

SB122 ENROLLED



1 SB122
2 17EC3Z3-2
3 By Senator Kelley
4 RFD: Fiscal Responsibility and Economic Development
5 First Read: 20-Feb-24



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1 Enrolled, An Act,

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

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

22 Section 3. Sections 34-36-7 and 34-36-16 of the Code of
23 Alabama 1975, are amended to read as follows:

24 "§34-36-7

25 (a) All applicants for licensure as an electrical
26 contractor or journeyman electrician must submit a completed
27 application, application fee, and supportive documentation of
28 qualifications before taking an examination approved by the



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29 board. The board shall examine applicants at least once every
30 three months according to the method deemed by ~~it~~ the board to
31 be the most appropriate to test the qualifications of
32 applicants. Any national standardized or written examination
33 proctored by an independent third party which the board shall
34 approve as substantially similar to the examination required
35 to be licensed under this chapter may be administered to all
36 applicants in lieu of or in conjunction with any other
37 examination which the board shall give to test the
38 qualifications of applicants. The board ~~shall also have the~~
39 ~~right to~~ may establish ~~such~~ norms of achievement ~~as shall be~~
40 required for a passing grade. The board ~~may~~, by rule, may
41 adopt the National Electrical Code for the purpose of
42 examinations.

43 (b) The board may recognize a license issued by any
44 other state that, in the opinion of the board, has standards
45 of practice or licensure equal to or higher than those
46 required by this state. The board shall actively seek to
47 reciprocate with those states meeting such standards. The
48 board shall actively seek to maintain those states currently
49 under agreement.

50 (c) No license shall be issued except in compliance
51 with this chapter and none shall be issued except to a person
52 or a person in a firm, partnership, association, or
53 corporation. A firm, partnership, association, or corporation,
54 as such, shall not be licensed. A licensee shall be a citizen
55 of the United States or, if not a citizen of the United
56 States, a person who is legally present in the United States



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57 with appropriate documentation from the federal government.

58 ~~(d) An individual who has successfully passed, on or~~
59 ~~before January 1, 2010, with a minimum score of 70 percent, or~~
60 ~~an individual who has successfully passed after January 1,~~
61 ~~2010, with a minimum score of 75 percent, a nationally~~
62 ~~standardized proctored electrical examination administered in~~
63 ~~the State of Alabama, by Block and Associates, International~~
64 ~~Code Council, Experior, Promissor, Thomson Prometric, PROV, or~~
65 ~~any other exam approved by the board, shall be deemed to be in~~
66 ~~compliance with the testing requirement set forth by the board~~
67 ~~for licensure as an electrical contractor. Individuals meeting~~
68 ~~this qualification shall also be required to complete all~~
69 ~~other qualifications set forth by this chapter and the board~~
70 ~~prior to issuance of an electrical contractor license.~~
71 ~~Electrical contractor applicants affected by this provision~~
72 ~~shall have until July 1, 2011, to apply for licensure without~~
73 ~~any further examination requirements.~~

74 (d) Commencing on the effective date of the act adding
75 this subsection, no new provisional electrical contractor
76 licenses may be issued by the board. Any person who is holding
77 an active provisional electrical contractor license on that
78 date may continue to apply for the annual renewal of that
79 license by submitting to the board a completed application,
80 application fee, and supportive documentation establishing
81 that he or she holds a valid local license or permit. A local
82 license or permit issued by a county or municipality
83 authorizes the holder to perform electrical contractor tasks
84 and functions only within the boundaries of the issuing county



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85 or municipality. The provisional electrical contractor license
86 does not expand the limited geographical boundaries imposed by
87 the local license or permit."

88 "§34-36-16

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

94 (b) It shall be unlawful, except as otherwise provided,
95 on or after December 31, 2011, for a person not licensed as an
96 electrical contractor to solicit, represent, seek to perform,
97 or perform those tasks and functions that can only be
98 performed by a licensed electrical contractor in accordance
99 with this chapter.

100 (c) Subsection (b) shall not apply to ~~an electrical~~
101 ~~contractor who has taken an examination offered by the board~~
102 ~~within the preceding 12 months,~~ any person who holds a license
103 or permit issued by a county or municipal government to
104 perform the tasks and functions that can only be performed by
105 a licensed electrical contractor, and who performs those tasks
106 and functions within the boundaries of the county or
107 municipality that issued the license or permit."

108 Section 4. The Legislature concurs in the
109 recommendations of the Sunset Committee as provided in
110 Sections 1, 2, and 3.

111 Section 5. This act shall become effective immediately.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB122

Senate 21-Mar-24

I hereby certify that the within Act originated in and passed the Senate.

Senate 09-May-24

I hereby certify that the within Act originated in and passed the Senate, as amended by Conference Committee Report.

Patrick Harris,
Secretary.

House of Representatives
Passed: 30-Apr-24, as amended.

House of Representatives
Passed: 09-May-24, as amended by Conference Committee Report.

By: Senator Kelley