

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 317

By: Daniels of the Senate

and

Sims of the House

COMMITTEE SUBSTITUTE

An Act relating to electricians; amending 59 O.S. 2011, Sections 1682, as amended by Section 1, Chapter 17, O.S.L. 2018, 1686, 1688 and 1689, as amended by Section 23, Chapter 313, O.S.L. 2015 (59 O.S. Supp. 2020, Sections 1682 and 1689), which relate to the Electrical License Act; modifying language; adding definition; authorizing issuance of certain certification; stating qualifications for certification; providing for supervisory authority for student interns; prohibiting student interns on high voltage systems; updating statutory reference; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2011, Section 1682, as amended by Section 1, Chapter 17, O.S.L. 2018 (59 O.S. Supp. 2020, Section 1682), is amended to read as follows:

Section 1682. A. As used in the Electrical License Act:

1. "Board" means the Construction Industries Board;

1        2. "Committee" means the Committee of Electrical Examiners  
2 appointed by the Board;

3        3. "Electrical apprentice" means any person sixteen (16) years  
4 of age or older whose principal occupation is the learning of and  
5 assisting in the installation of electrical work under the direct  
6 supervision of a licensed journeyman electrician or electrical  
7 contractor;

8        4. "Journeyman electrician" means any person other than an  
9 electrical contractor who engages in the actual installation,  
10 alteration, repair or renovation of electrical facilities or  
11 electrical construction work unless specifically exempted by the  
12 provisions of the Electrical License Act;

13        5. "Electrical contractor" means any person skilled in the  
14 planning, superintending and practical installation of electrical  
15 facilities who is familiar with the laws, rules and regulations  
16 governing such work. Electrical contractor also means any  
17 individual, firm, partnership, corporation, limited liability  
18 company, or business performing skills of an electrical contractor  
19 or an electrician or the business of contracting, or furnishing  
20 labor or labor and materials for the installation, repair,  
21 maintenance or renovation of electrical facilities or electrical  
22 construction work according to the provisions of the Electrical  
23 License Act;

1       6. "Electrical facilities" means all wiring, fixtures,  
2 appurtenances, and appliances for, and in connection with, a supply  
3 of electricity within or adjacent to any building, structure or  
4 conveyance on the premises but not including the connection with a  
5 power supply meter or other power supply source;

6       7. "Category" means the classification by which licenses and  
7 electrical work may be limited. Such categories shall include but  
8 shall not be limited to installation, maintenance, repair,  
9 alteration, residential, oilfield, and commercial;

10       8. "Temporary journeyman electrician" means any person other  
11 than a person permanently licensed as a journeyman electrician or  
12 electrical contractor in this state who meets the temporary  
13 licensure requirements of Section 1685.1 of this title;

14       9. "Variance and Appeals Board" means the Oklahoma State  
15 Electrical Installation Code Variance and Appeals Board;

16       10. "Electrical construction work" means installation,  
17 fabrication or assembly of equipment or systems included in  
18 "premises wiring" as defined in the National Electrical Code  
19 (reference 158:40-1-4. Standard of Installation), and which is  
20 hereby adopted and incorporated by reference. Electrical  
21 construction work includes, but is not limited to, installation of  
22 raceway systems used for any electrical purposes, and installation  
23 of field-assembled systems such as ice and snow melting, pipe-  
24 tracing, and manufactured wiring systems. Electrical construction

1 work shall not include in-plant work performed by employees of the  
2 company owning the plant, work performed by telecommunications  
3 employees for telecommunications companies, or installation of  
4 factory-assembled appliances or machinery which is not part of the  
5 premises wiring unless wiring interconnections external to the  
6 equipment are required in the field; ~~and~~

7 11. "Electrical work" means work consisting primarily of the  
8 layout, installation, maintenance, repair, testing or replacement of  
9 all or part of electrical wires, conduits, apparatus, fixtures,  
10 appliances or equipment for transmitting, carrying, controlling or  
11 using electricity in, on, outside or attached to a building,  
12 structure, property or premises. Electrical work shall not mean  
13 work that is related to or facilitates the construction,  
14 installation or maintenance of all or part of an electrical system,  
15 but which does not involve actual work with any of the electrical  
16 components provided in this definition; and

17 12. "Student electrical intern" means any person sixteen (16)  
18 years of age or older who complies with the requirements for  
19 registration under Section 1686 of this title.

20 B. Class 2 and Class 3 circuits shall be exempt from the  
21 requirements of electrical licensing of either an electrical  
22 contractor or a journeyman electrician, provided the work is  
23 performed in accordance with the National Fire Protection  
24 Association 70 requirements for Class 2 and Class 3 circuits.

SECTION 2. AMENDATORY 59 O.S. 2011, Section 1686, is amended to read as follows:

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

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

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

B. The Construction Industries Board shall, upon proper application and payment of fee, register as a student electrical intern and issue a certificate of such registration to any person who furnishes satisfactory proof to the Board that the applicant is:

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

2. Enrolled in high school and enrolled in a work-ready or similar program recognized by the Board.

C. All applications for examination, license or renewal of license shall be made in writing to the Board on forms provided, if necessary, by the Board. All applications shall be accompanied by the appropriate fee.

~~C.~~ D. Apprentices and student electrical interns, when required by the Board, shall provide such documents, statements or other

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

4 SECTION 3. AMENDATORY 59 O.S. 2011, Section 1688, is  
5 amended to read as follows:

6 Section 1688. A. No license shall be issued for longer than  
7 one (1) year, and all licenses shall expire on the last day in the  
8 birth month of the licensee. A license may be renewed upon  
9 application and payment of fees thirty (30) days preceding or  
10 following the date the license is due. Licenses renewed more than  
11 thirty (30) days following the date of expiration may be renewed  
12 only upon application and payment of all required fees and payment  
13 of any penalty for late renewal established by the Board and upon  
14 compliance with any applicable continuing education requirements  
15 established by the Board and ~~this act~~ the Electrical License Act.  
16 No penalty for late renewal shall be charged to any holder of a  
17 license which expires while the holder is in military service, if an  
18 application for renewal is made within one (1) year following the  
19 service discharge of the holder.

