-8.3, or 43-14-8.4~~ 43-14-10,  
859 43-14-11, or 43-14-12, it shall not be necessary for an investigator to observe or witness  
860 the unlicensed person engaged illegally in the process of work or to show work in progress  
861 or work completed in order to prove the unlawful practice of utility contracting by an  
862 unlicensed person.

863 (b) It shall be prima-facie evidence of a violation of this chapter if any person not licensed  
864 as a utility contractor advertises that such person is in the business or profession of a utility  
865 contractor or advertises in a manner such that the general public would believe that such  
866 person is a licensed utility contractor or in the business or profession of a utility contractor.  
867 Advertising under this subsection includes, but is not limited to, newspaper, television, or  
868 radio advertisements, telephone directory listings, mailings, business cards, or a sign or  
869 signs at a place of business or attached to a vehicle.

870 (c) Notwithstanding the provisions of Code Section 43-1-20.1, after notice and hearing,  
871 the board may issue a cease and desist order prohibiting any person from violating the  
872 provisions of this chapter by engaging in the business or profession of a utility contractor  
873 without a license as required under this chapter or by constructing, erecting, altering, or

874 repairing a utility system without a properly certified utility manager or properly certified  
875 utility foreman present at such job site.

876 (d) The violation of any cease and desist order of the board issued under subsection (c) of  
877 this Code section shall subject the person violating the order to further proceedings before  
878 the board, and the board shall be authorized to impose a fine not to exceed \$5,000.00 for  
879 each violation thereof. Each day that a person practices in violation of this Code section  
880 and chapter or constructs, erects, alters, or repairs a utility system without a properly  
881 certified utility manager or properly certified utility foreman present at such job site shall  
882 constitute a separate violation.

883 (e) Nothing in this Code section shall be construed to prohibit the board from seeking  
884 remedies otherwise available by statute without first seeking a cease and desist order in  
885 accordance with the provisions of this Code section.

886 ~~43-14-13~~ 43-14-19.

887 (a) This chapter shall apply to all installations, alterations, and repairs of plumbing,  
888 air-conditioning and heating, or electrical or ~~low-voltage~~ low voltage wiring or utility  
889 systems within or on public or private buildings, structures, or premises except as otherwise  
890 provided in this Code section.

891 (b) Any person ~~who~~ that holds a license issued under this chapter may engage in the  
892 business of plumbing contracting, electrical contracting, conditioned air contracting,  
893 ~~low-voltage~~ low voltage contracting, or utility contracting but only as prescribed by the  
894 license, throughout the state; and except as provided in Code Section ~~43-14-12~~ 43-14-16,  
895 no municipality or county may require such person to comply with any additional licensing  
896 requirements imposed by such municipality or county.

897 (c) This chapter shall not apply to:

898 (1) The ~~the~~ installation, alteration, or repair of plumbing, air-conditioning and heating,  
899 utility systems, or electrical services, except ~~low-voltage~~ low voltage wiring services, up

900 to and including the meters where such work is performed by and is an integral part of  
901 the system owned or operated by a public service corporation, an electrical, water, or gas  
902 department of any municipality in this state, a railroad company, a pipeline company, or  
903 a mining company in the exercise of its normal function as such;

904 (2) Low voltage wiring performed by public utilities, except that the portion of the  
905 business of public utilities which involves the installation, alteration, repair, or service  
906 of telecommunication systems for profit shall be covered under this chapter;

907 (3) The installation, construction, or maintenance of power systems or  
908 telecommunication systems for the generation or distribution of electric current  
909 constructed under the National Electrical Safety Code, which regulates the safety  
910 requirements of utilities; but the interior wiring regulated by the National Electrical  
911 Safety Code shall not be exempt and must be done by an electrical contractor, except as  
912 otherwise provided by law;

913 (4) Any technician employed by a municipal or county franchised community antenna  
914 television (CATV) system or a municipally owned CATV system in the performance of  
915 work on the system;

