

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB591 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Kevin Wallace \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

PROPOSED  
COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
SENATE BILL NO. 591

By: Jolley of the Senate

and

Wallace of the House

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to professions and occupations;  
amending 59 O.S. 2011, Sections 1013 and 1850.9,  
which relate to apprentices for plumbing, electrical  
and mechanical professions; modifying language;  
providing for apprentice application and renewals;  
prohibiting work without certain apprentice  
registration; providing for certain forms and  
document submissions; providing certain grace period  
for registration or examination; allowing apprentice  
registration during grace period without disciplinary  
action; excepting certain persons during grace period  
from apprentice registration requirements for  
examination; providing certain retest within certain  
period; providing certain wait period for failure to  
pass examination within certain grace period;  
construing violations after certain grace period;  
construing effects of grace period on certain rules  
and laws; providing for codification; and providing  
an effective date.

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

1 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1013, is  
2 amended to read as follows:

3 Section 1013. A. The Construction Industries Board shall, upon  
4 proper application and payment of fee, register as a plumber's  
5 apprentice, and shall issue a certificate of registration to,  
6 persons who furnish proof satisfactory to the Board that they are  
7 sixteen (16) years of age or older and are enrolled in a recognized  
8 school or training course for plumber apprentices, or have arranged  
9 for employment as a plumber's apprentice with a licensed plumbing  
10 contractor. The certificate of an apprentice shall expire at the  
11 end of one (1) year from date of issuance, at which time ~~the Board~~  
12 ~~may issue a renewal certificate upon payment of the renewal fee~~ the  
13 plumber's apprentice may reregister and receive, upon payment of the  
14 plumber's apprentice registration renewal fee, a renewal  
15 certificate. No person shall act as, or perform the work of, a  
16 plumber's apprentice without a current and valid certificate of  
17 registration or other proof of proper application acceptable to the  
18 Board.

19 B. All applications or renewals shall be made in writing to the  
20 Board on forms provided, if necessary, by the Board. All  
21 applications or renewals shall be accompanied by the appropriate  
22 fee.

23 C. Applicants and apprentices, when required by the Board,  
24 shall provide such documents, statements or other information as may

1 be necessary to submit to a national criminal history record check  
2 as defined by Section 150.9 of Title 74 of the Oklahoma Statutes.

3 SECTION 2. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 1013.1 of Title 59, unless there  
5 is created a duplication in numbering, reads as follows:

6 A. Notwithstanding any other provision of law concerning the  
7 plumbing profession:

8 1. Ninety (90) days from and after the effective date of this  
9 act it shall be unlawful and a misdemeanor for any person to act as,  
10 or perform the work of, a plumber's apprentice, as defined in  
11 Section 1003 of Title 59 of the Oklahoma Statutes, until such person  
12 has registered as a plumber's apprentice as provided in Section 1013  
13 of Title 59 of the Oklahoma Statutes and received a certificate of  
14 registration from the Construction Industries Board. A current and  
15 valid certificate of registration, or proof of proper application  
16 acceptable to the Board, shall be required at all times while acting  
17 as, or performing the work of, a plumber's apprentice; and

18 2. Ninety (90) days from and after the effective date of this  
19 act it shall be unlawful and a misdemeanor for any person, firm,  
20 partnership, association or corporation to employ a person as a  
21 plumber's apprentice, as defined in Section 1003 of Title 59 of the  
22 Oklahoma Statutes, until such person shall have registered and  
23 received a certification of registration as a plumber's apprentice  
24 as required by Section 1013 of Title 59 of the Oklahoma Statutes. A

1 copy of the current and valid certificate of registration or proof  
2 of proper application for each person acting as, or performing the  
3 work of, a plumber's apprentice shall be on file for inspection at  
4 the person's, firm's, partnership's, association's or corporation's  
5 primary place of business. Failure to obtain a copy of each  
6 person's certificate of registration or proof of application as a  
7 plumber's apprentice shall constitute a violation of The Plumbing  
8 License Law of 1955.

