

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 716

FINAL READING

Introduced by Cavanaugh, J., 9.

Read first time January 18, 2023

Committee: General Affairs

- 1 A BILL FOR AN ACT relating to the State Electrical Act; to amend section
- 2 81-2135, Reissue Revised Statutes of Nebraska, and sections 81-2104
- 3 and 81-2118, Revised Statutes Cumulative Supplement, 2022; to change
- 4 provisions relating to rules and regulations; to change provisions
- 5 relating to license and registration fees and state inspection fees;
- 6 and to repeal the original sections.
- 7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-2104, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 81-2104 The board shall have power to:

4 (1) Elect its own officers;

5 (2) Engage and fix the compensation of such officers, inspectors,
6 and employees as may be required in the performance of its duties;

7 (3) Pay such other expenses as may be necessary in the performance
8 of its duties;

9 (4) Provide upon request such additional voluntary inspections and
10 reviews as it deems appropriate;

11 (5) Adopt, promulgate, and revise rules and regulations necessary to
12 enable it to carry into effect the State Electrical Act. In adopting and
13 promulgating such rules and regulations, the board shall be governed by
14 the minimum standards set forth in the National Electrical Code issued
15 and adopted by the National Fire Protection Association beginning in the
16 2023 edition of the National Electrical Code, Publication Number 70-2023,
17 except that the minimum standards set forth in the 2017 edition of the
18 National Electrical Code shall apply for sections 210.8(A), 210.8(A)(3),
19 210.8(A)(5), 230.67(A), and 230.85. Each edition of the National
20 Electrical Code mentioned in this subdivision in 2017, Publication Number
21 70-2017, which code shall be filed in the offices of the Secretary of
22 State and the board during the time the edition is in use under this
23 subdivision and shall be a public record. The board shall adopt and
24 promulgate rules and regulations establishing wiring standards that
25 protect public safety and health and property and that apply to all
26 electrical wiring which is installed subject to the State Electrical Act;
27 (6) Revoke, suspend, or refuse to renew any license or registration
28 granted pursuant to the State Electrical Act when the licensee or
29 registrant (a) violates any provision of the National Electrical Code as
30 adopted pursuant to subdivision (5) of this section, the act, or any rule
31 or regulation adopted and promulgated pursuant to the act, (b) fails or

1 refuses to pay any examination, registration, or license renewal fee
2 required by law, (c) is an electrical contractor or master electrician
3 and fails or refuses to provide and keep in force a public liability
4 insurance policy as required by the board, or (d) violates any political
5 subdivision's approved inspection ordinances;

6 (7) Order disconnection of power to any electrical installation that
7 is proximately dangerous to health and property;

8 (8) Order removal of electrical wiring and apparatus from premises
9 when such wiring and apparatus is proximately dangerous to health and
10 property;

11 (9) Investigate, for the purpose of identifying dangerous electrical
12 wiring or violations of the National Electrical Code as adopted pursuant
13 to subdivision (5) of this section, any death by electrocution that
14 occurs within the State of Nebraska;

15 (10) Refuse to renew any license granted pursuant to the act when
16 the licensee fails to submit evidence of completing the continuing
17 education requirements under section 81-2117.01;

18 (11) Provide for the amount and collection of fees for inspection
19 and other services;

20 (12) Adopt a seal, and the executive secretary shall have the care
21 and custody thereof; and

22 (13) Enforce the provisions of the National Electrical Code as
23 adopted pursuant to subdivision (5) of this section.

24 Sec. 2. Section 81-2118, Revised Statutes Cumulative Supplement,
25 2022, is amended to read:

26 81-2118 All licenses or registrations issued under the State
27 Electrical Act shall expire on December 31 of each even-numbered year.
28 All license or registration applications shall include the applicant's
29 social security number.

30 The board shall, by a unanimous vote of the board, set reasonable
31 fees for examination, issuance, and renewal of licenses and registrations

1 issued under the State Electrical Act in amounts necessary to cover the
2 costs incurred by the State Electrical Division and the board in
3 administering and carrying out the purposes of the State Electrical Act
4 and in a manner that unnecessary surpluses are avoided. The board shall
5 annually file a report with the Attorney General and the Legislative
6 Fiscal Analyst stating the amount of the fees set by the board. Such
7 reports shall be submitted on or before July 1 of each year. The report
8 submitted to the Legislative Fiscal Analyst shall be submitted
9 electronically. The board shall establish the following fees ~~to be~~
10 ~~payable for examination, issuance, and renewal in amounts not to exceed:~~

