

SB122 INTRODUCED



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



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SYNOPSIS:

Under existing law, termination dates are established for enumerated state agencies. The agencies are periodically reviewed by the Alabama Sunset Committee. After the review process is completed, the committee prepares its recommendations for the agencies to the Legislature in the form of sunset bills which either continue, terminate, or continue with modification each agency reviewed.

This bill would provide for the continuance of the Alabama Board of Electrical Contractors until October 1, 2026, with the following changes: To prohibit the board from issuing new provisional electrical contractors licenses and to permit the renewal of existing electrical contractors licenses.

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, 2026, with certain modifications; to amend Sections 34-36-7 and 34-36-16, Code of Alabama 1975,



SB122 INTRODUCED

29 to prohibit the issuance of new provisional electrical
30 contractors licenses; and to permit the renewal of existing
31 provisional electrical contractors licenses.

32 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

37 Section 2. The existence and functioning of the Alabama
38 Board of Electrical Contractors, created and functioning
39 pursuant to Chapter 36 of Title 34, Code of Alabama 1975, is
40 continued, and those code sections are expressly preserved.

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

43 "§34-36-7

44 (a) All applicants for licensure as an electrical
45 contractor or journeyman electrician must submit a completed
46 application, application fee, and supportive documentation of
47 qualifications before taking an examination approved by the
48 board. The board shall examine applicants at least once every
49 three months according to the method deemed by ~~it~~ the board to
50 be the most appropriate to test the qualifications of
51 applicants. Any national standardized or written examination
52 proctored by an independent third party which the board shall
53 approve as substantially similar to the examination required
54 to be licensed under this chapter may be administered to all
55 applicants in lieu of or in conjunction with any other
56 examination which the board shall give to test the



SB122 INTRODUCED

57 qualifications of applicants. The board ~~shall also have the~~
58 ~~right to~~ may establish ~~such~~ norms of achievement ~~as shall be~~
59 required for a passing grade. The board ~~may~~, by rule, may
60 adopt the National Electrical Code for the purpose of
61 examinations.

62 (b) The board may recognize a license issued by any
63 other state that, in the opinion of the board, has standards
64 of practice or licensure equal to or higher than those
65 required by this state. The board shall actively seek to
66 reciprocate with those states meeting such standards. The
67 board shall actively seek to maintain those states currently
68 under agreement.

69 (c) No license shall be issued except in compliance
70 with this chapter and none shall be issued except to a person
71 or a person in a firm, partnership, association, or
72 corporation. A firm, partnership, association, or corporation,
73 as such, shall not be licensed. A licensee shall be a citizen
74 of the United States or, if not a citizen of the United
75 States, a person who is legally present in the United States
76 with appropriate documentation from the federal government.

77 ~~(d) An individual who has successfully passed, on or~~
78 ~~before January 1, 2010, with a minimum score of 70 percent, or~~
79 ~~an individual who has successfully passed after January 1,~~
80 ~~2010, with a minimum score of 75 percent, a nationally~~
81 ~~standardized proctored electrical examination administered in~~
82 ~~the State of Alabama, by Block and Associates, International~~
83 ~~Code Council, Experior, Promissor, Thomson Prometric, PROV, or~~
84 ~~any other exam approved by the board, shall be deemed to be in~~



SB122 INTRODUCED

85 ~~compliance with the testing requirement set forth by the board~~
86 ~~for licensure as an electrical contractor. Individuals meeting~~
87 ~~this qualification shall also be required to complete all~~
88 ~~other qualifications set forth by this chapter and the board~~
89 ~~prior to issuance of an electrical contractor license.~~
90 ~~Electrical contractor applicants affected by this provision~~
91 ~~shall have until July 1, 2011, to apply for licensure without~~
92 ~~any further examination requirements.~~

93 (d) Commencing on the effective date of the act adding
94 this subsection, no new provisional electrical contractor
95 licenses may be issued by the board. Any person who is holding
96 an active provisional electrical contractor license on that
97 date may continue to apply for the annual renewal of that
98 license by submitting to the board a completed application,
99 application fee, and supportive documentation establishing
100 that he or she holds a valid local license or permit. A local
101 license or permit issued by a county or municipality
102 authorizes the holder to perform electrical contractor tasks
103 and functions only within the boundaries of the issuing county
104 or municipality. The provisional electrical contractor license
105 does not expand the limited geographical boundaries imposed by
106 the local license or permit."

107 "§34-36-16

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



SB122 INTRODUCED

113 (b) It shall be unlawful, except as otherwise provided,
114 on or after December 31, 2011, for a person not licensed as an
115 electrical contractor to solicit, represent, seek to perform,
116 or perform those tasks and functions that can only be
117 performed by a licensed electrical contractor in accordance
118 with this chapter.

119 (c) Subsection (b) shall not apply to ~~an electrical~~
120 ~~contractor who has taken an examination offered by the board~~
121 ~~within the preceding 12 months,~~ any person who holds a license
122 or permit issued by a county or municipal government to
123 perform the tasks and functions that can only be performed by
124 a licensed electrical contractor, and who performs those tasks
125 and functions within the boundaries of the county or
126 municipality that issued the license or permit."

127 Section 4. The Legislature concurs in the
128 recommendations of the Sunset Committee as provided in
129 Sections 1, 2, and 3.

130 Section 5. This act shall become effective immediately.