

House File 2390 - Reprinted

HOUSE FILE _____
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HF 2139)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the licensing and regulation of plumbers and
2 mechanical professionals and providing effective dates.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5556HV 82
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1 1 Section 1. 2007 Iowa Acts, chapter 198, section 6,
1 2 subsection 2, is amended by striking the subsection and
1 3 inserting in lieu thereof the following:
1 4 2. Examinations for the licenses which may be issued
1 5 pursuant to this chapter shall be conducted at least two times
1 6 per year at such times and locations as the department may fix
1 7 in consultation with the board. Applicants who fail to pass
1 8 an examination shall be allowed to retake the examination at a
1 9 future scheduled time. Any subsequent opportunities to take
1 10 the examination are available only at the discretion of the
1 11 board.

1 12 Sec. 2. 2007 Iowa Acts, chapter 198, section 6, is amended
1 13 by adding the following new subsection:

1 14 NEW SUBSECTION. 6. The board shall adopt by rule a
1 15 specific plumbing examination and a specific mechanical
1 16 examination for each license type to be used for all plumbing
1 17 and mechanical license examinations throughout the state.

1 18 Sec. 3. 2007 Iowa Acts, chapter 198, section 7, is amended
1 19 by adding the following new subsection:

1 20 NEW SUBSECTION. 7. Allowing an applicant who has failed
1 21 an examination to request information about the subject areas
1 22 which the applicant failed to answer correctly. An applicant
1 23 shall not have access to actual test questions and answers.

1 24 Sec. 4. 2007 Iowa Acts, chapter 198, section 11,
1 25 subsections 1 and 2, are amended to read as follows:

1 26 1. Apply to a person licensed as an engineer pursuant to
1 27 chapter 542B, licensed as a manufactured home retailer or
1 28 certified as a manufactured home installer pursuant to chapter
1 29 103A, registered as an architect pursuant to chapter 544A, or
1 30 licensed as a landscape architect pursuant to chapter 544B who
1 31 provides consultations or develops plans or other work
1 32 concerning plumbing, HVAC, refrigeration, or hydronic work who
1 33 is exclusively engaged in the practice of the person's
1 34 profession.

1 35 2. Require employees of municipal utilities, electric
2 1 membership or cooperative associations, public utility
2 2 corporations, rural water associations or districts,
2 3 railroads, or commercial retail or industrial companies
2 4 performing manufacturing, installation, service, or repair
2 5 work for such employer to hold licenses while acting within
2 6 the scope of their employment. This licensing exemption does
2 7 not apply to employees of a rate-regulated gas or electric
2 8 public utility which provides plumbing or mechanical services
2 9 as part of a systematic marketing effort, as defined pursuant
2 10 to section 476.80.

2 11 Sec. 5. 2007 Iowa Acts, chapter 198, section 11, is
2 12 amended by adding the following new subsections:

2 13 NEW SUBSECTION. 9. Apply to an employee of any unit of
2 14 state or local government, including but not limited to
2 15 cities, counties, or school corporations, performing routine
2 16 maintenance, as defined by rule, on a mechanical system or
2 17 plumbing system, which serves a state-owned facility while

2 18 acting within the scope of the state employee's employment.

2 19 NEW SUBSECTION. 10. Apply to the employees of
2 20 manufacturers, manufacturer representatives, or wholesale
2 21 suppliers who provide consultation or develop plans concerning
2 22 plumbing, HVAC, refrigeration, or hydronic work, or who assist
2 23 a person licensed under this chapter in the installation of
2 24 mechanical or plumbing systems.

2 25 Sec. 6. 2007 Iowa Acts, chapter 198, section 12, is
2 26 amended by adding the following new unnumbered paragraph:

2 27 NEW UNNUMBERED PARAGRAPH. In addition to the certificate,
2 28 the department shall provide each licensee with a wallet-sized
2 29 licensing identification card.

2 30 Sec. 7. 2007 Iowa Acts, chapter 198, section 17,
2 31 subsection 1, is amended to read as follows:

2 32 1. The provisions of this chapter regarding the licensing
2 33 of plumbing, HVAC, refrigeration, and hydronic professionals
2 34 and contractors shall supersede and preempt all plumbing,
2 35 HVAC, refrigeration, or hydronic licensing provisions of all
3 1 governmental subdivisions. ~~On and after the effective date of~~

~~3 2 this Act~~

3 3 a. A governmental subdivision that issues licenses on July
3 4 1, 2008, shall continue to issue licenses until June 30, 2009.

3 5 On July 1, 2009, all plumbing and mechanical licensing
3 6 provisions promulgated by any governmental subdivision shall
3 7 be null and void, except reciprocal licenses as provided in
3 8 section 104C.21, and of no further force and effect, and.

3 9 b. On and after July 1, 2008, a governmental subdivision
3 10 may shall not prohibit a plumbing, HVAC, refrigeration, or
3 11 hydronic professional licensed pursuant to this chapter from
3 12 performing services for which that person is licensed pursuant
3 13 to this chapter or enforce any plumbing and mechanical
3 14 licensing provisions promulgated by the governmental
3 15 subdivision against a person licensed pursuant to this
3 16 chapter.

3 17 Sec. 8. 2007 Iowa Acts, chapter 198, section 18,
3 18 subsection 2, paragraph b, subparagraph (3), is amended to
3 19 read as follows:

3 20 (3) Provide the board with evidence of having completed at
3 21 least four years of practical experience as an apprentice.
3 22 Commencing January 1, 2010, the four years of practical
3 23 experience required by this subparagraph must be an
3 24 apprenticeship training program registered by the bureau of
3 25 apprenticeship and training of the United States department of
3 26 labor.

3 27 Sec. 9. 2007 Iowa Acts, chapter 198, section 20,
3 28 subsection 7, is amended by striking the subsection and
3 29 inserting in lieu thereof the following:

3 30 7. The board shall, by rule, establish a reinstatement
3 31 process for a licensee who allows a license to lapse for a
3 32 period greater than one month, including reasonable penalties.

3 33 Sec. 10. 2007 Iowa Acts, chapter 198, section 35, is
3 34 repealed.

3 35 Sec. 11. EFFECTIVE DATE. 2007 Iowa Acts, chapter 198,
4 1 sections 1 through 4, being deemed of immediate importance,
4 2 take effect upon enactment of this Act.

4 3 Sec. 12. EFFECTIVE DATE. 2007 Iowa Acts, chapter 198,
4 4 sections 5 through 27 and sections 30 through 34, take effect
4 5 July 1, 2008.

4 6 Sec. 13. EFFECTIVE DATE. 2007 Iowa Acts, chapter 198,
4 7 sections 28 and 29, take effect January 1, 2009.

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