20 B. No journeyman or contractor license shall be renewed unless  
21 the licensee has completed the required hours of continuing  
22 education, as determined and approved by the Committee of Electrical  
23 Examiners and approved by the Construction Industries Board.

1 C. An apprentice registration certificate or a student intern  
2 registration certificate shall be issued for one (1) year, at which  
3 time the apprentice may reregister upon meeting the requirements of  
4 the Construction Industries Board and paying the renewal fee.

5 SECTION 4. AMENDATORY 59 O.S. 2011, Section 1689, as  
6 amended by Section 23, Chapter 313, O.S.L. 2015 (59 O.S. Supp. 2020,  
7 Section 1689), is amended to read as follows:

8 Section 1689. A. The Construction Industries Board or its  
9 designee and the Committee of Electrical Examiners shall act as the  
10 Electrical Hearing Board and shall comply with the provisions of  
11 Article II of the Administrative Procedures Act, Section 308a et  
12 seq. of Title 75 of the Oklahoma Statutes.

13 B. Any administrative hearing on suspensions, revocations or  
14 fines shall be conducted by a hearing examiner appointed by the  
15 Board. The hearing examiner's decision shall be a final decision  
16 which may be appealed to a district court in accordance with the  
17 Administrative Procedures Act.

18 C. The Electrical Hearing Board may, upon its own motion, and  
19 shall, upon written complaint filed by any person, investigate the  
20 business transactions of any electrical contractor, journeyman  
21 electrician ~~or~~, electrical apprentice, student electrical intern or  
22 poultry house contractor license. Upon a finding by clear and  
23 convincing evidence, the Board shall suspend or revoke any license  
24 or registration obtained by false or fraudulent representation.

1 Upon a finding by clear and convincing evidence, the Board shall  
2 also suspend or revoke any license or registration for any of the  
3 following:

4 1. Making a material misstatement in the application for a  
5 license or registration, or the renewal of a license or  
6 registration;

7 2. Loaning or illegally using a license;

8 3. Demonstrating incompetence to act as a journeyman  
9 electrician or electrical contractor;

10 4. Violating any provisions of the Electrical License Act, or  
11 any rule or order prescribed by the Board or any ordinance for the  
12 installation of electrical facilities made or enacted by a city or  
13 town by authority of the Electrical License Act;

14 5. Willfully failing to perform normal business obligations  
15 without justifiable cause; or

16 6. Failing to maintain a registration or license as required by  
17 law in another state while registered in this state as a nonresident  
18 contractor.

19 D. Any person whose license or registration has been revoked by  
20 the Electrical Hearing Board may apply for a new license one (1)  
21 year from the date of such revocation.

22 E. Notwithstanding any other provision of law, a political  
23 subdivision of this state that has adopted a nationally recognized  
24 electrical code and appointed an inspector pursuant to the

1 provisions of Section 1693 of this title or pursuant to the  
2 provisions of the Oklahoma Inspectors Act for such work shall have  
3 jurisdiction over the interpretation of the code and the  
4 installation of all electrical work done in that political  
5 subdivision, subject to the provisions of the Oklahoma Inspectors  
6 Act. Provided, a state inspector may work directly with an  
7 electrical contractor, journeyman electrician ~~or~~, electrical  
8 apprentice or student electrical intern in such a locality if a  
9 violation of the code creates an immediate threat to life or health.

10 F. In the case of a complaint about, investigation of, or  
11 inspection of any license, registration, permit or electrical work  
12 in any political subdivision of this state which has not adopted a  
13 nationally recognized electrical code and appointed an inspector  
14 pursuant to the provisions of Section 1693 of this title or pursuant  
15 to the provisions of the Oklahoma Inspectors Act for such work, the  
16 Construction Industries Board shall have jurisdiction over such  
17 matters.

18 G. 1. No individual, business, company, corporation,  
19 association or other entity subject to the provisions of the  
20 Electrical License Act shall install, modify or alter electrical  
21 facilities in any incorporated area of this state which has not  
22 adopted a nationally recognized electrical code and appointed an  
23 inspector pursuant to the provisions of Section 1693 of this title  
24 or pursuant to the provisions of the Oklahoma Inspectors Act for

1 such work without providing notice of such electrical work to the  
2 Construction Industries Board. A notice form for reproduction by an  
3 individual or entity required to make such notice shall be provided  
4 by the Construction Industries Board upon request.

5 2. Notice to the Construction Industries Board pursuant to this  
6 subsection shall not be required for electrical maintenance or  
7 replacement of existing electrical appliances or fixtures or of any  
8 petroleum refinery or its research facilities.

9 3. Enforcement of this subsection is authorized pursuant to the  
10 Electrical License Act, or under authority granted to the  
11 Construction Industries Board.

12 SECTION 5. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 1699 of Title 59, unless there  
14 is created a duplication in numbering, reads as follows:

15 One student electrical intern is allowed to work per physical  
16 job site with direct supervision under a single journeyman or  
17 electrical contractor; provided, however, that no such student  
18 electrical intern shall be counted against the maximum number of  
19 apprentices who are allowed by law or regulation to work under the  
20 supervision of a single journeyman or contractor. A student  
21 electrical intern is not allowed to work on high voltage systems  
22 defined by the National Electrical Code.

SECTION 6. This act shall become effective November 1, 2021.

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