



ACT #2024 - 375

1 SB122

2 17EC3Z3-2

3 By Senator Kelley

4 RFD: Fiscal Responsibility and Economic Development

5 First Read: 20-Feb-24





## SB122 Enrolled

1 Enrolled, An Act,

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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.

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11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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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.

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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.

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

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"§34-36-7

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(a) All applicants for licensure as an electrical contractor or journeyman electrician must submit a completed application, application fee, and supportive documentation of 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



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, Experier, Promiscor, 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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35 or municipality. The provisional electrical contractor license  
36 does not expand the limited geographical boundaries imposed by  
37 the local license or permit."

38 "§34-36-16

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

44 (b) It shall be unlawful, except as otherwise provided,  
45 on or after December 31, 2011, for a person not licensed as an  
46 electrical contractor to solicit, represent, seek to perform,  
47 or perform those tasks and functions that can only be  
48 performed by a licensed electrical contractor in accordance  
49 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

APPROVED 5/15/2024

TIME 1:40 pm

Kelley  
GOVERNOR

Alabama Secretary Of State  
Act Num.....: 2024-375  
Bill Num....: S-122

Recv'd 05/15/24 03:43pmKCW

ORIGINAL  
Senate Bill NO  
Project No

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FUNDING-1

SPONSOR

Kelly  
CO-SPONSORS

SENATE ACTION

DATE: 3-21-24 2024  
RD 1 RFD FRED

I hereby certify that the notice & proof is attached to the Bill, SB \_\_\_\_\_ as required in the General Acts of Alabama, 1975 Act No. 919.  
**PATRICK HARRIS,**  
Secretary

This Bill was referred to the Standing Committee of the Senate on FRED

and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report  
w/am/d/s) \_\_\_\_\_ w/sub \_\_\_\_\_ w/eng sub \_\_\_\_\_  
yeas 9 nays 0 abstain 0  
this 9 day of Feb 2024  
Sheldon Spinks, Chairperson

DATE: 2-27 2024  
RF FAD RD 2 CAL

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB 122  
yeas 27 nays 0 abstain 0  
**PATRICK HARRIS,**  
Secretary

DATE: 3-21-24 RD 3 at length  
PASSED  PASSED AS AMENDED   
yeas 27 nays 0 abstain 0  
And was ordered sent forthwith to the House.  
**PATRICK HARRIS,**  
Secretary

REPORT HOUSE ACTION COVER

HOUSE ACTION

DATE: 3-21-24 2024  
RD 1 RFD PAVE

REPORT OF STANDING COMMITTEE  
This bill having been referred by the House to its standing committee on  
PAVE

was acted upon by such Committee in session, and returned therefrom to the House with the recommendation that it be Passed.  
w/am/d/s) \_\_\_\_\_ w/sub 1 2024

this 11 day of March  
William Wells, Chairperson

DATE: 4-11 2024  
RF WLD-15 RD 2 CAL

DATE: \_\_\_\_\_ 20\_\_\_\_  
RE-REFERRED  RE-COMMITTED   
COMMITTEE \_\_\_\_\_

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB 122  
YEAS 27 NAYS 0  
**JOHN TREADWELL,**  
Clerk

REPORT HOUSE ACTION COVER