9 B. Within the ninety-day period provided in this act, a person  
10 who is not registered or has not been continuously registered as a  
11 plumber's apprentice, and who is currently and has been continuously  
12 acting as, or continuously performing the work of, a plumber's  
13 apprentice for a period of three (3) years or more under the  
14 supervision of a licensed plumbing contractor in this state, or who  
15 has a military exemption from apprentice registration as allowed by  
16 the Construction Industries Board, may make application to take the  
17 examination for journeyman plumber upon submission of an affidavit  
18 from his or her current employer and other documents or proofs  
19 required by the Oklahoma State Committee of Plumbing Examiners and  
20 the Construction Industries Board. The examination shall be  
21 conducted within the ninety-day period with only one retest allowed  
22 after thirty (30) days from the date of a failed examination within  
23 the same ninety-day period.  
24

1 C. The provisions of this section provide a one-time grace  
2 period for persons acting as or performing the work of an apprentice  
3 who are not properly registered. Persons acting as or performing  
4 the work of an apprentice who are not properly registered shall be  
5 allowed to either register as required by Section 1013 of Title 59  
6 of the Oklahoma Statutes without disciplinary action for failure to  
7 be properly registered, or apply and take the journeyman plumber  
8 examination within the ninety-day grace period. On the effective  
9 date of this act, any person who is acting as, or performing the  
10 work of, a plumber's apprentice and who fails to register as a  
11 plumber's apprentice or fails to successfully pass the journeyman  
12 examination within the ninety-day grace period shall be deemed in  
13 violation of The Plumbing Licensing Law of 1955 for each day the  
14 person was not or is not registered or licensed.

15 D. Nothing in this section shall be construed to alter, modify  
16 or amend any law or rule regarding experience qualifications or  
17 other requirements for examination except as specifically authorized  
18 in the ninety-day grace period for persons not properly registered  
19 as an apprentice. Such grace period shall not be extended, and  
20 except for military exemptions authorized by the Construction  
21 Industries Board by law or rule, no other exceptions shall be  
22 authorized.

23 SECTION 3. AMENDATORY 59 O.S. 2011, Section 1850.9, is  
24 amended to read as follows:

1 Section 1850.9 A. The Construction Industries Board, upon  
2 proper application and payment of an apprentice registration fee,  
3 shall register as a mechanical apprentice and issue a certificate of  
4 such registration to any person who furnishes satisfactory proof to  
5 the Board that the applicant is:

6 1. Sixteen (16) years of age or older; and

7 2. Enrolled in a school or training course for mechanical  
8 apprentices recognized by the Board or has arranged for employment  
9 as a mechanical apprentice with a licensed mechanical contractor.

10 B. Apprentice registration certificates shall expire one (1)  
11 year after date of registration, at which time the apprentice may  
12 reregister and receive, upon payment of the apprentice registration  
13 renewal fee, a renewal certificate.

14 C. No person shall act as, or perform the work of, a mechanical  
15 apprentice without a current and valid certificate of registration,  
16 or other proof of proper application acceptable to the Board.

17 D. All applications or renewals shall be made in writing to the  
18 Board on forms provided, if necessary, by the Board. All  
19 applications or renewals shall be accompanied by the appropriate  
20 fee.

21 E. Applicants and apprentices, when required by the Board,  
22 shall provide such documents, statements or other information as may  
23 be necessary to submit to a national criminal history record check  
24 as defined by Section 150.9 of Title 74 of the Oklahoma Statutes.

