

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1578 By: Leftwich of the Senate
3 and
4 Jordan of the House
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7 (professions and occupations - Electrical License
8 Act -
9 effective date)
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12 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
13 entire bill and insert

14 "An Act relating to professions and occupations;
15 amending 59 O.S. 2001, Sections 1019, as last
16 amended by Section 5 of Enrolled Senate Bill No. 45
17 of the 2nd Session of the 51st Oklahoma Legislature,
18 1695 and 1850.11, which relate to violations and
19 penalties; modifying penalties and fines; and
20 providing an effective date.

21 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

22 SECTION 1. AMENDATORY 59 O.S. 2001, Section 1019, as
23 last amended by Section 5 of Enrolled Senate Bill No. 45 of the 2nd
24 Session of the 51st Oklahoma Legislature, is amended to read as
follows:

1 Section 1019. A. Any person, ~~firm, partnership, association or~~
2 ~~corporation~~ who ~~shall violate~~ violates any of the provisions of this
3 ~~act~~ The Plumbing License Law of 1955, or any provision of an
4 ordinance or regulation enacted by a city, town, or sewer
5 commission, by authority of this act shall, upon conviction, in
6 addition to suffering possible suspension or revocation of a
7 license, be guilty of a misdemeanor and ~~upon conviction thereof~~
8 shall be punished by a fine of not less than ~~Twenty five Dollars~~
9 ~~(\$25.00)~~ Two Hundred Dollars (\$200.00) nor more than ~~One Hundred~~
10 ~~Dollars (\$100.00)~~ One Thousand Dollars (\$1,000.00), together with
11 the costs of prosecution.

12 B. The Plumbing Hearing Board may make application to the
13 appropriate court for an order enjoining the acts or practices
14 prohibited by this act, and upon a showing by the Plumbing Hearing
15 Board that the person or firm has engaged in any of the prohibited
16 acts or practices, an injunction, restraining order or other order
17 as may be appropriate shall be granted by the court.

18 SECTION 2. AMENDATORY 59 O.S. 2001, Section 1695, is
19 amended to read as follows:

20 Section 1695. A. Any person who violates any of the provisions
21 of the Electrical License Act or any provision of an ordinance or
22 regulation enacted by a city or town by authority of the Electrical
23 License Act, in addition to suffering possible suspension or
24 revocation of a license or registration, shall, upon conviction, be

1 guilty of a misdemeanor and shall be punished by a fine of not less
2 than ~~Fifty Dollars (\$50.00)~~ Two Hundred Dollars (\$200.00) nor more
3 than ~~One Hundred Dollars (\$100.00)~~ One Thousand Dollars (\$1,000.00),
4 together with the costs of prosecution.

5 B. In addition to other penalties provided by law, if after a
6 hearing in accordance with the provisions of Section 1689 of this
7 title, the Electrical Hearing Board shall find any person to be in
8 violation of any of the provisions of this act, such person may be
9 subject to an administrative fine of not more than Five Hundred
10 Dollars (\$500.00) for each violation. Each day a person is in
11 violation of this act may constitute a separate violation. The
12 maximum fine will not exceed One Thousand Dollars (\$1,000.00). All
13 administrative fines collected pursuant to the provisions of this
14 subsection shall be deposited in the Electrical Revolving Fund.
15 Administrative fines imposed pursuant to this subsection shall be
16 enforceable in the district courts of this state.

17 C. The Electrical Hearing Board may make application to the
18 appropriate court for an order enjoining the acts or practices
19 prohibited by this act, and upon a showing by the Electrical Hearing
20 Board that the person has engaged in any of the prohibited acts or
21 practices, an injunction, restraining order, or other order as may
22 be appropriate shall be granted by the court.

23 D. If any electrical facilities as defined in the Electrical
24 License Act are in violation of the National Electrical Code set

1 forth in the National Fire Code (Electrical) issued by the National
2 Fire Protection Association, NFPA number 70, current edition, as
3 amended, or any ordinance or other regulation of a city or town, the
4 proper authorities of the state or political subdivision of the
5 state, in addition to other remedies, may institute appropriate
6 action or proceedings to prevent any illegal installation or use of
7 such facilities, to restrain, correct or abate any violation, or to
8 prevent illegal occupancy of a building or structure.

9 SECTION 3. AMENDATORY 59 O.S. 2001, Section 1850.11, is
10 amended to read as follows:

11 Section 1850.11 A. Any person, mechanical contractor,
12 mechanical journeyman, mechanical apprentice or mechanical firm who
13 violates any of the provisions of the Mechanical Licensing Act in
14 addition to suspension or revocation of a license, upon conviction,
15 shall be guilty of a misdemeanor and punished by a fine of not less
16 than ~~One Hundred Dollars (\$100.00)~~ Two Hundred Dollars (\$200.00) nor
17 more than ~~Five Hundred Dollars (\$500.00)~~ One Thousand Dollars
18 (\$1,000.00), or both such fine and imprisonment together with the
19 costs of prosecution.

20 B. In addition to other penalties provided by law, if after a
21 hearing in accordance with the provisions of Section 1850.14 of this
22 title, the Mechanical Hearing Board shall find any mechanical
23 contractor, mechanical journeyman, mechanical apprentice or
24 mechanical firm to be in violation of any of the provisions of this

1 act, such person or firm may be subject to an administrative fine of
2 not more than Five Hundred Dollars (\$500.00) for each violation.
3 Each day a person or firm is in violation of this act may constitute
4 a separate violation. The maximum fine will not exceed One Thousand
5 Dollars (\$1,000.00). All administrative fines collected pursuant to
6 the provisions of this subsection shall be deposited in the Oklahoma
7 Mechanical Licensing Revolving Fund. Administrative fines imposed
8 pursuant to this subsection shall be enforceable in the district
9 courts of this state.

10 C. The Mechanical Hearing Board may make application to the
11 appropriate court for an order enjoining the acts or practices
12 prohibited by this act, and upon a showing by the Mechanical Hearing
13 Board that the person or firm has engaged in any of the prohibited
14 acts or practices, an injunction, restraining order, or other order
15 as may be appropriate shall be granted by the court.

16 SECTION 4. This act shall become effective November 1, 2008."
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1 Passed the House of Representatives the 16th day of April, 2008.

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4 Presiding Officer of the House of
Representatives
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6 Passed the Senate the ____ day of _____, 2008.

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9 Presiding Officer of the Senate
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