

ENROLLED SENATE
BILL NO. 1578

By: Leftwich of the Senate

and

Jordan of the House

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

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

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

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

B. The Plumbing Hearing Board may make application to the appropriate court for an order enjoining the acts or practices

prohibited by this act, and upon a showing by the Plumbing Hearing Board that the person or firm has engaged in any of the prohibited acts or practices, an injunction, restraining order or other order as may be appropriate shall be granted by the court.

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

Section 1695. A. Any person who violates any of the provisions of the Electrical License Act or any provision of an ordinance or regulation enacted by a city or town by authority of the Electrical License Act, in addition to suffering possible suspension or revocation of a license or registration, shall, upon conviction, be guilty of a misdemeanor and shall be punished by a fine of not less than ~~Fifty Dollars (\$50.00)~~ Two Hundred Dollars (\$200.00) nor more than ~~One Hundred Dollars (\$100.00)~~ One Thousand Dollars (\$1,000.00), together with the costs of prosecution.

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

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

D. If any electrical facilities as defined in the Electrical License Act are in violation of the National Electrical Code set forth in the National Fire Code (Electrical) issued by the National Fire Protection Association, NFPA number 70, current edition, as

amended, or any ordinance or other regulation of a city or town, the proper authorities of the state or political subdivision of the state, in addition to other remedies, may institute appropriate action or proceedings to prevent any illegal installation or use of such facilities, to restrain, correct or abate any violation, or to prevent illegal occupancy of a building or structure.

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

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

B. In addition to other penalties provided by law, if after a hearing in accordance with the provisions of Section 1850.14 of this title, the Mechanical Hearing Board shall find any mechanical contractor, mechanical journeyman, mechanical apprentice or mechanical firm to be in violation of any of the provisions of this act, such person or firm may be subject to an administrative fine of not more than Five Hundred Dollars (\$500.00) for each violation. Each day a person or firm is in violation of this act may constitute a separate violation. The maximum fine will not exceed One Thousand Dollars (\$1,000.00). All administrative fines collected pursuant to the provisions of this subsection shall be deposited in the Oklahoma Mechanical Licensing Revolving Fund. Administrative fines imposed pursuant to this subsection shall be enforceable in the district courts of this state.

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

SECTION 4. This act shall become effective November 1, 2008.

Passed the Senate the 5th day of May, 2008.

Presiding Officer of the Senate

Passed the House of Representatives the 16th day of April, 2008.

Presiding Officer of the House
of Representatives