

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 591

By: Jolley of the Senate

and

Wallace of the House

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9 COMMITTEE SUBSTITUTE

10 [professions and occupations - apprentices for
11 plumbing, electrical and mechanical professions -
12 effective date]

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15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1013, is
17 amended to read as follows:

18 Section 1013. A. The Construction Industries Board shall, upon
19 proper application and payment of fee, register as a plumber's
20 apprentice, and shall issue a certificate of registration to,
21 persons who furnish proof satisfactory to the Board that they are
22 sixteen (16) years of age or older and are enrolled in a recognized
23 school or training course for plumber apprentices, or have arranged
24 for employment as a plumber's apprentice with a licensed plumbing

1 contractor. The certificate of an apprentice shall expire at the
2 end of one (1) year from date of issuance, at which time ~~the Board~~
3 ~~may issue a renewal certificate upon payment of the renewal fee~~ the
4 plumber's apprentice may reregister and receive, upon payment of the
5 plumber's apprentice registration renewal fee, a renewal
6 certificate. No person shall act as, or perform the work of, a
7 plumber's apprentice without a current and valid certificate of
8 registration or other proof of proper application acceptable to the
9 Board.

10 B. All applications or renewals shall be made in writing to the
11 Board on forms provided, if necessary, by the Board. All
12 applications or renewals shall be accompanied by the appropriate
13 fee.

14 C. Applicants and apprentices, when required by the Board,
15 shall provide such documents, statements or other information as may
16 be necessary to submit to a national criminal history record check
17 as defined by Section 150.9 of Title 74 of the Oklahoma Statutes.

18 SECTION 2. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 1013.1 of Title 59, unless there
20 is created a duplication in numbering, reads as follows:

21 A. Notwithstanding any other provision of law concerning the
22 plumbing profession:

23 1. Ninety (90) days from and after the effective date of this
24 act it shall be unlawful and a misdemeanor for any person to act as,

1 or perform the work of, a plumber's apprentice, as defined in
2 Section 1003 of Title 59 of the Oklahoma Statutes, until such person
3 has registered as a plumber's apprentice as provided in Section 1013
4 of Title 59 of the Oklahoma Statutes and received a certificate of
5 registration from the Construction Industries Board. A current and
6 valid certificate of registration, or proof of proper application
7 acceptable to the Board, shall be required at all times while acting
8 as, or performing the work of, a plumber's apprentice; and

9 2. Ninety (90) days from and after the effective date of this
10 act it shall be unlawful and a misdemeanor for any person, firm,
11 partnership, association or corporation to employ a person as a
12 plumber's apprentice, as defined in Section 1003 of Title 59 of the
13 Oklahoma Statutes, until such person shall have registered and
14 received a certification of registration as a plumber's apprentice
15 as required by Section 1013 of Title 59 of the Oklahoma Statutes. A
16 copy of the current and valid certificate of registration or proof
17 of proper application for each person acting as, or performing the
18 work of, a plumber's apprentice shall be on file for inspection at
19 the person's, firm's, partnership's, association's or corporation's
20 primary place of business. Failure to obtain a copy of each
21 person's certificate of registration or proof of application as a
22 plumber's apprentice shall constitute a violation of The Plumbing
23 License Law of 1955.

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1 B. Within the ninety-day period provided in this act, a person
2 who is not registered or has not been continuously registered as a
3 plumber's apprentice, and who is currently and has been continuously
4 acting as, or continuously performing the work of, a plumber's
5 apprentice for a period of three (3) years or more under the
6 supervision of a licensed plumbing contractor in this state, or who
7 has a military exemption from apprentice registration as allowed by
8 the Construction Industries Board, may make application to take the
9 examination for journeyman plumber upon submission of an affidavit
10 from his or her current employer and other documents or proofs
11 required by the Oklahoma State Committee of Plumbing Examiners and
12 the Construction Industries Board. The examination shall be
13 conducted within the ninety-day period with only one retest allowed
14 after thirty (30) days from the date of a failed examination within
15 the same ninety-day period.

16 C. The provisions of this section provide a one-time grace
17 period for persons acting as or performing the work of an apprentice
18 who are not properly registered. Persons acting as or performing
19 the work of an apprentice who are not properly registered shall be
20 allowed to either register as required by Section 1013 of Title 59
21 of the Oklahoma Statutes without disciplinary action for failure to
22 be properly registered, or apply and take the journeyman plumber
23 examination within the ninety-day grace period. On the effective
24 date of this act, any person who is acting as, or performing the

1 work of, a plumber's apprentice and who fails to register as a
2 plumber's apprentice or fails to successfully pass the journeyman
3 examination within the ninety-day grace period shall be deemed in
4 violation of The Plumbing Licensing Law of 1955 for each day the
5 person was not or is not registered or licensed.

6 D. Nothing in this section shall be construed to alter, modify
7 or amend any law or rule regarding experience qualifications or
8 other requirements for examination except as specifically authorized
9 in the ninety-day grace period for persons not properly registered
10 as an apprentice. Such grace period shall not be extended, and
11 except for military exemptions authorized by the Construction
12 Industries Board by law or rule, no other exceptions shall be
13 authorized.

