



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

KIM REYNOLDS
LT. GOVERNOR

April 28, 2011

The Honorable Matthew Schultz
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 392, an Act relating to professional licensing by making changes to the Iowa plumber, mechanical professional, and contractor licensing act and including effective date provisions.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry E. Branstad".

Terry E. Branstad
Governor

cc: Secretary of the Senate
Clerk of the House



House File 392

AN ACT

RELATING TO PROFESSIONAL LICENSING BY MAKING CHANGES TO THE IOWA PLUMBER, MECHANICAL PROFESSIONAL, AND CONTRACTOR LICENSING ACT AND INCLUDING EFFECTIVE DATE PROVISIONS.

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

Section 1. Section 105.2, subsection 7, Code 2011, is amended to read as follows:

7. "HVAC" means heating, ventilation, air conditioning, ~~and~~ ducted systems, or any type of refrigeration used for food processing or preservation. "HVAC" includes all natural, propane, liquid propane, or other gas lines associated with any component of an HVAC system.

Sec. 2. Section 105.2, subsections 8 and 16, Code 2011, are amended to read as follows:

8. "Hydronic" means a heating or cooling system that transfers heating or cooling by circulating fluid through a closed system, including boilers, pressure vessels, refrigerated equipment in connection with chilled water systems, all steam piping, hot or chilled water piping together with all control devices and accessories, installed as part of, or in connection with, any ~~comfort~~ heating or ~~comfort~~ cooling system or appliance using a liquid, water, or steam as the heating or cooling media. "Hydronic" includes all low-pressure and high-pressure systems and all natural, propane, liquid propane, or other gas lines associated with any component of a hydronic system.

16. "Refrigeration" means any system of refrigeration regardless of the level of power, if such refrigeration is intended to be used for the purpose of food processing and product preservation and is ~~not~~ also intended to be used

for comfort systems. "Refrigeration" includes all natural, propane, liquid propane, or other gas lines associated with any component of refrigeration.

Sec. 3. Section 105.5, subsection 1, Code 2011, is amended to read as follows:

1. Any person desiring to take an examination for a license issued pursuant to this chapter shall make application to the board in accordance with the rules of the board. The application form shall be no longer than two pages in length, plus one security page. The board may require that a recent photograph of the applicant be attached to the application.

Sec. 4. Section 105.9, subsection 2, Code 2011, is amended to read as follows:

2. The board shall set the license fees and renewal fees for all licenses issued pursuant to this chapter, by rule, ~~based upon the costs of sustaining the board and the actual costs of licensing.~~

Sec. 5. Section 105.9, subsection 5, Code 2011, is amended by striking the subsection and inserting in lieu thereof the following:

5. a. The board shall submit a report to the general assembly within sixty days following the end of each fiscal year. The reports shall include a balance sheet projection extending no less than three years. If the revenue projection exceeds expense projections by more than ten percent, the board shall adjust their fee schedules accordingly, so that projected revenues are no more than ten percent higher than projected expenses. The revised fees shall be implemented no later than January 1, 2013, and January 1 of each subsequent year.

b. A license fee for a combined license shall be the sum total of each of the separate license fees reduced by thirty percent.

Sec. 6. Section 105.9, Code 2011, is amended by adding the following new subsections:

NEW SUBSECTION. 6. For calendar years 2011 and 2012 the fee for an initial apprentice and an initial journeyman license is fifty dollars.

NEW SUBSECTION. 7. For calendar years 2011 and 2012 the fee for an initial master license is one hundred twenty-five dollars.

NEW SUBSECTION. 8. The renewal fee shall be waived for all licenses renewed from January 1, 2011, through December 31, 2012. For any initial license issued in 2011 prior to the

effective date of this Act, the licensee shall be refunded the difference between the fee paid for such initial license and the fees specified in subsections 6 and 7. For any licenses renewed in 2011 prior to the effective date of this Act, the licensee shall be refunded the entire license renewal fee paid.

NEW SUBSECTION. 9. The board may charge a fee for an application required by this chapter and submitted on paper if an internet application process is available.

NEW SUBSECTION. 10. The board shall waive all renewal fees for all licenses that have an expiration date from January 1, 2011, through December 31, 2012.

Sec. 7. Section 105.11, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 14. Apply to a person who is performing work on a volunteer, non-paid basis or assisting a property owner performing non-paid work on the owner's principal residence.

