

1 ENGROSSED SENATE
2 BILL NO. 1732

By: Daniels of the Senate

and

Strom of the House

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5
6 An Act relating to professional licensing fees;
7 amending 59 O.S. 2021, Section 858-625, which relates
8 to fees for the Home Inspection Licensing Act;
9 increasing certain fees; amending 59 O.S. 2021,
10 Section 1000.5, which relates to the Construction
11 Industries Board Act; establishing certain fees for
12 license or permit issuance or renewal; amending 59
13 O.S. 2021, Section 1686.1, which relates to poultry
14 house contractor license; conforming language;
15 updating statutory references; updating statutory
16 language; and providing an effective date.

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

18 SECTION 1. AMENDATORY 59 O.S. 2021, Section 858-625, is
19 amended to read as follows:

20 Section 858-625. Fees for the Home Inspection Licensing Act
21 shall not exceed the following:

22 Approval fees for schools, instructors,

23 and home inspection organizations \$100.00

24 Approval fees for educational course

content \$50.00

Application for license \$30.00

Licensure for reciprocity ~~\$50.00~~ \$80.00

1	Examination fee		\$200.00
2	License fee	\$250.00	<u>\$400.00</u>
3	License renewal	\$150.00	<u>\$240.00</u>
4	License reactivation		\$50.00

5 SECTION 2. AMENDATORY 59 O.S. 2021, Section 1000.5, is
6 amended to read as follows:

7 Section 1000.5. A. The Construction Industries Board may
8 establish a system of fees by rule to be charged for the application
9 for licenses, ~~for the issuance and renewal of licenses and permits,~~
10 for administration of examinations, for formal project reviews, and
11 dishonored checks under the Board's authority. This provision is
12 subject to the following limitations:

13 1. No schedule of fees may be established or amended by the
14 Board except during such times as the Legislature is in session;
15 provided, the Board may establish or amend a schedule of fees at a
16 time when the Legislature is not in session if the fees or schedule
17 of fees has been specifically authorized by the Legislature pursuant
18 to paragraph 2 of this subsection. The Board must follow the
19 procedures required by Article I of the Administrative Procedures
20 Act for adoption of rules in establishing or amending any such
21 schedule of fees; ~~and~~

22 2. The Board shall charge fees ~~only within the following ranges~~
23 as follows, except as may be otherwise specified in this section or
24 another provision of law-:

1 For application for license ~~not to exceed~~ \$30.00
2 For administration of license
3 examinations: ~~not to exceed~~ \$200.00
4 ~~For license or permit issuance: not to exceed~~ \$300.00
5 ~~For license or permit renewal: not to exceed~~ \$200.00
6 For formal project review for
7 code conformance: ~~not to exceed~~ \$200.00
8 For permit issuance for the use
9 of alternative materials or
10 methods: ~~not to exceed~~ \$50.00
11 For dishonored checks: ~~not to exceed~~ an amount
12 pursuant to the
13 provisions of Section
14 1121 of Title 47 of the
15 Oklahoma Statutes.

16 3. The Board shall charge fees for a plumbing, electrical, or
17 mechanical license, registration, or endorsement issuance or renewal
18 as follows, except as may otherwise be specified in this section or
19 another provision of law:

20	<u>Initial contractor license</u>	<u>\$480.00</u>
21	<u>Renewal contractor license</u>	<u>\$320.00</u>
22	<u>Renewal contractor license with</u>	
23	<u>late fee</u>	<u>\$420.00</u>
24	<u>Initial journeyman license</u>	<u>\$80.00</u>

1 provided by law. The Board shall establish a system of training for
2 all personnel who render review and inspection services in order to
3 assure uniform ~~statewide~~ application of rules. The Board shall
4 include the reasonable costs associated with such training in the
5 fees provided for in this section.

6 C. The Board may exempt by rule any class of licensee or
7 permittee from the requirements of the fee schedule if the Board
8 determines that the creation of such a schedule for any such class
9 would create an unreasonable economic hardship.

10 D. All fee changes adopted by the Board shall be reviewed and
11 approved as provided in subsection ~~F~~ E of Section 308 of Title 75 of
12 the Oklahoma Statutes.

13 E. Unless otherwise provided, licenses and permits issued by
14 the Construction Industries Board shall be for a one-year period.

15 F. When, at the time of application or renewal of any license
16 or registration, payment is made by check for fees and the check is
17 not paid by the bank on which drawn for any reason, such license or
18 registration issued at that time shall be invalid. In all such
19 cases, the license or registration shall be subject to the license
20 or registration fees and penalties provided in ~~subsection A~~ of this
21 section or another provision of law and treated as though no attempt
22 to apply for or renew a license or registration had been made. The
23 Board may charge and collect from the licensee, registrant, or other
24 obligor of fees or fines, a fee for each return by a bank or other

1 depository institution of a dishonored check, negotiable order of
2 withdrawal, or share draft issued by the licensee, registrant, or
3 other obligor.

