

1 SB115
2 138573-2
3 By Senator Bussman
4 RFD: Governmental Affairs
5 First Read: 07-FEB-12
6 PFD: 01/30/2012

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 Relating to the Alabama Sunset Law; to continue the
12 existence and functioning of the Alabama Board of Electrical
13 Contractors with certain modifications; to amend Section
14 34-36-7, Code of Alabama 1975, so as to require that
15 applicants for licensure be United States citizens or legally
16 present in the United States.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. Pursuant to the Alabama Sunset Law, the
19 Sunset Committee recommends the continuance of the Alabama
20 Board of Electrical Contractors with the additional
21 recommendations for statutory change as set out in Section 3.

22 Section 2. The existence and functioning of the
23 Alabama Board of Electrical Contractors, created and
24 functioning pursuant to Sections 34-36-1 to 34-36-18,
25 inclusive, Code of Alabama 1975, is continued, and those code
26 sections are expressly preserved.

1 Section 3. Section 34-36-7 of the Code of Alabama
2 1975, is amended to read as follows:

3 "§34-36-7.

4 "(a) All applicants for licensure must submit a
5 completed application, application fee, and supportive
6 documentation of qualifications before taking an examination
7 approved by the board. The board shall examine applicants at
8 least once every three months according to the method deemed
9 by it to be the most appropriate to test the qualifications of
10 applicants. Any national standardized or written examination
11 proctored by an independent third party which the board shall
12 approve as substantially similar to the examination required
13 to be licensed under this chapter may be administered to all
14 applicants in lieu of or in conjunction with any other
15 examination which the board shall give to test the
16 qualifications of applicants. The board shall also have the
17 right to establish such norms of achievement as shall be
18 required for a passing grade. The board may, by rule, adopt
19 the National Electrical Code for the purpose of examinations.

20 "(b) The board may recognize a license issued by any
21 other state that, in the opinion of the board, has standards
22 of practice or licensure equal to or higher than those
23 required by this state. The board shall actively seek to
24 reciprocate with those states meeting such standards. The
25 board shall actively seek to maintain those states currently
26 under agreement.

1 "(c) No license shall be issued except in compliance
2 with this chapter and none shall be issued except to a person
3 or a person in a firm, partnership, association, or
4 corporation. A firm, partnership, association, or corporation,
5 as such, shall not be licensed. A licensee shall be a citizen
6 of the United States or, if not a citizen of the United
7 States, a person who is legally present in the United States
8 with appropriate documentation from the federal government.

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

25 Section 4. The Legislature concurs in the
26 recommendations of the Sunset Committee as provided in
27 Sections 1, 2, and 3.

1 Section 5. This act shall become effective
2 immediately upon its passage and approval by the Governor, or
3 its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Governmental Affairs..... 07-FEB-12

Read for the second time and placed on the calen-
dar..... 28-FEB-12

Read for the third time and passed as amended 15-MAR-12

Yeas 34
Nays 0

Patrick Harris
Secretary