

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999

# A Bill

HOUSE BILL 1638

4  
5 By: Representative Glover  
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## For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE §17-28-102 TO EXEMPT  
10 FROM ELECTRICAL LICENSING CERTAIN WORK PERFORMED BY  
11 INDIVIDUALS LICENSED BY THE ARKANSAS WATER WELL  
12 CONSTRUCTION COMMISSION; AND FOR OTHER PURPOSES."  
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## Subtitle

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15 "TO EXEMPT FROM ELECTRICAL LICENSING  
16 CERTAIN WORK PERFORMED BY INDIVIDUALS  
17 LICENSED BY THE ARKANSAS WATER WELL  
18 CONSTRUCTION COMMISSION."  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code 17-28-102 is amended to read as follows:

24 "17-28-102. Construction and exemptions.

25 (a) The provisions of this chapter shall not apply to:

26 (1) The construction, installation, maintenance, repair, or  
27 renovation by any public utility, as that term is defined by § 23-1-101(4)(A),  
28 by any rural electric association or cooperative, or by any municipally owned  
29 utility, of any transmission or distribution lines or facilities incidental  
30 to their business and covered under other nationally recognized safety  
31 standards, or to any other such activity when performed by any duly  
32 authorized employee, agent, contractor, or subcontractor of any such  
33 public utility, association, cooperative, or municipally owned utility;

34 (2) The construction, installation, maintenance, repair and  
35 renovation of telephone equipment, computer systems, or satellite systems by  
36 a person, firm, or corporation engaged in the telecommunications or

1 information systems industry when such activities involve low-voltage  
 2 work exclusively for communication of data, voice, or for other signaling  
 3 purposes; including fire alarm systems, security systems and environmental  
 4 control systems that are not an integral part of a telecommunications  
 5 system;

6 (3) The construction, installation, maintenance, repair or  
 7 renovation of any nonresidential farm building or structure;

8 (4) The construction and manufacture of manufactured homes covered  
 9 by the federal Manufactured Home Construction and Safety Standards Act, 42  
 10 U.S.C. § 4501 et seq.

11 (b) Nothing in this chapter shall be construed to require an individual  
 12 to hold a license before doing electrical work on his primary residence except  
 13 as otherwise required by state law, regulations, or local ordinances. The  
 14 exemption from compliance with the licensing standards shall not be referred  
 15 to in any way, and shall not be any evidence of the lack of negligence or the  
 16 exercise of due care by a party at a trial of any civil action to recover  
 17 damages by any party.

18 (c) (1) Any holder of a state-issued heating, ventilation, air  
 19 conditioning and refrigeration or HVACR license may run line voltage power  
 20 wiring, in compliance with the state electric code, from a disconnect box to  
 21 an outdoor HVACR unit within a distance not to exceed ten feet (10') from  
 22 any point of the HVACR equipment without obtaining an electrician's  
 23 license as required by this chapter.

24 (2) Any person licensed by the Commission on Water Well  
 25 Construction pursuant to the provisions of Arkansas Code §§ 17-50-101 through  
 26 17-50-311 and subject to that Commission's regulations to the National  
 27 Electric Code, may run power and control wiring from an existing disconnect  
 28 box to water well equipment without obtaining an electrician's license as  
 29 required by this chapter. Nothing in this subsection shall be construed to  
 30 allow a licensed water well installer or contractor to alter the existing  
 31 electrical service to any building or structure.

32 (d) Nothing in this chapter shall be construed as repealing, modifying,  
 33 or affecting in any way the provisions of § 17-25-101 et seq.

34 (e) Nothing in this chapter shall be construed to require an employee  
 35 of a hospital to hold a license in order to perform minor repairs or make  
 36 minor alterations to existing electrical facilities during the normal

1 performance of his duties with a hospital licensed by the Department of  
2 Health.

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4 SECTION 2. All provisions of this Act of a general and permanent nature  
5 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
6 Revision Commission shall incorporate the same in the Code.

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8 SECTION 3. If any provision of this Act or the application thereof to  
9 any person or circumstance is held invalid, such invalidity shall not affect  
10 other provisions or applications of the Act which can be given effect without  
11 the invalid provision or application, and to this end the provisions of this  
12 Act are declared to be severable.

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14 SECTION 4. All laws and parts of laws in conflict with this Act are  
15 hereby repealed.

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17 SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the  
18 Eighty-second General Assembly, that Act 1289 of 1997 resulted in overlapping  
19 jurisdiction between two state licensing boards causing an undue hardship on  
20 certain business operations. Therefore, an emergency is declared to exist and  
21 this act being immediately necessary for the preservation of the public peace,  
22 health and safety shall become effective on the date of its approval by the  
23 Governor. If the bill is neither approved nor vetoed by the Governor, it  
24 shall become effective on the expiration of the period of time during which  
25 the Governor may veto the bill. If the bill is vetoed by the Governor and the  
26 veto is overridden, it shall become effective on the date the last house  
27 overrides the veto.