

1 ENGROSSED SENATE
2 BILL NO. 591

By: Jolley of the Senate

and

Wallace of the House

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5
6 [professions and occupations - apprentices for
7 plumbing, electrical and mechanical professions -
8 apprentice application and renewals - failure to pass
9 examination - violations - codification - effective
10 date]

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

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

14 Section 1013. A. The Construction Industries Board shall, upon
15 proper application and payment of fee, register as a plumber's
16 apprentice, and shall issue a certificate of registration to,
17 persons who furnish proof satisfactory to the Board that they are
18 sixteen (16) years of age or older and are enrolled in a recognized
19 school or training course for plumber apprentices, or have arranged
20 for employment as a plumber's apprentice with a licensed plumbing
21 contractor. The certificate of an apprentice shall expire at the
22 end of one (1) year from date of issuance, at which time ~~the Board~~
23 ~~may issue a renewal certificate upon payment of the renewal fee~~ the
24 apprentice may reregister and receive, upon payment of the

1 apprentice registration renewal fee, a renewal certificate. No
2 person shall act as, or perform the work of, a plumber's apprentice
3 without a current and valid certificate of registration or other
4 proof of proper application acceptable to the Board.

5 B. All applications or renewals shall be made in writing to the
6 Board on forms provided, if necessary, by the Board. All
7 applications or renewals shall be accompanied by the appropriate
8 fee.

9 C. Applicants and apprentices, when required by the Board,
10 shall provide such documents, statements or other information as may
11 be necessary to submit to a national criminal history record check
12 as defined by Section 150.9 of Title 74 of the Oklahoma Statutes.

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

16 A. Notwithstanding any other provision of law concerning the
17 plumbing profession:

18 1. Ninety (90) days from and after the effective date of this
19 act it shall be unlawful and a misdemeanor for any person to act as,
20 or perform the work of, a plumber's apprentice, as defined in
21 Section 1003 of Title 59 of the Oklahoma Statutes, until such person
22 has registered as a plumber's apprentice as provided in Section 1013
23 of Title 59 of the Oklahoma Statutes and received a certificate of
24 registration from the Construction Industries Board. A current and

1 valid certificate of registration, or proof of proper application
2 acceptable to the Board, shall be required at all times while acting
3 as, or performing the work of, a plumber's apprentice.

4 2. Ninety (90) days from and after the effective date of this
5 act it shall be unlawful and a misdemeanor for any person, firm,
6 partnership, association or corporation to employ or offer
7 employment, work or any job to a person as a plumber's apprentice,
8 as defined in Section 1003 of Title 59 of the Oklahoma Statutes,
9 until such person shall have registered and received a certification
10 of registration as a plumber's apprentice as required by Section
11 1013 of Title 59 of the Oklahoma Statutes. A copy of the current
12 and valid certificate of registration or proof of proper application
13 for each person acting as, or performing the work of, a plumber's
14 apprentice shall be on file for inspection at the person's, firm's,
15 partnership's, association's or corporation's primary place of
16 business. Failure to obtain a copy of each person's certificate of
17 registration or proof of application as a plumber's apprentice shall
18 constitute a violation of The Plumbing License Law of 1955.

19 B. Within the ninety-day period provided in this act, a person
20 who is not registered or has not been continuously registered as a
21 plumber's apprentice, and who is currently and has been continuously
22 acting as, or performing continuously the work of, a plumber's
23 apprentice for a period of three (3) years or more under the
24 supervision of a licensed plumbing contractor in this state, or who

1 has a military exemption from apprentice registration as allowed by
2 the Construction Industries Board, may make application to take the
3 examination for journeyman plumber upon submission of an affidavit
4 from his or her current employer and other documents or proofs
5 required by the Oklahoma State Committee of Plumbing Examiners and
6 the Construction Industries Board. The examination shall be
7 conducted within the ninety-day period with only one retest allowed
8 after thirty (30) days from the date of a failed examination within
9 the same ninety-day period.

10 C. The provisions of this section provide a one-time grace
11 period for persons acting as or performing the work of an apprentice
12 who are not properly registered. Persons acting as or performing
13 the work of an apprentice who are not properly registered shall be
14 allowed to either register as required by Section 1013 of Title 59
15 of the Oklahoma Statutes without disciplinary action for failure to
16 be properly registered, or apply and take the journeyman plumber
17 examination within the ninety-day grace period. On the effective
18 date of this act, any person who is acting as, or performing the
19 work of, a plumber's apprentice and who fails to register as a
20 plumber's apprentice or fails to successfully pass the journeyman
21 examination within the ninety-day grace period shall be deemed in
22 violation of The Plumbing Licensing Law of 1955 for each day the
23 person was not or is not registered or licensed.
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1 D. Nothing in this section shall be construed to alter, modify
2 or amend any law or rule regarding experience qualifications or
3 other requirements for examination except as specifically authorized
4 in the ninety-day grace period for persons not properly registered
5 as an apprentice. Such grace period shall not be extended, and
6 except for military exemptions authorized by the Construction
7 Industries Board by law or rule, no other exceptions shall be
8 authorized.