Sec. 8. Section 105.18, subsection 3, Code 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. *d.* An individual that holds either a master or journeyman HVAC license or a master or journeyman refrigeration license shall be exempt from having to obtain a special electrician's license pursuant to chapter 103 in order to perform disconnect and reconnect of existing air conditioning and refrigeration systems.

Sec. 9. Section 105.18, subsection 4, unnumbered paragraph 1, Code 2011, is amended to read as follows:

Notwithstanding section 17A.9A, the board shall through December 31, 2009, waive the written examination requirements and prior experience requirements in subsection 2, paragraph "b", subparagraph (1), ~~subparagraph division (c)~~, and subsection 2, paragraph "c", ~~subparagraph (3)~~, for a journeyman or master license if the applicant meets either of the following requirements:

Sec. 10. Section 105.18, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 5. *Waiver for military service.* Notwithstanding section 17A.9A, the board shall waive the written examination requirements and prior experience requirements in subsection 2, paragraph "b", subparagraph (1), and subsection 2, paragraph "c", for a journeyman or master license if the applicant meets all of the following requirements:

a. Is an active or retired member of the United States military.

b. Provides documentation that the applicant was deployed on active duty during any portion of the time period of July 1, 2008, through December 31, 2009.

c. Provides documentation that shows the applicant has previously passed an examination which the board deems substantially similar to the examination for a journey person license or a master license, as applicable, issued by the board, or provides documentation that shows the applicant has previously been licensed by a state or local governmental jurisdiction in the same trade and trade level.

Sec. 11. Section 105.20, subsection 1, Code 2011, is amended by striking the subsection and inserting in lieu thereof the following:

1. All licenses issued under this chapter shall be issued for a three-year period.

Sec. 12. Section 105.20, subsection 6, Code 2011, is amended to read as follows:

6. *a.* The board shall establish continuing education requirements pursuant to section 272C.2. The basic continuing education requirement for renewal of a license shall be the completion, during the immediately preceding license term, of the number of classroom hours of instruction required by the board in courses or seminars which have been approved by the board. The board shall require at least eight classroom hours of instruction during each three-year licensing term.

b. A licensee shall have a thirty-day grace period after expiration of the licensing term to complete all requirements necessary for license renewal without penalty.

Sec. 13. Section 331.301, subsection 6, Code 2011, is amended to read as follows:

6. *a.* A county shall not set standards and requirements which are lower or less stringent than those imposed by state law, but may set standards and requirements which are higher or more stringent than those imposed by state law, unless a state law provides otherwise.

b. A county shall not impose any fee or charge on any individual or business licensed by the board for the right to perform plumbing, HVAC, refrigeration, or hydronic systems work within the scope of the license. This paragraph does not prohibit a county from charging fees for the issuance of permits for, and inspections of, work performed in its

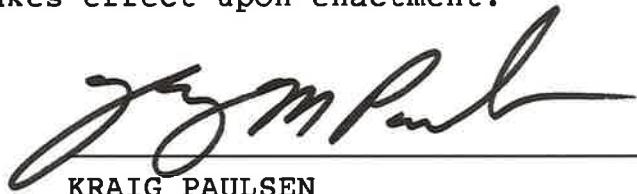
jurisdiction.

Sec. 14. Section 364.3, subsection 3, Code 2011, is amended to read as follows:

3. a. A city may not set standards and requirements which are lower or less stringent than those imposed by state law, but may set standards and requirements which are higher or more stringent than those imposed by state law, unless a state law provides otherwise.

b. A city shall not impose any fee or charge on any individual or business licensed by the board for the right to perform plumbing, HVAC, refrigeration, or hydronic systems work within the scope of the license. This paragraph does not prohibit a city from charging fees for the issuance of permits for, and inspections of, work performed in its jurisdiction.

Sec. 15. EFFECTIVE UPON ENACTMENT. This Act, being deemed of immediate importance, takes effect upon enactment.



KRAIG PAULSEN

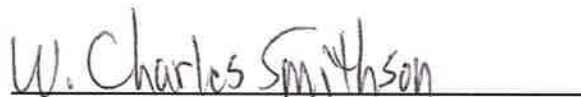
Speaker of the House



JOHN P. KIBBIE

President of the Senate

I hereby certify that this bill originated in the House and is known as House File 392, Eighty-fourth General Assembly.



W. CHARLES SMITHSON

Chief Clerk of the House

Approved April 28, 2011



TERRY E. BRANSTAD

Governor