

SENATE FILE 2159

BY DOTZLER

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act providing for the licensure of electricians and installers
2 on a statewide basis, providing for apprentice electrician
3 registration, establishing fees, providing penalties, and
4 providing an effective date.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2159
STATE GOVERNMENT

1 Section 1. Section 10A.502, Code 2003, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 4. Inspections relating to electrical
4 wiring installed by licensees pursuant to chapter 542A.

5 Sec. 2. NEW SECTION. 542A.1 DEFINITIONS.

6 As used in this chapter, unless the context otherwise
7 requires:

8 1. "Apprentice electrician" means a person, other than a
9 licensee under this chapter, who is enrolled in an
10 apprenticeship training program approved by the United States
11 department of labor, bureau of apprenticeship and training,
12 and engaged, as the person's principal occupation, in learning
13 and assisting in the installation of electrical wiring,
14 electrical apparatus, and electrical equipment as an employee
15 of a licensee under this chapter.

16 2. "Board" means the electrical licensing board created
17 under section 542A.3.

18 3. "Class A journeyman electrician" means a person having
19 the necessary qualifications, training, experience, and
20 technical knowledge to wire for or install electrical wiring,
21 electrical apparatus, and electrical equipment and to
22 supervise apprentice electricians who is licensed by the
23 board.

24 4. "Class A master electrician/electrical contractor"
25 means a person having the necessary qualifications, training,
26 experience, and technical knowledge to plan, lay out, install,
27 and supervise the installation of electrical wiring,
28 electrical equipment apparatus, and electrical equipment for
29 electric light, heat, power, and other purposes and to
30 supervise apprentice electricians who is licensed by the
31 board.

32 5. "Electrical inspector" means a person licensed as an
33 electrical inspector and employed by the board, upon such
34 reasonable conditions as may be adopted by the board.

35 6. "Life safety installer" means a person who is certified

1 by the national institute for certification in engineering
2 technology; who is qualified to oversee the installation of
3 life safety systems, including fire alarm, security, and nurse
4 call systems; and who is licensed by the board.

5 7. "Residential journeyman electrician" means a person
6 having the necessary qualifications, training, experience, and
7 technical knowledge to wire for or install electrical wiring,
8 electrical apparatus, and electrical equipment for systems of
9 not over four hundred ampere capacity for light, heat, power,
10 and other purposes in any structure used and maintained as a
11 single or multifamily residential dwelling excluding hotels,
12 motels, dormitories, nursing homes, or care facilities.

13 8. "Special electrician" means a person having the
14 necessary qualifications, training, and experience in wiring
15 or installing special classes of electrical wiring, apparatus,
16 equipment, or installations, limited to irrigation system
17 wiring, well pump wiring, and sign installation who is
18 licensed by the board.

19 Sec. 3. NEW SECTION. 542A.2 CHAPTER INAPPLICABILITY.

20 This chapter does not apply to a person licensed as an
21 engineer pursuant to chapter 542B or licensed as an architect
22 pursuant to chapter 544A providing consultations and
23 developing plans concerning electrical installations who is
24 exclusively engaged in the practice of the person's
25 profession.

26 Sec. 4. NEW SECTION. 542A.3 ELECTRICAL LICENSING BOARD
27 CREATED.

28 An electrical licensing board is created within the
29 professional licensing and regulation division of the
30 department of commerce. The board shall consist of seven
31 members, appointed by the governor and subject to senate
32 confirmation, all of whom shall be residents of this state.
33 Two members shall be journeyman electricians, one a member of
34 an electrical workers union working under a collective
35 bargaining agreement and one not a member of a union; two

1 members shall be master electricians/electrical contractors,
2 one of whom is a member of an electrical workers union working
3 under a collective bargaining agreement and one who is a
4 nonunion contractor; one member shall be an electrical
5 inspector; and two members, one a union member and one a
6 nonunion member, shall not be a member of any of the
7 aforementioned groups and shall represent the general public.
8 The public members of the board shall be allowed to
9 participate in administrative, clerical, or ministerial
10 functions incident to giving a licensure examination, but
11 shall not determine the content of the examination or
12 determine the correctness of the answers. Professional
13 associations or societies composed of licensed electricians
14 may recommend to the governor the names of potential board
15 members whose profession is representative of that association
16 or society. However, the governor is not bound by the
17 recommendations. A board member shall not be required to be a
18 member of any professional electrician association or society.

