

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

ACT 344 OF 1997
HOUSE BILL 1033

4 By: Representative Stalnaker

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 17-33-102 (b) TO DELETE THE
9 HVACR LICENSE EXEMPTION FOR SUBCONTRACTORS; TO AMEND
10 ARKANSAS CODE 17-33-302 (b) CONCERNING REEXAMINATION OF
11 APPLICANTS FOR AN HVACR LICENSE; TO AMEND ARKANSAS CODE
12 17-33-308 CONCERNING PROCEDURES FOR SUSPENDING OR REVOKING
13 AN HVACR LICENSE; AND FOR OTHER PURPOSES."

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Subtitle

15 "AN ACT CONCERNING HVACR LICENSES."
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. Arkansas Code 17-33-102 (b) is amended to read as follows:

21 (b) This chapter shall not apply to a person who:

22 (1) Performs HVACR work in an existing building or structure
23 owned and occupied by him as his home;

24 (2) Performs HVACR work in an existing building or structure
25 owned or occupied by him on his farm;

26 (3) Performs work for public utilities on construction,
27 maintenance, and development work, which is incidental to their business;

28 (4) Performs work on motor vehicles;

29 (5) Is an architect or registered engineer who designs HVACR
30 systems for design criteria only;

31 (6) Is an employee of a hospital and who performs HVACR work
32 which is incidental to the hospital's operation;

33 (7) Installs or does maintenance work on a gas-fired floor
34 furnace, wall furnace, or unit heater, if the person is licensed pursuant to
35 17-38-301 et seq., and the work is performed within the limitations of the
36 person's license; or

1 (8) Is a pipefitter, welder, well driller, or plumber working
2 under a Class A or Class B licensee and who is enrolled in or has
3 satisfactorily completed an apprenticeship training program, approved by the
4 State of Arkansas, in his respective trade, and the work is performed within
5 the limitations of the person's license.✕

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7 SECTION 2. Arkansas Code 17-33-302 (b) is amended to read as follows:

8 (b) An applicant who fails an examination is eligible for
9 reexamination.✕

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11 SECTION 3. Arkansas Code 17-33-308 is amended to read as follows:

12 §17-33-308. Procedure for suspension or revocation.

13 (a) A license may be suspended or revoked pursuant to the procedures of
14 the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

15 (b) An appeal may be had from the hearing pursuant to the Arkansas
16 Administrative Procedure Act, § 25-15-201 et seq.

17 (c) Any member of the board or a representative designated by the board
18 shall have the authority to administer oaths for the taking of testimony.

19 (d) One (1) year after the date of the revocation, an application may be
20 made for a new license or registration.✕

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22 SECTION 4. All provisions of this act of a general and permanent
23 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
24 Code Revision Commission shall incorporate the same in the Code.

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26 SECTION 5. If any provision of this act or the application thereof to
27 any person or circumstance is held invalid, such invalidity shall not affect
28 other provisions or applications of the act which can be given effect without
29 the invalid provision or application, and to this end the provisions of this
30 act are declared to be severable.

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32 SECTION 6. All laws and parts of laws in conflict with this act are
33 hereby repealed.

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APPROVED:3-05-97