916 (5) Regular full-time employees of an institution, manufacturer, or business who perform  
917 plumbing, electrical, low voltage wiring, utility contracting, or conditioned air contracting  
918 when working on the premises of their employer;

919 (6) A contractor certified by the Department of Public Health to make the connection to  
920 any on-site waste-water management system from the stub out exiting the structure to an  
921 on-site waste-water management system;

922 (7) Any employee or authorized agent of a regulated gas utility or municipally owned  
923 gas utility while in the course and scope of such employment; or

924 (8) Persons licensed as manufactured or mobile home installers by the state fire marshal  
925 when;

926 (A) Coupling the electrical connection from the service entrance panel outside the  
 927 manufactured housing to the distribution panel board inside the manufactured housing;

928 (B) Connecting the exterior sewer outlets to the aboveground sewer system; or

929 (C) Connecting the exterior water line to the aboveground water system.

930 (d) This chapter shall not prohibit:

931 (1) An an individual from installing, altering, or repairing plumbing fixtures,  
 932 air-conditioning and heating, air-conditioning and heating fixtures, utility systems, or  
 933 electrical or ~~low-voltage~~ low voltage wiring services in a residential dwelling owned or  
 934 occupied by such individual; provided, however, that all such work must be done in  
 935 conformity with all other provisions of this chapter, the rules and regulations of the board,  
 936 and any applicable county or municipal resolutions, ordinances, codes, or inspection  
 937 requirements;

938 ~~(e)(2) An~~ (2) An This chapter shall not prohibit an individual employed on the maintenance staff  
 939 of a facility owned by the state or by a county, municipality, or other political subdivision  
 940 from installing, altering, or repairing plumbing, plumbing fixtures, air-conditioning and  
 941 heating fixtures, utility systems, or electrical or ~~low-voltage~~ low voltage wiring services  
 942 when such work is an integral part of the maintenance requirements of the facility;  
 943 provided, however, that all such work must be done in conformity with all other  
 944 provisions of this chapter and the orders, rules, and regulations of the board;

945 ~~(f)(3) Any~~ (3) Any This chapter shall not prohibit any person from installing, altering, or  
 946 repairing plumbing, plumbing fixtures, air-conditioning and heating fixtures, utility  
 947 systems, or electrical or ~~low-voltage~~ low voltage wiring services in a farm or ranch  
 948 service building or as an integral part of any irrigation system on a farm or ranch when  
 949 such system is not located within 30 feet of any dwelling or any building devoted to  
 950 animal husbandry. Nothing in this subsection shall be construed to limit the application  
 951 of any resolution, ordinance, code, or inspection requirements of a county or municipality  
 952 relating to such connections;

953 (4) Any person from installing, altering, or repairing the plumbing component of a lawn  
954 sprinkler system from a backflow preventer which was installed by a licensed plumber;  
955 provided, however, that all such work must be done in conformity with all other  
956 provisions of this chapter, the rules and regulations of the board, and ordinances of the  
957 county or municipality; or

958 (5) Any propane dealer that is properly insured as required by law and that holds a  
959 liquefied petroleum gas license issued by the Safety Fire Commissioner from installing,  
960 repairing, or servicing a propane system or the gas piping or components of such system;  
961 provided, however, that such propane dealers shall be prohibited from performing the  
962 installation of conditioned air systems or forced air heating systems unless licensed to do  
963 so under this chapter.

964 ~~(g) This chapter shall not apply to low-voltage wiring performed by public utilities, except~~  
965 ~~that such portion of the business of those public utilities which involves the installation,~~  
966 ~~alteration, repair, or service of telecommunication systems for profit shall be covered under~~  
967 ~~this chapter.~~

968 ~~(h) This chapter shall not apply to the installation, construction, or maintenance of power~~  
969 ~~systems or telecommunication systems for the generation or distribution of electric current~~  
970 ~~constructed under the National Electrical Safety Code, which regulates the safety~~  
971 ~~requirements of utilities; but the interior wiring regulated by the National Electrical Safety~~  
972 ~~Code would not be exempt and must be done by an electrical contractor except as~~  
973 ~~otherwise provided by law.~~