19 Sec. 5. NEW SECTION. 542A.4 TERMS OF OFFICE -- EXPENSES
20 -- COUNSEL.

21 1. Appointments to the board shall be for three-year terms
22 and shall commence and end as provided by section 69.19.
23 Vacancies shall be filled for the unexpired term by
24 appointment of the governor and shall be subject to senate
25 confirmation. Members shall serve no more than three terms or
26 nine years, whichever is least.

27 2. Members of the board are entitled to receive all actual
28 expenses incurred in the discharge of their duties within the
29 limits of funds appropriated to the board. Each member of the
30 board may also be eligible to receive compensation as provided
31 in section 7E.6.

32 3. The board shall be entitled to the counsel and to the
33 services of the attorney general. The board may compel the
34 attendance of witnesses, pay witness fees and mileage, take
35 testimony and proofs, and administer oaths concerning any

1 matter within its jurisdiction.

2 Sec. 6. NEW SECTION. 542A.5 ORGANIZATION OF THE BOARD.

3 The board shall elect annually from its members a
4 chairperson and a vice chairperson. The administrator of the
5 professional licensing and regulation division of the
6 department of commerce shall hire and provide staff to assist
7 the board in administering this chapter. The board shall hold
8 at least one meeting at the location of the board's principal
9 office, and meetings shall be called at other times by the
10 chairperson or four members of the board. At any meeting of
11 the board, a majority of members constitutes a quorum.

12 Sec. 7. NEW SECTION. 542A.6 OFFICIAL SEAL -- BYLAWS.

13 The board shall adopt and have an official seal which shall
14 be affixed to all certificates of licensure granted.

15 Sec. 8. NEW SECTION. 542A.7 POWERS AND DUTIES.

16 The board may:

17 1. Adopt rules pursuant to chapter 17A and in doing so
18 shall be governed by the minimum standards set forth in the
19 national electrical code issued and adopted by the national
20 fire protection association in 2002, publication number 70-
21 2002, which code shall be filed in the offices of the
22 secretary of state and the board and shall be a public record.

23 The board shall update these rules on a timely basis to
24 conform with subsequent editions of the national electrical
25 code. The board shall adopt rules establishing wiring
26 standards which protect public safety and health and property
27 and which shall apply to all electrical wiring installed by
28 licensees.

29 2. Provide upon request such voluntary inspections and
30 reviews as it deems appropriate. The board shall, in
31 coordination with the department of inspections and appeals,
32 adopt rules relating to inspection procedures, standards, and
33 schedules with regard to electrical wiring installed by
34 licensees pursuant to this chapter. Rules providing for
35 additional inspections and reviews based on complaints

1 received by the board shall require commencement of an
2 additional inspection or review within forty-eight hours of
3 receipt of a complaint.

4 3. Revoke, suspend, or refuse to renew any license granted
5 pursuant to this chapter if the licensee:

6 a. Violates any provision of the national electrical code
7 as adopted pursuant to subsection 1, or any provision of this
8 chapter or a rule adopted pursuant to this chapter.

9 b. Fails or refuses to pay any application, examination,
10 apprentice registration, or license renewal fee required by
11 law.

12 c. Is a master electrician/electrical contractor or master
13 electrician and fails or refuses to provide and keep in force
14 a public liability insurance policy as required by the board.

15 d. Violates any city-approved or county-approved
16 inspection ordinance.

17 4. Order disconnection of power to any electrical
18 installation that in the board's determination is dangerous to
19 health and property.

20 5. Order removal of electrical wiring, electrical
21 apparatus, or electrical equipment from premises if such
22 wiring, apparatus, or equipment in the board's determination
23 is dangerous to health and property.

24 6. Investigate, for the purpose of identifying dangerous
25 electrical wiring or violations of the national electrical
26 code as adopted pursuant to subsection 1, any death by
27 electrocution that occurs within the state.

