

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

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

# A Bill

SENATE BILL 621

4  
5 By: Senator Bearden  
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## For An Act To Be Entitled

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9 "AN ACT TO EXEMPT INDUSTRY EMPLOYEES FROM MANDATORY  
10 LICENSING OF ELECTRICIANS FOR WORK ON INDUSTRIAL  
11 SITES, TO CLARIFY LICENSING REQUIREMENTS; AND FOR  
12 OTHER PURPOSES. "

## Subtitle

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15 "TO EXEMPT INDUSTRY EMPLOYEES FROM  
16 MANDATORY LICENSING OF ELECTRICIANS FOR  
17 WORK ON EMPLOYER SITES, AND TO EXPAND  
18 TEMPORARY LICENSES. "

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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 to  
30 their business and covered under other nationally recognized safety standards,  
31 or to any other such activity when performed by any duly authorized employee,  
32 agent, contractor, or subcontractor of any such public utility, association,  
33 cooperative, or municipally owned utility;

34 (2) The construction, installation, maintenance, repair or  
35 renovation by any industry, as that term is defined in this section, of any  
36 electric conductors or equipment or facilities incidental to their business

1 and covered under other nationally recognized safety standards, or to any  
 2 other such activity when performed by any duly authorized employee of any such  
 3 industry.

4 ~~(2)~~(3) The construction, installation, maintenance, repair and  
 5 renovation of telephone equipment, computer systems, or satellite systems by a  
 6 person, firm, or corporation engaged in the telecommunications or information  
 7 systems industry when such activities involve low-voltage work exclusively for  
 8 communication of data, voice, or for other signaling purposes; including fire  
 9 alarm systems, security systems and environmental control systems that are not  
 10 an integral part of a telecommunications system;

11 ~~(3)~~(4) The construction, installation, maintenance, repair or  
 12 renovation of any nonresidential farm building or structure;

13 ~~(4)~~(5) The construction and manufacture of manufactured homes  
 14 covered by the federal Manufactured Home Construction and Safety Standards  
 15 Act, 42 U.S.C. § 4501 et seq.

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

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

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

31 (e) Nothing in this chapter shall be construed to require an employee  
 32 of a hospital to hold a license in order to perform minor repairs or make  
 33 minor alterations to existing electrical facilities during the normal  
 34 performance of his duties with a hospital licensed by the Arkansas Department  
 35 of Health.

36 (f) Nothing in this chapter shall be construed to require helpers or

1 laborers who perform manual labor as defined by the Board of Electrical  
2 Examiners to hold a license in order to assist licensed persons performing  
3 electrical work, and such helpers or laborers shall not be subject to any  
4 supervision ratios or other requirements of this chapter in providing such  
5 assistance.

6 (g) For purposes of this chapter, the term 'industry' means  
7 manufacturing and similar facilities, and warehouses, distribution facilities,  
8 repair and maintenance facilities, agricultural facilities, and corporate and  
9 management offices located on industrial sites."

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11 SECTION 2. Arkansas Code 17-28-301 is amended to read as follows:  
12 "17-28-301. Electrician's license - Issuance and renewal - Fees.

13 (a) Individuals passing the master, journeyman, residential master,  
14 residential journeyman, air conditioning electrician, or industrial  
15 maintenance electrician's examination as specified in § 17-28-203 shall be  
16 issued a license of the same class as that of the examination upon payment of  
17 the following fees:

- 18 (1) Master electrician ..... \$50.00;
- 19 (2) Journeyman electrician ..... \$25.00;
- 20 (3) Industrial maintenance electrician ..... \$25.00;
- 21 (4) Residential master electrician ..... \$50.00;
- 22 (5) Residential journeyman electrician ..... \$25.00;
- 23 (6) Air conditioning electrician ..... \$25.00.

24 (b)(1) Licenses shall expire on the date indicated on the licenses.  
25 Licenses shall expire on the last day of the month, one (1) year following the  
26 date of the original license.

27 (2) The license may be renewed for a period of one (1), two (2),  
28 or three (3) years with the fee to be as follows:

- 29 (A) Master electrician ..... \$50.00 per year;
- 30 (B) Journeyman electrician ..... \$25.00 per year;
- 31 (C) Industrial maintenance electrician . \$25.00 per year;
- 32 (D) Residential master electrician ..... \$50.00 per year;
- 33 (E) Residential journeyman electrician . \$25.00 per year;
- 34 (F) Air conditioning electrician ..... \$25.00 per year.

35 (3) Any licensee may renew their license within six (6) months  
36 following the expiration date on the license by paying the renewal fee as

1 indicated in subdivision (b)(2) of this section.

2 (4) If a licensee shall fail to renew his or her license within  
3 six (6) months after the expiration date on the license, the licensee may  
4 renew his or her license by paying a penalty of ten dollars (\$10.00) for a  
5 journeyman or residential journeyman electrician, ten dollars (\$10.00) for an  
6 industrial maintenance electrician or air conditioning electrician, and twenty  
7 dollars (\$20.00) for a master electrician or a residential master electrician,  
8 in addition to the regular renewal fees.

9 (5) If the license is not renewed within one (1) year after the  
10 expiration date on the license, the licensee shall be required to take another  
11 examination as administered by the board.

12 (c) The registration fee for an electrical apprentice shall be ten  
13 dollars (\$10.00) annually. Apprentice registration certificates shall expire  
14 on the last day of the month, one (1) year following the date of original  
15 registration.

16 (d) The board shall be authorized to issue a temporary license as a  
17 master electrician, journeyman electrician, residential master electrician,  
18 and residential journeyman electrician, which shall be valid for no more than  
19 six (6) months, ~~provided the applicant has not previously been issued a~~  
20 ~~temporary license, and~~ upon submission by the applicant of the following:

21 (1) A temporary license fee in the amount established by § 17-25-  
22 304(a);

23 (2) A completed application on a form furnished and approved by  
24 the board; and

25 (3) Evidence that the applicant holds a current license of the  
26 same classification issued by another state or has otherwise met the  
27 experience qualifications required under this chapter to apply for a license  
28 as a master electrician, journeyman electrician, or industrial maintenance  
29 electrician.

30 (e) For construction and maintenance projects by industry which are  
31 scheduled to last for more than twelve (12) months, the board is also  
32 authorized to issue a temporary license to an applicant which shall be valid  
33 for the duration of the industrial project, provided the employer, contractor,  
34 or subcontractor furnishes satisfactory proof to the board of the duration of  
35 the project and the applicant satisfies the requirements set forth in  
36 subsection (d)(1), (2), and (3) of this section."

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SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 6. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-second General Assembly that Act 1289 of 1997 has created substantial hardships on industry which were not intended when the law was passed, is making it difficult or impossible for industry to hire qualified employees to perform industrial electrical work due to a shortage of qualified, licensed journeyman and master electricians in Arkansas, and is restricting the ability of industrial contractors to staff major industrial projects with personnel from other states which do not impose similar licensing requirements. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.