1           SECTION 4.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 1850.9A of Title 59, unless  
3 there is created a duplication in numbering, reads as follows:

4           A. Notwithstanding any other provision of law concerning the  
5 mechanical profession:

6           1. Ninety (90) days from and after the effective date of this  
7 act it shall be unlawful and a misdemeanor for any person to act as,  
8 or perform the work of, a mechanical apprentice, as defined in  
9 Section 1850.2 of Title 59 of the Oklahoma Statutes, until such  
10 person has registered as a mechanical apprentice as provided in  
11 Section 1850.9 of Title 59 of the Oklahoma Statutes and received a  
12 certificate of registration from the Construction Industries Board.  
13 A current and valid certificate of registration, or proof of proper  
14 application acceptable to the Board, shall be required at all times  
15 while acting as, or performing the work of, a mechanical apprentice;  
16 and

17           2. Ninety (90) days from and after the effective date of this  
18 act it shall be unlawful and a misdemeanor for any person, firm,  
19 partnership, association or corporation to employ a person as a  
20 mechanical apprentice, as defined in Section 1850.2 of Title 59 of  
21 the Oklahoma Statutes, until such person shall have registered and  
22 received a certification of registration as a mechanical apprentice  
23 as required by Section 1850.9 of Title 59 of the Oklahoma Statutes.  
24 A copy of the current and valid certificate of registration or other

1 proof of application for each person acting as or performing the  
2 work of a mechanical apprentice shall be on file for inspection at  
3 the person's, firm's, partnership's, association's or corporation's  
4 primary place of business. Failure to obtain a copy of each  
5 person's certificate of registration or proof of application as a  
6 mechanical apprentice shall constitute a violation of the Mechanical  
7 Licensing Act.

8 B. Within the ninety-day period provided in this act, a person  
9 who is not registered or has not been continuously registered as a  
10 mechanical apprentice, and who is currently and has been  
11 continuously acting as, or continuously performing the work of, a  
12 mechanical apprentice for a period of three (3) years or more under  
13 the supervision of a licensed mechanical contractor in this state,  
14 or who has a military exemption from apprentice registration as  
15 allowed by the Construction Industries Board, may make application  
16 to take the examination for mechanical journeyman upon submission of  
17 an affidavit from his or her current employer and other documents or  
18 proofs required by the Committee of Mechanical Examiners and the  
19 Construction Industries Board. The examination shall be conducted  
20 within the ninety-day period with only one retest allowed after  
21 thirty (30) days from the date of a failed examination within the  
22 same ninety-day period. Any applicant failing to pass the  
23 examination, including the one allowable retest, within the ninety-  
24 day period shall not be permitted to take any subsequent examination

1 for a period of ninety (90) days and only after proper registration  
2 as an apprentice as required by Section 1850.9 of Title 59 of the  
3 Oklahoma Statutes.

4 C. The provisions of this section provide a one-time grace  
5 period for persons acting as or performing the work of a mechanical  
6 apprentice who are not properly registered. Persons acting as or  
7 performing the work of a mechanical apprentice who are not properly  
8 registered shall be allowed to either register as required by  
9 Section 1850.9 of Title 59 of the Oklahoma Statutes without  
10 disciplinary action for failure to be properly registered, or apply  
11 and take the mechanical journeyman examination within the ninety-day  
12 grace period. On the effective date of this act, any person who is  
13 acting as, or performing the work of, a mechanical apprentice and  
14 who fails to register as a mechanical apprentice or fails to  
15 successfully pass the mechanical journeyman examination within the  
16 ninety-day grace period shall be deemed in violation of the  
17 Mechanical Licensing Act for each day the person was not, or is not,  
18 registered or licensed.

19 D. Nothing in this section shall be construed to alter, modify  
20 or amend any law or rule regarding experience qualifications or  
21 other requirements for examination except as specifically authorized  
22 in the ninety-day grace period for persons not properly registered  
23 as a mechanical apprentice. Such grace period shall not be  
24 extended, and except for military exemptions authorized by the

1 Construction Industries Board by law or rule, no other exceptions  
2 shall be authorized.

3 SECTION 5. This act shall become effective November 1, 2015.

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