28 7. Adopt rules for continuing education requirements for
29 each classification of licensure, and for apprentice
30 registration established pursuant to this chapter, and may
31 make all rules, not inconsistent with law, necessary for the
32 proper performance of its duties.

33 Sec. 9. NEW SECTION. 542A.8 DISCLOSURE OF CONFIDENTIAL
34 INFORMATION -- CRIMINAL PENALTY.

35 A member of the board shall not disclose information

1 relating to the following:

- 2 1. Criminal history or prior misconduct of an applicant.
- 3 2. Information relating to the contents of an examination.
- 4 3. Information relating to examination results other than
- 5 a final score except for information about the results of an
- 6 examination given to the person who took the examination.

7 A member of the board who willfully communicates or seeks
8 to communicate such information, and any person who willfully
9 requests, obtains, or seeks to obtain such information, is
10 guilty of a simple misdemeanor.

11 Sec. 10. NEW SECTION. 542A.9 APPLICATIONS AND
12 EXAMINATIONS -- FEES.

13 1. Applications for initial licensure shall be on forms
14 prescribed and furnished by the board, and shall contain
15 statements made under oath showing the applicant's education
16 and a detailed summary of the applicant's technical work. The
17 board shall not require that a recent photograph of the
18 applicant be attached to the application form. An applicant
19 is not ineligible for licensure because of age, citizenship,
20 sex, race, religion, marital status, or national origin,
21 although the application form may require citizenship
22 information. The board may deny licensure because of the past
23 felony record of an applicant. The board may require that an
24 applicant submit references.

25 2. Applications for licensure, and licensure renewal as
26 provided in section 542A.17, shall be accompanied by
27 application fees determined by the board. The board shall
28 determine the annual cost of administering licensure
29 examinations and shall set examination fees.

30 3. The board shall collect and account for all fees
31 provided for by this chapter and pay the fees to the treasurer
32 of state who shall deposit the fees in the general fund of the
33 state.

34 Sec. 11. NEW SECTION. 542A.10 PLAN, LAY OUT, OR
35 SUPERVISE CERTAIN ACTIVITIES -- LICENSE REQUIRED --

1 EXCEPTIONS.

2 1. Except as provided in section 542A.11, a person shall
3 not, for another, plan, lay out, or supervise the installation
4 of electrical wiring, electrical apparatus, or electrical
5 equipment for electrical light, heat, power, and other
6 purposes unless the person is licensed by the board as a class
7 A master electrician/electrical contractor. A person
8 authorized to plan, lay out, or supervise the installation of
9 electrical wiring, electrical apparatus, or electrical
10 equipment for electrical light, heat, power, and other
11 purposes by a city preceding the effective date of this Act
12 pursuant to a supervised written examination and who is
13 currently engaged in the electrical contracting industry with
14 at least four years' experience shall be issued an applicable
15 statewide license corresponding to that authorized as a class
16 A master electrician/electrical contractor. The board shall
17 adopt by rule criteria for city examination standards
18 satisfactory to fulfillment of the requirements of this
19 subsection and for documentation of the four years of required
20 experience.

21 2. On or after the effective date of this section of this
22 Act, an applicant for licensure pursuant to this section shall
23 meet one of the following requirements:

24 a. Have at least one year's experience as a licensed
25 journeyman electrician and have a current active license,
26 acceptable to the board, as a class A or residential
27 journeyman electrician.

28 b. Have at least five years' experience, acceptable to the
29 board, in planning for, laying out, supervising, and
30 installing electrical wiring, electrical apparatus, or
31 electrical equipment for electrical light, heat, and power.

32 3. In addition to the requirements of subsection 2, an
33 applicant shall obtain a score of at least seventy-five
34 percent on an examination prescribed and administered by the
35 board based upon the most recent national electrical code and

1 upon electrical theory.

2 Sec. 12. NEW SECTION. 542A.11 WIRING OR INSTALLING --
3 LICENSE REQUIRED -- EXCEPTIONS.

4 1. Except as provided in subsection 2, a person shall not,
5 for another, wire for or install electrical wiring, electrical
6 apparatus, or electrical equipment unless the person is
7 licensed by the board as a class A master
8 electrician/electrical contractor, or a life safety installer.

