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A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama Sunset Law; to continue the existence and functioning of the Alabama Board of Electrical Contractors until October 1, 2025, with certain modifications; to amend Sections 34-36-7 and 34-36-16, Code of Alabama 1975, to prohibit the issuance of new provisional electrical contractors licenses; and to permit the renewal of existing provisional electrical contractors licenses.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Pursuant to the Alabama Sunset Law, the Sunset Committee recommends the continuance of the Alabama Board of Electrical Contractors until October 1, 2025, with the additional recommendation for statutory change as set out in Section 3.

Section 2. The existence and functioning of the Alabama Board of Electrical Contractors, created and functioning pursuant to Chapter 36 of Title 34, Code of Alabama 1975, is continued until October 1, 2025, and those code sections are expressly preserved.

Section 3. Sections 34-36-7 and 34-36-16 of the Code of



29 Alabama 1975, are amended to read as follows:

30 "§34-36-7

31 (a) All applicants for licensure as an electrical
32 contractor or journeyman electrician must submit a completed
33 application, application fee, and supportive documentation of
34 qualifications before taking an examination approved by the
35 board. The board shall examine applicants at least once every
36 three months according to the method deemed by ~~it~~ the board to
37 be the most appropriate to test the qualifications of
38 applicants. Any national standardized or written examination
39 proctored by an independent third party which the board shall
40 approve as substantially similar to the examination required
41 to be licensed under this chapter may be administered to all
42 applicants in lieu of or in conjunction with any other
43 examination which the board shall give to test the
44 qualifications of applicants. The board ~~shall also have the~~
45 ~~right to~~ may establish ~~such~~ norms of achievement ~~as shall be~~
46 required for a passing grade. The board ~~may~~, by rule, may
47 adopt the National Electrical Code for the purpose of
48 examinations.

49 (b) The board may recognize a license issued by any
50 other state that, in the opinion of the board, has standards
51 of practice or licensure equal to or higher than those
52 required by this state. The board shall actively seek to
53 reciprocate with those states meeting such standards. The
54 board shall actively seek to maintain those states currently
55 under agreement.

56 (c) No license shall be issued except in compliance



57 with this chapter and none shall be issued except to a person
58 or a person in a firm, partnership, association, or
59 corporation. A firm, partnership, association, or corporation,
60 as such, shall not be licensed. A licensee shall be a citizen
61 of the United States or, if not a citizen of the United
62 States, a person who is legally present in the United States
63 with appropriate documentation from the federal government.

64 ~~(d) An individual who has successfully passed, on or~~
65 ~~before January 1, 2010, with a minimum score of 70 percent, or~~
66 ~~an individual who has successfully passed after January 1,~~
67 ~~2010, with a minimum score of 75 percent, a nationally~~
68 ~~standardized proctored electrical examination administered in~~
69 ~~the State of Alabama, by Block and Associates, International~~
70 ~~Code Council, Experior, Promissor, Thomson Prometric, PROV, or~~
71 ~~any other exam approved by the board, shall be deemed to be in~~
72 ~~compliance with the testing requirement set forth by the board~~
73 ~~for licensure as an electrical contractor. Individuals meeting~~
74 ~~this qualification shall also be required to complete all~~
75 ~~other qualifications set forth by this chapter and the board~~
76 ~~prior to issuance of an electrical contractor license.~~
77 ~~Electrical contractor applicants affected by this provision~~
78 ~~shall have until July 1, 2011, to apply for licensure without~~
79 ~~any further examination requirements.~~

80 (d) Commencing on the effective date of the act adding
81 this subsection, no new provisional electrical contractor
82 licenses may be issued by the board. Any person who is holding
83 an active provisional electrical contractor license on that
84 date may continue to apply for the annual renewal of that



85 license by submitting to the board a completed application,
86 application fee, and supportive documentation establishing
87 that he or she holds a valid local license or permit. A local
88 license or permit issued by a county or municipality
89 authorizes the holder to perform electrical contractor tasks
90 and functions only within the boundaries of the issuing county
91 or municipality. The provisional electrical contractor license
92 does not expand the limited geographical boundaries imposed by
93 the local license or permit."

94 "§34-36-16

95 (a) Except as provided in Section 13A-9-111.1, it shall
96 be unlawful for any person to violate ~~any provision of~~ this
97 chapter regulating electrical contracting, and any person
98 convicted of such violation shall be punished ~~as prescribed~~
99 for a Class A misdemeanor.

100 (b) It shall be unlawful, except as otherwise provided,
101 on or after December 31, 2011, for a person not licensed as an
102 electrical contractor to solicit, represent, seek to perform,
103 or perform those tasks and functions that can only be
104 performed by a licensed electrical contractor in accordance
105 with this chapter.

106 (c) Subsection (b) shall not apply to ~~an electrical~~
107 ~~contractor who has taken an examination offered by the board~~
108 ~~within the preceding 12 months,~~ any person who holds a license
109 or permit issued by a county or municipal government to
110 perform the tasks and functions that can only be performed by
111 a licensed electrical contractor, and who performs those tasks
112 and functions within the boundaries of the county or



113 municipality that issued the license or permit."

114 Section 4. The Legislature concurs in the
115 recommendations of the Sunset Committee as provided in
116 Sections 1, 2, and 3.

117 Section 5. This act shall become effective immediately.