9 SECTION 3. AMENDATORY 59 O.S. 2011, Section 1686, is
10 amended to read as follows:

11 Section 1686. A. The Construction Industries Board shall, upon
12 proper application and payment of fee, register as an electrical
13 apprentice and issue a certificate of such registration to any
14 person who furnishes satisfactory proof to the Board that the
15 applicant is:

16 1. Sixteen (16) years of age or over;

17 2. Enrolled in a school or federal training program for
18 electrical apprentices recognized by the Board, or employed as an
19 electrical apprentice with an active licensed electrical contractor.

20 The certificate of an apprentice shall expire at the end of one
21 (1) year from date of issuance, at which time the apprentice may
22 reregister and receive, upon payment of the apprentice registration
23 renewal fee, a renewal certificate. No person shall act as, or
24 perform the work of, an electrical apprentice without a current and

1 valid certificate of registration or other proof of proper
2 application acceptable to the Board.

3 B. All applications ~~for examination, license or renewal of~~
4 license renewals shall be made in writing to the Board on forms
5 provided, if necessary, by the Board. All applications or renewals
6 shall be accompanied by the appropriate fee.

7 C. ~~Apprentices~~ Applicants and apprentices, when required by the
8 Board, shall provide such documents, statements or other information
9 as may be necessary to submit to a national criminal history record
10 check as defined by Section 150.9 of Title 74 of the Oklahoma
11 Statutes.

12 SECTION 4. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 1686.1 of Title 59, unless there
14 is created a duplication in numbering, reads as follows:

15 A. Notwithstanding any other provision of law concerning the
16 electrical profession:

17 1. Ninety (90) days from and after the effective date of this
18 act it shall be unlawful and a misdemeanor for any person to act as,
19 or perform the work of, an electrical apprentice, as defined in
20 Section 1682 of Title 59 of the Oklahoma Statutes, until such person
21 has registered as an electrical apprentice as provided in Section
22 1686 of Title 59 of the Oklahoma Statutes and received a certificate
23 of registration from the Construction Industries Board. A current
24 and valid certificate of registration, or proof of proper

1 application acceptable to the Board, shall be required at all times
2 while acting as or performing the work of an electrical apprentice.

3 2. Ninety (90) days from and after the effective date of this
4 act it shall be unlawful and a misdemeanor for any person, firm,
5 partnership, association or corporation to employ or offer
6 employment, work or any job to a person as an electrical apprentice,
7 as defined in Section 1682 of Title 59 of the Oklahoma Statutes,
8 until such person shall have registered and received a certification
9 of registration as an electrical apprentice as required by Section
10 1686 of Title 59 of the Oklahoma Statutes. A copy of the current
11 and valid certificate of registration or proof of proper application
12 for each person acting as or performing the work of an electrical
13 apprentice shall be on file for inspection at the person's, firm's,
14 partnership's, association's or corporation's primary place of
15 business. Failure to obtain a copy of each person's certificate of
16 registration or proof of application as an electrical apprentice
17 shall constitute a violation of the Electrical License Act.

18 B. Within the ninety-day period provided in this act, a person
19 who is not registered ,or has not been continuously registered, as
20 an electrical apprentice, and who is currently and has been
21 continuously acting as, or performing continuously the work of, an
22 electrical apprentice for a period of three (3) years or more under
23 the supervision of a licensed electrical contractor in this state,
24 or who has a military exemption from apprentice registration as

1 allowed by the Construction Industries Board, may make application
2 to take the examination for journeyman electrician upon submission
3 of an affidavit from his or her current employer and other documents
4 or proofs required by the Committee of Electrical Examiners and the
5 Construction Industries Board. The examination shall be conducted
6 within the ninety-day period with only one retest allowed after
7 thirty (30) days from the date of a failed examination within the
8 same ninety-day period. Any applicant failing to pass the
9 examination, including the one allowable retest, within the ninety-
10 day period shall not be permitted to take any subsequent examination
11 for a period of three (3) years and only after proper registration
12 as an apprentice as required by Section 1686 of Title 59 of the
13 Oklahoma Statutes for a continuous three-year period.

14 C. The provisions of this section provide a one-time grace
15 period for persons acting as, or performing the work of, an
16 apprentice who are not properly registered. Persons acting as, or
17 performing the work of, an apprentice who are not properly
18 registered shall be allowed to either register as required by
19 Section 1686 of Title 59 of the Oklahoma Statutes without
20 disciplinary action for failure to be properly registered, or apply
21 and take the journeyman electrician examination within the ninety-
22 day grace period. On the effective date of this act, any person who
23 is acting as, or performing the work of, an electrical apprentice
24 and who fails to register as an electrician's apprentice or fails to

1 successfully pass the journeyman examination within the ninety-day
2 grace period shall be deemed in violation of the Electrical License
3 Act for each day the person was not or is not registered or
4 licensed.

5 D. Nothing in this section shall be construed to alter, modify
6 or amend any law or rule regarding experience qualifications or
7 other requirements for examination except as specifically authorized
8 in the ninety-day grace period for persons not properly registered
9 as an apprentice. Such grace period shall not be extended, and
10 except for military exemptions authorized by the Construction
11 Industries Board by law or rule, no other exceptions shall be
12 authorized.