9 2. Except as provided in section 542A.10, a person shall
10 not wire for or install electrical wiring, apparatus, or
11 equipment or supervise an apprentice electrician unless the
12 person is licensed as a class A journeyman electrician, a
13 residential journeyman electrician, or a life safety installer
14 and is employed by a class A master electrician/electrical
15 contractor or a life safety installer.

16 3. A person authorized to wire for or install electrical
17 wiring, electrical apparatus, or electrical equipment or
18 supervise an apprentice electrician by a city preceding the
19 effective date of this Act pursuant to a supervised written
20 examination, acceptable by the board, and who is currently
21 engaged in the electrical contracting industry with at least
22 four years' experience, shall be issued an applicable
23 statewide license corresponding to that authorization as a
24 class A journeyman electrician or a residential journeyman
25 electrician.

26 4. a. On or after the effective date of this section of
27 this Act, an applicant for a journeyman electrician license
28 shall have at least four years' experience, acceptable to the
29 board, in the electrical trade. Beginning four years after
30 the effective date of this Act, an applicant for a journeyman
31 electrician license shall have successfully completed an
32 apprenticeship training program registered by the bureau of
33 apprenticeship and training of the United States department of
34 labor in accordance with the standards established by that
35 department. The board may by rule provide for the allowance

1 of one year of experience credit for successful completion of
2 a two-year post-high school electrical course approved by the
3 board.

4 b. In addition to the requirements of paragraph "a", an
5 applicant for a journeyman electrician license shall obtain a
6 score of at least seventy-five percent on an examination
7 prescribed and administered by the board based upon the most
8 recent national electrical code and upon electrical theory.

9 Sec. 13. NEW SECTION. 542A.13 SPECIAL ELECTRICIAN
10 LICENSE -- QUALIFICATIONS.

11 The board shall by rule provide for the issuance of special
12 electrician licenses empowering the licensee to engage in a
13 limited class or classes of electrical work, which class or
14 classes shall be specified on the license. Each licensee
15 shall have experience, acceptable to the board, in each such
16 limited class of work for which the licensee is licensed.

17 Sec. 14. NEW SECTION. 542A.14 LIFE SAFETY INSTALLER
18 LICENSE -- EXPERIENCE.

19 1. A person not otherwise licensed pursuant to this
20 chapter shall not plan, lay out, or install electrical wiring,
21 electrical apparatus, and electrical equipment for components
22 of life safety systems. A person authorized to plan, lay out,
23 or install electrical wiring, electrical apparatus, and
24 electrical equipment for components of life safety systems
25 that operate at fifty volts or less by a city on the effective
26 date of this Act shall be issued an applicable statewide
27 license corresponding to that authorization as a life safety
28 installer.

29 2. On or after the effective date of this section of this
30 Act, any person licensed as a life safety installer to plan,
31 lay out, and install electrical wiring, electrical apparatus,
32 and electrical equipment for components of life safety systems
33 shall have at least two years' experience, acceptable to the
34 board, in planning, laying out, and installing life safety
35 systems.

1 3. In addition to the requirements of subsections 1 and 2,
2 an applicant for a life safety installer license shall obtain
3 a score of at least seventy-five percent on an examination
4 prescribed and administered by the board based on the most
5 recent national electrical code and upon electrical theory.

6 Sec. 15. NEW SECTION. 542A.15 APPRENTICE ELECTRICIAN --
7 REGISTRATION -- SUPERVISION.

8 1. A person may register with the board and pay a
9 registration fee to work as an apprentice electrician provided
10 that the individual is currently enrolled in an electrical
11 apprenticeship training program approved by the United States
12 department of labor, bureau of apprenticeship and training.
13 Such registration shall entitle the registrant to act as an
14 apprentice to a class A master electrician/electrical
15 contractor, a class A journeyman electrician, or a residential
16 journeyman electrician as provided in subsection 2.