974 ~~(i) This chapter shall not apply to any technician employed by a municipal or~~  
975 ~~county-franchised community antenna television (CATV) system or a municipally owned~~  
976 ~~community antenna television system in the performance of work on the system.~~

977 ~~(j) This chapter shall not apply to regular full-time employees of an institution,~~  
978 ~~manufacturer, or business who perform plumbing, electrical, low-voltage wiring, utility~~  
979 ~~contracting, or conditioned air contracting when working on the premises of that employer.~~

980 ~~(k) This chapter shall not apply to persons licensed as manufactured or mobile home~~  
 981 ~~installers by the state fire marshal when:~~

982 ~~(1) Coupling the electrical connection from the service entrance panel outside the~~  
 983 ~~manufactured housing to the distribution panel board inside the manufactured housing;~~

984 ~~(2) Connecting the exterior sewer outlets to the above-ground sewer system; or~~

985 ~~(3) Connecting the exterior water line to the above-ground water system.~~

986 ~~(l)(e)~~ Any person qualified by the Department of Transportation to perform work for the  
 987 department shall not be required to be licensed under:

988 ~~(1) Code Section 43-14-8.2 43-14-10 or certified under Code Sections 43-14-8.3~~  
 989 ~~43-14-11 and 43-14-8.4 43-14-12 in order to perform work for the department. Any~~  
 990 ~~person qualified by the Department of Transportation to perform work for the department~~  
 991 ~~shall not be required to be licensed under; or~~

992 ~~(2) Code Section 43-14-8.2 43-14-10 or certified under Code Sections 43-14-8.3~~  
 993 ~~43-14-11 and 43-14-8.4 43-14-12 in order to perform work for a county, municipality,~~  
 994 ~~authority, or other political subdivision when such work is of the same nature as that for~~  
 995 ~~which the person is qualified when performing department work; provided, however, that~~  
 996 ~~such work is not performed on a utility system as defined in paragraph (17) (23) of Code~~  
 997 ~~Section 43-14-2 for which the person receives compensation.~~

998 ~~(m) This chapter shall not prohibit any person from installing, altering, or repairing the~~  
 999 ~~plumbing component of a lawn sprinkler system from a backflow preventer which was~~  
 1000 ~~installed by a licensed plumber; provided, however, that all such work must be done in~~  
 1001 ~~conformity with all other provisions of this chapter, the rules and regulations of the board,~~  
 1002 ~~and ordinances of the county or municipality.~~

1003 ~~(n)(f)~~ Any person who contracts with a licensed conditioned air contractor:

1004 ~~(1) As as part of a conditioned air contract to install, alter, or repair duct systems, control~~  
 1005 ~~systems, or insulation is not required to hold a license from the Division of Conditioned~~

1006 Air Contractors. The conditioned air contractor must retain responsibility for completion  
1007 of the contract, including any subcontracted work.;

1008 ~~(2) To Any person who contracts with a licensed conditioned air contractor to perform~~  
1009 a complete installation, alteration, or repair of a conditioned air system must hold a valid  
1010 license from the Division of Conditioned Air Contractors; or

1011 ~~(3) To Any person who contracts to perform for or on behalf of a conditioned air~~  
1012 ~~contractor to install, alter, or repair electrical, low-voltage~~ the installation, alteration, or  
1013 repair of the electrical, low voltage, or plumbing components of a conditioned air system  
1014 must hold a valid license from the appropriate division of the board.