13 SECTION 5. AMENDATORY 59 O.S. 2011, Section 1850.9, is
14 amended to read as follows:

15 Section 1850.9. A. The Construction Industries Board, upon
16 proper application and payment of an apprentice registration fee,
17 shall register as a mechanical apprentice and issue a certificate of
18 such registration to any person who furnishes satisfactory proof to
19 the Board that the applicant is:

- 20 1. Sixteen (16) years of age or older; and
 - 21 2. Enrolled in a school or training course for mechanical
22 apprentices recognized by the Board or has arranged for employment
23 as a mechanical apprentice with a licensed mechanical contractor.
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1 B. Apprentice registration certificates shall expire one (1)
2 year after date of registration, at which time the apprentice may
3 reregister and receive, upon payment of the apprentice registration
4 renewal fee, a renewal certificate.

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

8 D. All applications or renewals shall be made in writing to the
9 Board on forms provided, if necessary, by the Board. All
10 applications or renewals shall be accompanied by the appropriate
11 fee.

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

16 SECTION 6. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 1850.9A of Title 59, unless
18 there is created a duplication in numbering, reads as follows:

19 A. Notwithstanding any other provision of law concerning the
20 mechanical profession:

21 1. Ninety (90) days from and after the effective date of this
22 act it shall be unlawful and a misdemeanor for any person to act as,
23 or perform the work of, a mechanical apprentice, as defined in
24 Section 1850.2 of Title 59 of the Oklahoma Statutes, until such

1 person has registered as a mechanical apprentice as provided in
2 Section 1850.9 of Title 59 of the Oklahoma Statutes and received a
3 certificate of registration from the Construction Industries Board.
4 A current and valid certificate of registration, or proof of proper
5 application acceptable to the Board, shall be required at all times
6 while acting as, or performing the work of, a mechanical apprentice.

7 2. Ninety (90) days from and after the effective date of this
8 act it shall be unlawful and a misdemeanor for any person, firm,
9 partnership, association or corporation to employ or offer
10 employment, work or any job to a person as a mechanical apprentice,
11 as defined in Section 1850.2 of Title 59 of the Oklahoma Statutes,
12 until such person shall have registered and received a certification
13 of registration as a mechanical apprentice as required by Section
14 1850.9 of Title 59 of the Oklahoma Statutes. A copy of the current
15 and valid certificate of registration or other proof of application
16 for each person acting as or performing the work of a mechanical
17 apprentice shall be on file for inspection at the person's, firm's,
18 partnership's, association's or corporation's primary place of
19 business. Failure to obtain a copy of each person's certificate of
20 registration or proof of application as a mechanical apprentice
21 shall constitute a violation of the Mechanical Licensing Act.

22 B. Within the ninety-day period provided in this act, a person
23 who is not registered or has not been continuously registered as a
24 mechanical apprentice, and who is currently and has been

1 continuously acting as, or performing continuously the work of, a
2 mechanical apprentice for a period of three (3) years or more under
3 the supervision of a licensed mechanical contractor in this state,
4 or who has a military exemption from apprentice registration as
5 allowed by the Construction Industries Board, may make application
6 to take the examination for mechanical journeyman upon submission of
7 an affidavit from his or her current employer and other documents or
8 proofs required by the Committee of Mechanical Examiners and the
9 Construction Industries Board. The examination shall be conducted
10 within the ninety-day period with only one retest allowed after
11 thirty (30) days from the date of a failed examination within the
12 same ninety-day period. Any applicant failing to pass the
13 examination, including the one allowable retest, within the ninety-
14 day period shall not be permitted to take any subsequent examination
15 for a period of three (3) years and only after proper registration
16 as an apprentice as required by Section 1850.9 of Title 59 of the
17 Oklahoma Statutes for a continuous three-year period.

18 C. The provisions of this section provide a one-time grace
19 period for persons acting as or performing the work of an apprentice
20 who are not properly registered. Persons acting as or performing
21 the work of an apprentice who are not properly registered shall be
22 allowed to either register as required by Section 1850.9 of Title 59
23 of the Oklahoma Statutes without disciplinary action for failure to
24 be properly registered, or apply and take the mechanical journeyman

1 examination within the ninety-day grace period. On the effective
2 date of this act, any person who is acting as, or performing the
3 work of, a mechanical apprentice and who fails to register as a
4 mechanical apprentice or fails to successfully pass the mechanical
5 journeyman examination within the ninety-day grace period shall be
6 deemed in violation of the Mechanical Licensing Act for each day the
7 person was not, or is not, registered or licensed.

8 D. Nothing in this section shall be construed to alter, modify
9 or amend any law or rule regarding experience qualifications or
10 other requirements for examination except as specifically authorized
11 in the ninety-day grace period for persons not properly registered
12 as an apprentice. Such grace period shall not be extended, and
13 except for military exemptions authorized by the Construction
14 Industries Board by law or rule, no other exceptions shall be
15 authorized.

16 SECTION 7. This act shall become effective November 1, 2015.
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