17 2. A person shall not serve as an apprentice electrician
18 except under the direct, personal, on-the-job supervision and
19 control and in the presence of a licensee enumerated in
20 subsection 1. Such a licensee may employ or supervise
21 apprentice electricians at a ratio not to exceed one
22 apprentice electrician to one licensee, except that such ratio
23 and the other requirements of this section shall not be
24 applicable to a teacher-student relationship within a
25 classroom.

26 For purposes of this section, "direct, personal, on-the-job
27 supervision and control and in the presence of a licensee"
28 means the licensee and the apprentice electrician shall be
29 working at the same project location but shall not require
30 that the licensee and apprentice electrician be within sight
31 of one another at all times.

32 3. An apprentice electrician shall not install, alter, or
33 repair electrical wiring, electrical apparatus, or electrical
34 equipment except as provided in this section, and the licensee
35 employing or supervising an apprentice electrician shall not

1 authorize or permit such actions by the apprentice
2 electrician.

3 Sec. 16. NEW SECTION. 542A.16 EXAMINATIONS -- REPORT
4 REQUIRED.

5 Examinations for licensure shall be given as often as
6 deemed necessary by the board, but no less than one time per
7 month. The scope of the examinations and the methods of
8 procedure shall be prescribed by the board. Any examination
9 may be given by representatives of the board. As soon as
10 practicable after the close of each examination, a report
11 shall be filed in the office of the secretary of the board by
12 the board. The report shall show the action of the board upon
13 each application and the secretary of the board shall notify
14 each applicant of the result of the applicant's examination.
15 Applicants who fail the examination once shall be allowed to
16 take the examination at the next scheduled time. Thereafter,
17 the applicant shall be allowed to take the examination at the
18 discretion of the board. An applicant who has failed the
19 examination may request, in writing, information from the
20 board concerning the applicant's examination grade and subject
21 areas or questions which the applicant failed to answer
22 correctly, except that if the board administers a uniform,
23 standardized examination, the board shall only be required to
24 provide the examination grade and such other information
25 concerning the applicant's examination results which are
26 available to the board.

27 Sec. 17. NEW SECTION. 542A.17 CONTINUING EDUCATION
28 REQUIREMENT -- LICENSE EXPIRATIONS AND RENEWALS.

29 Licenses issued pursuant to this chapter shall expire one
30 year following issuance. In order to be eligible for renewal,
31 the holder of a license issued pursuant to this chapter shall
32 certify to the board as a part of an application to renew that
33 eight hours of continuing education have been completed
34 covering provisions of the national electric code and updates
35 to that code since the issuance of the license to be renewed.

1 Renewal may be effected by the payment of a fee, the amount of
2 which shall be determined by the board. The failure on the
3 part of any licensee to renew a certificate in the month of
4 expiration as required above shall not deprive a person of the
5 right of renewal. A person who fails to renew a certificate
6 by the expiration date shall be allowed to do so within thirty
7 days following its expiration, but the board may assess a
8 reasonable penalty. For the duration of any military
9 intervention in which the United States is engaged, the board
10 may, in its discretion, defer the collection of renewal fees
11 without penalty, which have or may become due from individuals
12 licensed pursuant to this chapter who are engaged in the
13 military intervention, and residing outside the state, or who
14 are members of the armed forces of the United States, and may
15 renew the licenses of individuals licensed pursuant to this
16 chapter.

17 Sec. 18. NEW SECTION. 542A.18 TEMPORARY LICENSEES.

18 A temporary ninety-day license may be granted to a person
19 licensed in another state, territory, or possession of the
20 United States, or the District of Columbia, as prescribed by
21 rule, provided that before practicing within this state the
22 person shall have applied for temporary licensure, made
23 application to take the licensing exam, and shall have paid
24 the fee prescribed by the board.

25 Sec. 19. NEW SECTION. 542A.19 SUSPENSION, REVOCATION, OR
26 REPRIMAND.

27 The board, by a majority vote of the entire board, may
28 suspend for a period not exceeding two years, revoke the
29 certificate of licensure of, or reprimand any licensee who is
30 found guilty of any of the following acts or offenses:

- 31 1. Fraud in procuring a certificate of licensure.
- 32 2. Professional incompetency.
- 33 3. Knowingly making misleading, deceptive, untrue, or
34 fraudulent representations in the practice of the licensee's
35 profession or engaging in unethical conduct or practice

1 harmful to the public. Proof of actual injury need not be
2 established.