11 (1) For examination for the following licenses:

- 12 (a) Electrical contractor, ~~one hundred twenty-five dollars;~~
13 (b) Journeyman electrician, ~~sixty dollars;~~
14 (c) Residential journeyman electrician, ~~sixty dollars;~~ and
15 (d) Fire alarm installer, ~~sixty dollars;~~

16 (2) For each year of the two-year license period for issuance and
17 renewal of the following licenses:

- 18 (a) Electrical contractor, ~~one hundred twenty-five dollars;~~ and
19 (b) Journeyman electrician, residential journeyman electrician, fire
20 alarm installer, or special electrician, ~~twenty-five dollars;~~

21 (3) For each year of the two-year registration period for issuance
22 and renewal as an apprentice electrician, ~~twenty dollars;~~ and

23 (4) For renewal on or after September 9, 1993, of the following
24 licenses issued prior to such date for each year of the two-year license
25 period:

- 26 (a) Class B electrical contractor, ~~one hundred twenty-five dollars;~~
27 (b) Class A master electrician, ~~one hundred twenty-five dollars;~~
28 (c) Class B master electrician, ~~one hundred twenty-five dollars;~~ and
29 (d) Class B journeyman electrician, installer, or special
30 electrician, ~~twenty-five dollars.~~

31 The holder of an expired license or registration may renew the

1 license or registration for a period of three months from the date of
2 expiration upon payment of the license or registration fee plus ten
3 percent of the renewal fee for each month or portion thereof past the
4 expiration date. All holders of licenses or registrations expired for
5 more than three months shall apply for a new license or registration.

6 Sec. 3. Section 81-2135, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 81-2135 (1) The board shall, by a unanimous vote of the board, set
9 reasonable fees for state electrical inspections under the State
10 Electrical Act in amounts necessary to cover the costs incurred by the
11 State Electrical Division and the board in administering and carrying out
12 the purposes of the State Electrical Act and in a manner that unnecessary
13 surpluses are avoided. The board shall annually file a report with the
14 Attorney General and the Legislative Fiscal Analyst stating the amount of
15 the fees set by the board. Such reports shall be submitted on or before
16 July 1 of each year. The report submitted to the Legislative Fiscal
17 Analyst shall be submitted electronically.

18 (2) All state electrical inspection fees shall be due and payable to
19 the board at or before commencement of the installation and shall be
20 forwarded with the request for inspection. Inspection fees set by the
21 board in accordance with ~~provided in~~ this section shall not apply within
22 the jurisdiction of any county, city, or village if the county, city, or
23 village has adopted an ordinance or resolution as set forth in the State
24 Electrical Act.

25 (3) ~~(2)~~ The board shall establish the following fees for inspections
26 ~~in amounts not to exceed:~~

27 (a) Minimum fee for each separate inspection of an installation,
28 replacement, alteration, or repair, ~~twenty-five dollars;~~

29 (b) Services, change of services, temporary services, additions,
30 alterations, or repairs on either primary or secondary services; as
31 follows:

1 ~~(i) Zero to one hundred ampere capacity, twenty-five dollars plus~~
2 ~~five dollars per branch circuit or feeder;~~

3 ~~(ii) One hundred one to two hundred ampere capacity, thirty-five~~
4 ~~dollars plus five dollars per branch circuit or feeder; and~~

5 ~~(iii) For each additional one hundred ampere capacity or fraction~~
6 ~~thereof, twenty dollars plus five dollars per branch circuit or feeder;~~

7 ~~(c) Field For field irrigation system inspections, sixty dollars for~~
8 ~~each unit inspected; and~~

9 ~~(d) The first reinspection required as a result of a correction~~
10 ~~order, fifty dollars; a second reinspection required as a result of~~
11 ~~noncompliance with the same correction order, seventy-five dollars; and~~
12 ~~subsequent reinspections associated with the same correction order; and 7~~
13 ~~one hundred dollars for each reinspection.~~

14 ~~(e) An (3) When an inspection is requested by an owner, the minimum~~
15 ~~fee shall be thirty dollars plus five dollars per branch circuit or~~
16 ~~feeder.~~

17 ~~(3) The fee for fire and accident inspections shall be computed at~~
18 ~~the rate set by the board of forty-seven dollars per hour, and mileage~~
19 ~~and other expenses shall be reimbursed as provided in section 81-1176.~~

20 Sec. 4. Original section 81-2135, Reissue Revised Statutes of
21 Nebraska, and sections 81-2104 and 81-2118, Revised Statutes Cumulative
22 Supplement, 2022, are repealed.