1015 ~~(o) This chapter shall not prohibit any propane dealer who is properly insured as required~~  
1016 ~~by law and who holds a liquefied petroleum gas license issued by the Safety Fire~~  
1017 ~~Commissioner from installing, repairing, or servicing a propane system or the gas piping~~  
1018 ~~or components of such system; provided, however, that such propane dealers shall be~~  
1019 ~~prohibited from performing the installation of conditioned air systems or forced air heating~~  
1020 ~~systems unless licensed to do so under this chapter.~~

1021 ~~(p) This chapter shall not apply to any employee or authorized agent of a regulated gas~~  
1022 ~~utility or municipal owned gas utility while in the course and scope of such employment.~~

1023 ~~(q)(g)~~ Any utility contractor holding a valid utility contractor's license under this chapter  
1024 shall be authorized to bid for and perform work on any utility system in this state without  
1025 obtaining a license under Chapter 41 of this title. It shall be unlawful for the owner of a  
1026 utility system or anyone soliciting work to be performed on a utility system to refuse to  
1027 allow a utility contractor holding a valid utility contractor's license under this chapter to bid  
1028 for or perform work on a utility system on the basis that such contractor does not hold a  
1029 license under Chapter 41 of this title.



1030 ~~43-14-14~~ 43-14-20.

1031 Any person violating this chapter shall be guilty of a misdemeanor and, upon conviction  
1032 thereof, shall be fined not more than ~~\$1,000.00~~ \$3,000.00 or imprisoned for not more than  
1033 six months, or both.

1034 ~~43-14-15~~ 43-14-21.

1035 (a) As used in this Code section, the term:

1036 (1) 'Discharge' means an honorable discharge or a general discharge from active military  
1037 service. Such term shall not mean a discharge under other than honorable conditions, a  
1038 bad conduct discharge, or a dishonorable discharge.

1039 (2) 'Military' means the armed forces of the United States or a reserve component of the  
1040 armed forces of the United States, including the National Guard.

1041 (b) A committee composed of the division director, members of the Governor's Office of  
1042 Workforce Development, and members of the relevant divisions of the licensing board  
1043 representing the profession for which the applicant is seeking a license shall determine the  
1044 military specialties or certifications the training or experience for which substantially meets  
1045 or exceeds the requirements to obtain a license for Electrical Contractor Class I,  
1046 Journeyman Plumber, Conditioned Air Contractor Class I, or Utility Foreman. The  
1047 Governor shall designate a chairperson from among the members of the committee.

1048 (c) Any current or former member of the military may apply to the licensing board for the  
1049 ~~immediate~~ expedited issuance of a license or certification based upon his or her having  
1050 obtained a military specialty or certification, the training or experience for which  
1051 substantially meets or exceeds the requirements to obtain a license or certification  
1052 identified in subsection (b) of this Code section.

1053 (d) In order to qualify under this subsection, an applicant shall make application not later  
1054 than two years after his or her discharge. The licensing board, in its discretion, may by rule  
1055 or regulation extend such two-year period for a license or certification, or class thereof, or

1056 may extend such two-year period for an individual applicant if certain circumstances,  
1057 including, but not limited to, health, hospitalization, or other related emergencies or  
1058 exigencies, prevented the member of the military from making an application.

1059 (e) Such application shall be in such form and shall require such documentation as the  
1060 division director shall determine. If the applicant satisfies the requirements of this Code  
1061 section, the division director shall direct the appropriate division to issue the appropriate  
1062 license, and the division shall immediately issue such license; provided, however, that the  
1063 applicant shall satisfy all financial and insurance requirements for the issuance of such  
1064 license. This Code section shall only apply to the initial issuance of a license. After the  
1065 initial issuance of a license, the licensee shall be subject to any provisions relating to the  
1066 renewal of the license applicable to all licensees.

1067 43-14-22.

1068 The board may establish a process through rules and regulations for licenses issued under  
1069 this chapter to be placed on inactive status and the qualifications necessary for such  
1070 licenses to be returned to active status; provided, however, that engaging in any conduct  
1071 that requires a license under this chapter while holding an inactive license shall be  
1072 considered an unlicensed practice and shall be prohibited."

1073

## PART II

1074

### SECTION 2-1.

1075 Title 8 of the Official Code of Georgia Annotated, relating to buildings and housing, is  
1076 amended in:

1077 (1) Code Section 8-2-26, relating to enforcement of codes generally, employment and  
1078 training of inspectors, and contracts for administration and enforcement of codes, in

1079 subparagraph (d)(2)(D), by replacing "paragraph (2) of subsection (b) of Code Section  
1080 43-14-12" with "paragraph (2) of subsection (b) of Code Section 43-14-16".  
1081 (2) Code Section 8-2-102, relating to inspections, in subsection (e), by replacing  
1082 "43-14-8.1" with "43-18-9".