3 4. Habitual intoxication or addiction to the use of drugs.

4 5. Conviction of a felony under the laws of the United
5 States, any state, territory, or possession of the United
6 States, the District of Columbia, or any foreign country. A
7 copy of the record of conviction or plea of guilty is
8 conclusive evidence.

9 6. Revocation or suspension of licensure, or other
10 disciplinary action by the licensing authority of another
11 state, territory, possession of the United States, the
12 District of Columbia, or any foreign country. A certified
13 copy of the record or order of suspension, revocation, or
14 other disciplinary action is prima facie evidence of such
15 fact.

16 7. Fraud in representations as to skill or ability.

17 8. Use of untruthful or improbable statements in
18 advertisements.

19 9. Willful or repeated violations of this chapter.

20 Sec. 20. NEW SECTION. 542A.20 PROCEDURE.

21 Proceedings for any action under section 542A.19 shall be
22 begun by filing with the board written charges against the
23 accused. Upon the filing of charges, the board may request
24 the department of inspections and appeals to conduct an
25 investigation into the charges. The department of inspections
26 and appeals shall report its findings to the board, and the
27 board shall designate a time and place for a hearing, and
28 shall notify the accused of this action and furnish the
29 accused a copy of all charges at least thirty days prior to
30 the date of the hearing. The accused has the right to appear
31 personally or by counsel, to cross-examine witnesses, or to
32 produce witnesses in defense.

33 Sec. 21. NEW SECTION. 542A.21 INJUNCTION.

34 Any person who is not legally authorized to practice in
35 this state according to this chapter, who practices, or in

1 connection with the person's name, uses any designation
2 tending to imply or designate the person as authorized to
3 practice in this state according to this chapter, may be
4 restrained by permanent injunction.

5 Sec. 22. NEW SECTION. 542A.22 CRIMINAL VIOLATIONS.

6 A person who violates such a permanent injunction or
7 presents or attempts to file as the person's own the
8 certificate of licensure or apprentice registration of
9 another, or who gives false or forged evidence of any kind to
10 the board in obtaining a certificate of licensure or
11 apprentice registration, or who falsely impersonates another
12 practitioner of like or different name, or who uses or
13 attempts to use a revoked certificate of licensure or
14 registration, is guilty of a fraudulent practice pursuant to
15 chapter 714.

16 Sec. 23. NEW SECTION. 542A.23 CIVIL PENALTY.

17 1. In addition to any other penalties provided for in this
18 chapter, the board may by order impose a civil penalty upon a
19 person who is not licensed or registered under this chapter
20 and who does any of the following:

21 a. Is employed in a capacity in which the person engages
22 in or offers to engage in the activities authorized pursuant
23 to this chapter.

24 b. Uses or employs the words "class A master
25 electrician/electrical contractor", "class A journeyman
26 electrician", "residential journeyman electrician", "life
27 safety installer", or implies authorization to provide or
28 offer those services, or otherwise uses or advertises any
29 title, word, figure, sign, card, advertisement, or other
30 symbol or description tending to convey the impression that
31 the person is a class A master electrician/electrical
32 contractor, class A journeyman electrician, residential
33 journeyman electrician, or life safety installer.

34 c. Gives false or forged evidence of any kind to the board
35 or any member of the board in obtaining or attempting to

1 obtain a certificate of licensure or registration.

2 d. Falsely impersonates any individual licensed pursuant
3 to this chapter.

4 e. Uses or attempts to use an expired, suspended, revoked,
5 or nonexistent certificate of licensure or registration.

6 f. Knowingly aids or abets an unlicensed or unregistered
7 person who engages in any activity identified in this
8 subsection.

9 2. A civil penalty imposed shall not exceed one thousand
10 dollars for each offense. Each day of a continued violation
11 constitutes a separate offense, except that offenses resulting
12 from the same or common facts or circumstances shall be
13 considered a single offense.

