



OFFICE OF THE GOVERNOR

CHESTER J. CULVER
GOVERNOR

PATTY JUDGE
LT. GOVERNOR

April 16, 2008

The Honorable Michael Mauro
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 2390, an Act relating to the licensing and regulation of plumbers and mechanical professionals and providing effective dates.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Chester J. Culver".

Chester J. Culver
Governor

CJC:bdj

cc: Secretary of the Senate
Chief Clerk of the House





HOUSE FILE 2390

AN ACT

RELATING TO THE LICENSING AND REGULATION OF PLUMBERS AND
MECHANICAL PROFESSIONALS AND PROVIDING EFFECTIVE DATES.

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

Section 1. 2007 Iowa Acts, chapter 198, section 6, subsection 2, is amended by striking the subsection and inserting in lieu thereof the following:

2. Examinations for the licenses which may be issued pursuant to this chapter shall be conducted at least two times per year at such times and locations as the department may fix in consultation with the board. Applicants who fail to pass an examination shall be allowed to retake the examination at a future scheduled time. Any subsequent opportunities to take the examination are available only at the discretion of the board.

Sec. 2. 2007 Iowa Acts, chapter 198, section 6, is amended by adding the following new subsection:

NEW SUBSECTION. 6. The board shall adopt by rule a specific plumbing examination and a specific mechanical examination for each license type to be used for all plumbing and mechanical license examinations throughout the state.

Sec. 3. 2007 Iowa Acts, chapter 198, section 7, is amended by adding the following new subsection:

NEW SUBSECTION. 7. Allowing an applicant who has failed an examination to request information about the subject areas which the applicant failed to answer correctly. An applicant shall not have access to actual test questions and answers.

Sec. 4. 2007 Iowa Acts, chapter 198, section 11, subsections 1 and 2, are amended to read as follows:

1. Apply to a person licensed as an engineer pursuant to chapter 542B, licensed as a manufactured home retailer or certified as a manufactured home installer pursuant to chapter 103A, registered as an architect pursuant to chapter 544A, or licensed as a landscape architect pursuant to chapter 544B who provides consultations or develops plans or other work concerning plumbing, HVAC, refrigeration, or hydronic work who is exclusively engaged in the practice of the person's profession.

2. Require employees of municipal ~~corporations~~ utilities, electric membership or cooperative associations, public utility corporations, rural water associations or districts, railroads, or commercial retail or industrial companies performing manufacturing, installation, service, or repair work for such employer to hold licenses while acting within the scope of their employment. This licensing exemption does not apply to employees of a rate-regulated gas or electric public utility which provides plumbing or mechanical services as part of a systematic marketing effort, as defined pursuant to section 476.80.

Sec. 5. 2007 Iowa Acts, chapter 198, section 11, is amended by adding the following new subsections:

NEW SUBSECTION. 9. Apply to an employee of any unit of state or local government, including but not limited to cities, counties, or school corporations, performing routine maintenance, as defined by rule, on a mechanical system or plumbing system, which serves a state-owned facility while acting within the scope of the state employee's employment.

NEW SUBSECTION. 10. Apply to the employees of manufacturers, manufacturer representatives, or wholesale suppliers who provide consultation or develop plans concerning plumbing, HVAC, refrigeration, or hydronic work, or who assist a person licensed under this chapter in the installation of mechanical or plumbing systems.

Sec. 6. 2007 Iowa Acts, chapter 198, section 12, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. In addition to the certificate, the department shall provide each licensee with a wallet-sized licensing identification card.

Sec. 7. 2007 Iowa Acts, chapter 198, section 17, subsection 1, is amended to read as follows:

1. The provisions of this chapter regarding the licensing of plumbing, HVAC, refrigeration, and hydronic professionals and contractors shall supersede and preempt all plumbing, HVAC, refrigeration, or hydronic licensing provisions of all governmental subdivisions. ~~On-and-after-the-effective-date-of this-Act~~

a. A governmental subdivision that issues licenses on July 1, 2008, shall continue to issue licenses until June 30, 2009. On July 1, 2009, all plumbing and mechanical licensing provisions promulgated by any governmental subdivision shall be null and void, except reciprocal licenses as provided in section 104C.21, and of no further force and effect,~~and.~~

b. On and after July 1, 2008, a governmental subdivision may shall not prohibit a plumbing, HVAC, refrigeration, or hydronic professional licensed pursuant to this chapter from performing services for which that person is licensed pursuant to this chapter or enforce any plumbing and mechanical licensing provisions promulgated by the governmental subdivision against a person licensed pursuant to this chapter.

Sec. 8. 2007 Iowa Acts, chapter 198, section 18, subsection 2, paragraph b, subparagraph (3), is amended to read as follows:

(3) Provide the board with evidence of having completed at least four years of practical experience as an apprentice. Commencing January 1, 2010, the four years of practical experience required by this subparagraph must be an apprenticeship training program registered by the bureau of apprenticeship and training of the United States department of labor.

Sec. 9. 2007 Iowa Acts, chapter 198, section 20, subsection 7, is amended by striking the subsection and inserting in lieu thereof the following:


7. The board shall, by rule, establish a reinstatement process for a licensee who allows a license to lapse for a period greater than one month, including reasonable penalties.


Sec. 10. 2007 Iowa Acts, chapter 198, section 35, is repealed.

Sec. 11. EFFECTIVE DATE. 2007 Iowa Acts, chapter 198, sections 1 through 4, being deemed of immediate importance, take effect upon enactment of this Act.


Sec. 12. EFFECTIVE DATE. 2007 Iowa Acts, chapter 198, sections 5 through 27 and sections 30 through 34, take effect July 1, 2008.

Sec. 13. EFFECTIVE DATE. 2007 Iowa Acts, chapter 198, sections 28 and 29, take effect January 1, 2009.

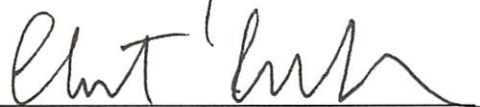

PATRICK J. MURPHY
Speaker of the House


JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2390, Eighty-second General Assembly.


MARK BRANDSGARD
Chief Clerk of the House

Approved 4/16, 2008


CHESTER J. CULVER
Governor