

# An Act

ENROLLED SENATE  
BILL NO. 317

By: Daniels of the Senate

and

Sims, West (Kevin) and  
Randleman of the House

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.

SUBJECT: Electricians

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;

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

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

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

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

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

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

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

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

10. "Electrical construction work" means installation, fabrication or assembly of equipment or systems included in "premises wiring" as defined in the National Electrical Code (reference 158:40-1-4. Standard of Installation), and which is hereby adopted and incorporated by reference. Electrical construction work includes, but is not limited to, installation of raceway systems used for any electrical purposes, and installation of field-assembled systems such as ice and snow melting, pipe-tracing, and manufactured wiring systems. Electrical construction work shall not include in-plant work performed by employees of the company owning the plant, work performed by telecommunications employees for telecommunications companies, or installation of factory-assembled appliances or machinery which is not part of the premises wiring unless wiring interconnections external to the equipment are required in the field; ~~and~~

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

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

B. Class 2 and Class 3 circuits shall be exempt from the requirements of electrical licensing of either an electrical contractor or a journeyman electrician, provided the work is performed in accordance with the National Fire Protection 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 information as may be necessary to submit to a national criminal history record check as defined by Section 150.9 of Title 74 of the Oklahoma Statutes.

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

Section 1688. A. No license shall be issued for longer than one (1) year, and all licenses shall expire on the last day in the birth month of the licensee. A license may be renewed upon

application and payment of fees thirty (30) days preceding or following the date the license is due. Licenses renewed more than thirty (30) days following the date of expiration may be renewed only upon application and payment of all required fees and payment of any penalty for late renewal established by the Board and upon compliance with any applicable continuing education requirements established by the Board and ~~this act~~ the Electrical License Act. No penalty for late renewal shall be charged to any holder of a license which expires while the holder is in military service, if an application for renewal is made within one (1) year following the service discharge of the holder.

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

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

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

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

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

C. The Electrical Hearing Board may, upon its own motion, and shall, upon written complaint filed by any person, investigate the business transactions of any electrical contractor, journeyman electrician ~~or~~, electrical apprentice, student electrical intern or

poultry house contractor license. Upon a finding by clear and convincing evidence, the Board shall suspend or revoke any license or registration obtained by false or fraudulent representation. Upon a finding by clear and convincing evidence, the Board shall also suspend or revoke any license or registration for any of the following:

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

2. Loaning or illegally using a license;

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

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

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

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

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

E. Notwithstanding any other provision of law, a political subdivision of this state that has adopted a nationally recognized electrical code and appointed an inspector pursuant to the provisions of Section 1693 of this title or pursuant to the provisions of the Oklahoma Inspectors Act for such work shall have jurisdiction over the interpretation of the code and the installation of all electrical work done in that political subdivision, subject to the provisions of the Oklahoma Inspectors Act. Provided, a state inspector may work directly with an electrical contractor, journeyman electrician ~~or~~, electrical

apprentice or student electrical intern in such a locality if a violation of the code creates an immediate threat to life or health.

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

G. 1. No individual, business, company, corporation, association or other entity subject to the provisions of the Electrical License Act shall install, modify or alter electrical facilities in any incorporated area of this state which has not adopted a nationally recognized electrical code and appointed an inspector pursuant to the provisions of Section 1693 of this title or pursuant to the provisions of the Oklahoma Inspectors Act for such work without providing notice of such electrical work to the Construction Industries Board. A notice form for reproduction by an individual or entity required to make such notice shall be provided by the Construction Industries Board upon request.

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

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

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

One student electrical intern is allowed to work per physical job site with direct supervision under a single journeyman or electrical contractor; provided, however, that no such student electrical intern shall be counted against the maximum number of apprentices who are allowed by law or regulation to work under the

supervision of a single journeyman or contractor. A student electrical intern is not allowed to work on high voltage systems defined by the National Electrical Code.

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

Passed the Senate the 9th day of March, 2021.

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Presiding Officer of the Senate

Passed the House of Representatives the 15th day of April, 2021.

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Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_