14 3. In determining the amount of a civil penalty to be
15 imposed, the board may consider any of the following:

16 a. Whether the amount imposed will be a substantial
17 economic deterrent to the violation.

18 b. The circumstances leading to the violation.

19 c. The severity of the violation and the risk of harm to
20 the public.

21 d. The economic benefits gained by the violator as a
22 result of noncompliance.

23 e. The interest of the public.

24 4. Before issuing an order under this section, the board
25 shall provide the person written notice and the opportunity to
26 request a hearing on the record. The hearing must be
27 requested within thirty days of the issuance of the notice and
28 shall be conducted in the same manner as provided in section
29 542A.20.

30 5. The board, in connection with a proceeding under this
31 section, may issue subpoenas to compel the attendance and
32 testimony of witnesses and the disclosure of evidence, and may
33 request the attorney general to bring an action to enforce the
34 subpoena.

35 6. A person aggrieved by the imposition of a civil penalty

1 under this section may seek judicial review in accordance with
2 section 17A.19.

3 7. If a person fails to pay a civil penalty within thirty
4 days after entry of an order under subsection 1, or if the
5 order is stayed pending an appeal within ten days after the
6 court enters a final judgment in favor of the board, the board
7 shall notify the attorney general. The attorney general may
8 commence an action to recover the amount of the penalty,
9 including reasonable attorney fees and costs.

10 8. An action to enforce an order under this section may be
11 joined with an action for an injunction.

12 Sec. 24. EFFECTIVE DATE. Sections 2 through 7, section 8,
13 subsections 1 and 7, and section 9 of this Act, being deemed
14 of immediate importance, take effect upon enactment. The
15 remaining sections and subsections of this Act take effect
16 July 1, 2005.

17 EXPLANATION

18 This bill provides for and requires the statewide licensure
19 of electricians and installers and provides for the
20 registration of apprentice electricians. Statewide licensure
21 replaces current licensure of electricians on a city-by-city
22 basis.

23 The bill provides that individuals authorized to plan, lay
24 out, supervise, or perform the installation of electrical
25 wiring, electrical apparatus, or electrical equipment for
26 electrical light, heat, power, and other purposes by a city on
27 the effective date of the bill, who have passed a city
28 examination, are currently engaged in the industry, and
29 possess four years' experience, shall be issued a statewide
30 license corresponding to their current classification, as
31 defined in the bill, of class A master electrician/electrical
32 contractor, class A journeyman electrician, residential
33 journeyman electrician, or life safety installer. The bill
34 provides that an individual applying for licensure on or after
35 the effective date of the licensing portions of the bill shall

1 be required to meet the specified licensure criteria. The
2 bill provides that an applicant shall have at least one year's
3 experience, acceptable to the board, as a class A journeyman
4 electrician or a residential journeyman electrician; or have
5 at least five years' experience, acceptable to the board, in
6 planning for, laying out, supervising, and installing
7 electrical wiring, electrical apparatus, or equipment for
8 electrical light, heat, and power. The bill additionally
9 provides that an applicant must obtain a score of at least 75
10 percent on an examination prescribed and administered by the
11 board based upon the most recent national electrical code and
12 upon electrical theory.

13 The bill provides that an individual authorized to wire for
14 or install for another individual electrical wiring,
15 apparatus, or equipment, or supervise an apprentice
16 electrician, by a city preceding the effective date of the
17 licensing portions of the bill, shall be issued a statewide
18 license corresponding to their current classification, as
19 defined in the bill, of class A journeyman electrician,
20 residential journeyman electrician, or life safety installer
21 provided the individual is employed by a class A master
22 electrician/electrical contractor or a life safety installer
23 and has passed a city examination, is currently engaged in the
24 industry, and possesses four years' experience. The bill
25 provides that on or after the effective date of the licensing
26 portions of the bill, an applicant shall possess at least four
27 years' experience in the electrical trade, and that beginning
28 four years after the effective date, an apprenticeship
29 training program shall have been successfully completed. The
30 bill provides that the board may by rule provide for the
31 allowance of one year of experience credit for successful
32 completion of a two-year post-high school electrical course
33 approved by the board. The bill provides that an applicant
34 for a class A or residential journeyman or special electrical
35 license shall obtain a score of at least 75 percent on an

1 examination prescribed and administered by the board based
2 upon the most recent national electrical code and upon
3 electrical theory.