### 1083 **SECTION 2-2.**

1084 Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is  
1085 amended in:

1086 (1) Code Section 10-5B-3, relating to rules to prohibit deceptive, fraudulent, or abusive  
1087 telemarketing activities authorized, in subsection (a), by replacing "low-voltage" with "low  
1088 voltage".

1089 (2) Code Section 10-5B-4, relating to required and prohibited telephone conduct and  
1090 activities and liability, in subsection (a), by replacing "low-voltage" with "low voltage".

1091 (3) Code Section 10-5B-5, relating to applicability to persons subject to other provisions  
1092 of the Code, in subsection (c), by replacing "low-voltage" with "low voltage".

1093 (4) Code Section 10-5B-7, relating to remedies, duties, prohibitions, and penalties not  
1094 exclusive and construction with other provisions of the Code, in subsection (b), by  
1095 replacing "low-voltage" with "low voltage".

### 1096 **SECTION 2-3.**

1097 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended  
1098 in Code Section 36-60-12.1, relating to fence detection systems, definition, and utilization,  
1099 by revising paragraph (b)(1) as follows:

1100 "(1) Treat fence detection systems in all zoning and permitting matters exclusively as  
1101 alarm systems as such term is defined in ~~paragraph (-1)~~ of Code Section 43-14-2; and"

**SECTION 2-4.**

1102  
1103 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,  
1104 is amended in Code Section 43-41-17, relating to effective date of licensing and sanctioning  
1105 provisions, unenforceable contracts, compliance with county or municipal requirements,  
1106 exemption for DOT contractors, and other exceptions, in subsection (e), by replacing  
1107 "low-voltage" with "low voltage".

**SECTION 2-5.**

1108  
1109 Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public  
1110 transportation, is amended in:  
1111 (1) Code Section 46-3-30, relating to short title, by replacing "High-voltage" with "High  
1112 Voltage".  
1113 (2) Code Section 46-3-31, relating to purpose of part, by replacing "high-voltage" with  
1114 "high voltage".  
1115 (3) Code Section 46-3-32, relating to definitions, in paragraph (1), by replacing  
1116 "High-voltage" with "High voltage" and in paragraphs (5) and (6), by replacing  
1117 "high-voltage" with "high voltage".  
1118 (4) Code Section 46-3-33, relating to required conditions for commencing work within ten  
1119 feet of high-voltage line, in the introductory language and in paragraph (2), by replacing  
1120 "high-voltage" with "high voltage".  
1121 (5) Code Section 46-3-34, relating to utilities protection center, funding of activities,  
1122 notice of work, delay, and responsibility for completing safety requirements, by replacing  
1123 "high-voltage" with "high voltage" each time the term appears.  
1124 (6) Code Section 46-3-35, relating to allocation of expense of precautionary measures  
1125 taken pursuant to public highway construction, by replacing "high-voltage" with "high  
1126 voltage".

1127 (7) Code Section 46-3-37, relating to applicability of part to railway systems and electrical  
1128 engineering system or other entities, in subsection (b), by replacing "high-voltage" with  
1129 "high voltage" both times the term appears.

1130 (8) Code Section 46-3-39, relating to restriction on liability of owners and operators of  
1131 high-voltage lines and effect of part on duty or degree of care, by replacing "high-voltage"  
1132 with "high voltage" each time the term appears.

1133 (9) Code Section 46-3-40, relating to criminal penalty, strict liability for injury or damage,  
1134 idemnification, and liability for cost of delay, by replacing "high-voltage" with "high  
1135 voltage" each time the term appears.

1136 **PART III**

1137 **SECTION 3-1.**

1138 This Act shall become effective upon its approval by the Governor or upon its becoming law  
1139 without such approval.

1140 **SECTION 3-2.**

1141 All laws and parts of laws in conflict with this Act are repealed.