14 SECTION 3. AMENDATORY 59 O.S. 2011, Section 1850.9, is
15 amended to read as follows:

16 Section 1850.9 A. The Construction Industries Board, upon
17 proper application and payment of an apprentice registration fee,
18 shall register as a mechanical apprentice and issue a certificate of
19 such registration to any person who furnishes satisfactory proof to
20 the Board that the applicant is:

- 21 1. Sixteen (16) years of age or older; and
- 22 2. Enrolled in a school or training course for mechanical
23 apprentices recognized by the Board or has arranged for employment
24 as a mechanical apprentice with a licensed mechanical contractor.

1 B. Apprentice registration certificates shall expire one (1)
2 year after date of registration, at which time the apprentice may
3 reregister and receive, upon payment of the apprentice registration
4 renewal fee, a renewal certificate.

5 C. No person shall act as, or perform the work of, a mechanical
6 apprentice without a current and valid certificate of registration,
7 or other proof of proper application acceptable to the Board.

8 D. All applications or renewals shall be made in writing to the
9 Board on forms provided, if necessary, by the Board. All
10 applications or renewals shall be accompanied by the appropriate
11 fee.

12 E. Applicants and apprentices, when required by the Board,
13 shall provide such documents, statements or other information as may
14 be necessary to submit to a national criminal history record check
15 as defined by Section 150.9 of Title 74 of the Oklahoma Statutes.

16 SECTION 4. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 1850.9A of Title 59, unless
18 there is created a duplication in numbering, reads as follows:

19 A. Notwithstanding any other provision of law concerning the
20 mechanical profession:

21 1. Ninety (90) days from and after the effective date of this
22 act it shall be unlawful and a misdemeanor for any person to act as,
23 or perform the work of, a mechanical apprentice, as defined in
24 Section 1850.2 of Title 59 of the Oklahoma Statutes, until such

1 person has registered as a mechanical apprentice as provided in
2 Section 1850.9 of Title 59 of the Oklahoma Statutes and received a
3 certificate of registration from the Construction Industries Board.
4 A current and valid certificate of registration, or proof of proper
5 application acceptable to the Board, shall be required at all times
6 while acting as, or performing the work of, a mechanical apprentice;
7 and

8 2. Ninety (90) days from and after the effective date of this
9 act it shall be unlawful and a misdemeanor for any person, firm,
10 partnership, association or corporation to employ a person as a
11 mechanical apprentice, as defined in Section 1850.2 of Title 59 of
12 the Oklahoma Statutes, until such person shall have registered and
13 received a certification of registration as a mechanical apprentice
14 as required by Section 1850.9 of Title 59 of the Oklahoma Statutes.
15 A copy of the current and valid certificate of registration or other
16 proof of application for each person acting as or performing the
17 work of a mechanical apprentice shall be on file for inspection at
18 the person's, firm's, partnership's, association's or corporation's
19 primary place of business. Failure to obtain a copy of each
20 person's certificate of registration or proof of application as a
21 mechanical apprentice shall constitute a violation of the Mechanical
22 Licensing Act.

23 B. Within the ninety-day period provided in this act, a person
24 who is not registered or has not been continuously registered as a

1 mechanical apprentice, and who is currently and has been
2 continuously acting as, or continuously performing the work of, a
3 mechanical apprentice for a period of three (3) years or more under
4 the supervision of a licensed mechanical contractor in this state,
5 or who has a military exemption from apprentice registration as
6 allowed by the Construction Industries Board, may make application
7 to take the examination for mechanical journeyman upon submission of
8 an affidavit from his or her current employer and other documents or
9 proofs required by the Committee of Mechanical Examiners and the
10 Construction Industries Board. The examination shall be conducted
11 within the ninety-day period with only one retest allowed after
12 thirty (30) days from the date of a failed examination within the
13 same ninety-day period. Any applicant failing to pass the
14 examination, including the one allowable retest, within the ninety-
15 day period shall not be permitted to take any subsequent examination
16 for a period of ninety (90) days and only after proper registration
17 as an apprentice as required by Section 1850.9 of Title 59 of the
18 Oklahoma Statutes.

19 C. The provisions of this section provide a one-time grace
20 period for persons acting as or performing the work of a mechanical
21 apprentice who are not properly registered. Persons acting as or
22 performing the work of a mechanical apprentice who are not properly
23 registered shall be allowed to either register as required by
24 Section 1850.9 of Title 59 of the Oklahoma Statutes without

1 disciplinary action for failure to be properly registered, or apply
2 and take the mechanical journeyman examination within the ninety-day
3 grace period. On the effective date of this act, any person who is
4 acting as, or performing the work of, a mechanical apprentice and
5 who fails to register as a mechanical apprentice or fails to
6 successfully pass the mechanical journeyman examination within the
7 ninety-day grace period shall be deemed in violation of the
8 Mechanical Licensing Act for each day the person was not, or is not,
9 registered or licensed.

10 D. Nothing in this section shall be construed to alter, modify
11 or amend any law or rule regarding experience qualifications or
12 other requirements for examination except as specifically authorized
13 in the ninety-day grace period for persons not properly registered
14 as a mechanical apprentice. Such grace period shall not be
15 extended, and except for military exemptions authorized by the
16 Construction Industries Board by law or rule, no other exceptions
17 shall be authorized.

18 SECTION 5. This act shall become effective November 1, 2015.

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