4 The bill provides for the creation of a seven-member
5 electrical licensing board within the professional licensing
6 and regulation division of the department of commerce. The
7 bill provides that board members shall be appointed by the
8 governor and subject to senate confirmation, and shall be
9 residents of the state. The bill provides that membership
10 shall be comprised of two journeyman electricians, one a
11 member of an electrical workers union working under a
12 collective bargaining agreement and one not a member; two
13 master electricians/electrical contractors, one a member of an
14 electrical workers union working under a collective bargaining
15 agreement and one not a member; one electrical inspector; and
16 two members, one union and one nonunion, who are not members
17 of the aforementioned groups representing the general public.
18 The bill specifies several specific powers of the electrical
19 licensing board. The bill provides that the board shall adopt
20 rules pursuant to Code chapter 17A governed by the minimum
21 standards set forth in the national electrical code issued and
22 adopted by the national fire protection association in 2002,
23 publication number 70-2002, establishing wiring standards
24 which protect public safety and health and property and which
25 shall apply to all electrical wiring installed by licensees.
26 The bill provides that the board shall provide upon request
27 such additional voluntary inspections and reviews as it deems
28 appropriate, establish rules for inspections based on
29 complaints within 48 hours, and in coordination with the
30 department of inspections and appeals adopt rules relating to
31 inspection procedures, standards, and schedules with regard to
32 electrical wiring installed by licensees. The bill contains
33 provisions relating to the circumstances leading to the
34 revocation, suspension, or refusal to renew a license, and
35 provides that the board may order disconnection of power to

1 any electrical installation that in the board's determination
2 is dangerous to health and property, order removal of
3 electrical wiring and apparatus from premises when such wiring
4 and apparatus in the board's determination is dangerous to
5 health and property, investigate dangerous electrical wiring
6 or violations of the national electrical code, and establish
7 rules for continuing education requirements for each
8 classification of licensure and registration.

9 The bill additionally provides that the board shall
10 establish criteria for the statewide licensure of an
11 individual possessing a life safety installer license. The
12 bill provides for the issuance of special electrician licenses
13 empowering the licensee to engage in a limited class or
14 classes of electrical work. The bill also provides for the
15 statewide licensure of an individual authorized to plan, lay
16 out, and install electrical wiring, electrical apparatus, and
17 electrical equipment for components of life safety systems by
18 a city on the effective date of the licensing portions of the
19 bill. The bill provides that beginning on or after the
20 effective date of the licensing portions of the bill, an
21 applicant for a life safety installer license shall have at
22 least two years' experience, acceptable to the board, in
23 planning, laying out, and installing life safety systems.

24 The bill provides for a registration process for apprentice
25 electricians. The bill provides that registration shall
26 entitle the registrant to act as an apprentice electrician to
27 a class A master electrician/electrical contractor, a class A
28 journeyman electrician, or a residential journeyman
29 electrician, and that an apprentice electrician who is
30 currently enrolled in a United States department of labor,
31 bureau of apprenticeship and training approved electrical
32 apprenticeship program shall do no electrical wiring except
33 under the direct, personal, on-the-job supervision and control
34 and in the presence of such licensed individuals. The bill
35 provides that a licensee may employ or supervise apprentice

1 electricians at a ratio not to exceed one apprentice
2 electrician to one licensee, with the exception of a teacher-
3 student relationship within a classroom of a community
4 college.

5 The bill provides an application process and provides for
6 the establishment of application, examination, licensure,
7 renewal, and registration fees. The bill additionally
8 provides suspension, revocation, reprimand, and penalty
9 provisions.

10 Provisions of the bill relating primarily to definitions
11 and the establishment of the electrical licensing board take
12 effect upon enactment. Remaining provisions of the bill,
13 dealing primarily with forms of and qualifications for
14 licensure or registration, take effect on July 1, 2005.

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