4 SECTION 3. AMENDATORY 59 O.S. 2021, Section 1686.1, is
5 amended to read as follows:

6 Section 1686.1. A. The Construction Industries Board is hereby
7 authorized to establish a license category for contractors who
8 solely perform poultry house premise wiring for environmentally
9 controlled poultry house systems, and the insured poultry house
10 wiring to connect the premise wiring, and who do not perform any
11 wiring for a structure or electrical facility that is not directly
12 involved in the operation of the environmentally controlled poultry
13 house wiring system. In addition to other statutory authority, the
14 Construction Industries Board shall have the power to exercise all
15 incidental powers and duties necessary to effectuate the provisions
16 of the poultry house contractor license, conduct investigations
17 involving compliance with the licensing requirements, and enforce
18 the licensing provisions of this section. However, the Construction
19 Industries Board is not authorized to conduct an electrical code
20 inspection of an environmentally controlled poultry house premise
21 wiring system for purposes of compliance with electrical code
22 installation standards established for the Electrical License Act or
23 to issue administrative citations or fines concerning electrical

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1 code installation standards at an environmentally controlled poultry
2 house.

3 1. With a valid poultry house contractor license, no further
4 registration or license is required under ~~this act~~ the Electrical
5 License Act in order to solely perform poultry house wiring for
6 environmentally controlled poultry houses. This license allows
7 contracting only for wiring of environmentally controlled poultry
8 house systems and is not intended to disallow or exclude unlimited
9 electrical contractors from performing poultry house wiring work
10 under an unlimited electrical contractor license without a poultry
11 house contractor license.

12 2. Experience under the poultry house contractor license shall
13 not be considered qualifying electrical experience for purposes of
14 experience requirements for application of any other electrical
15 license category pursuant to the Electrical License Act.

16 3. The Board may rely upon proof of a valid construction
17 license or registration issued by another state to expedite the
18 processing of the required information for a poultry house
19 contractor license~~r,~~ provided~~r~~ the insurance and workers'
20 compensation requirements demonstrate compliance with the required
21 coverage for work performed in this state.

22 4. All licenses shall be nontransferable, and it shall be a
23 misdemeanor for any business entity holding a poultry house
24 contractor license under the provisions of the Electrical License

1 Act to loan or allow the use of such license by any other person,
2 firm, or corporation, except as specifically provided in the
3 Electrical License Act or to engage in poultry house contractor
4 license work without a valid license pursuant to ~~this act~~ the
5 Electrical License Act.

6 B. A nonrefundable fee in the amount of ~~Three Hundred Dollars~~
7 ~~(\$300.00)~~ set forth in Section 1000.5 of this title for the annual
8 poultry house contractor license shall be paid at the time of
9 license application to the Construction Industries Board. The
10 annual license shall expire one (1) year from the date of issuance.
11 A poultry house contractor license shall be issued for one (1) year,
12 at which time it may be renewed upon meeting the requirements of
13 this section, making application, and paying the nonrefundable
14 license renewal fee in the amount of ~~Two Hundred Dollars (\$200.00)~~
15 set forth in Section 1000.5 of this title.

16 C. The Construction Industries Board shall, upon proper
17 application and payment of fee, license and issue a certificate of
18 poultry house contractor license to any person who furnishes
19 satisfactory proof to the Board that the applicant:

- 20 1. Is eighteen (18) years of age or over;
- 21 2. Is the party performing, overseeing, or otherwise
22 responsible for the poultry house contractor work performed and who
23 meets all requirements of ~~this act~~ the Electrical License Act and
24 resulting rules required to obtain such license; and

1 3. Has provided all necessary information and documentation
2 required under ~~this act~~ the Electrical License Act, the resulting
3 rules, and as requested by the Board.

4 D. The Construction Industries Board shall require the
5 following for a poultry house contractor license:

6 1. The applicant's full legal name, physical address, mailing
7 address, business name, telephone number of business and applicant,
8 address and place of incorporation, if any, and address of legal
9 registered service agent in this state;

10 2. Proof of lawful presence in the United States for the
11 applicant and all employees and laborers working under the applicant
12 in this state who will be involved in wiring ~~a poultry house~~ for
13 environmentally controlled poultry houses;

14 3. A listing of the names and social security numbers of all
15 employees and laborers working in this state who will be involved in
16 wiring ~~a poultry house~~ for environmentally controlled poultry
17 houses. The social security number information shall remain with
18 the Board as confidential and privileged except for necessary
19 disclosures to state agencies to verify compliance with requirements
20 of ~~this act~~ the Electrical License Act or upon request by law
21 enforcement;

22 4. The business entity's federal tax ID number or the
23 employer's or owner's social security number. ~~The~~ and the
24 employer's account number assigned by the Oklahoma Employment

1 Security Commission. The social security number information shall
2 remain with the Board as confidential and privileged except for
3 necessary disclosures to state agencies to verify compliance with
4 requirements of ~~this act~~ the Electrical License Act or upon request
5 by law enforcement;

6 5. A letter of good standing from the Secretary of State in the
7 state the contractor is domiciled and other documentation of valid
8 license or registration from the domicile state licensing or
9 registration board, commission, or agency;

10 6. Disclosure of resident or nonresident contractor status, and
11 state of residence and domicile;

12 7. A copy of the applicant's certificate of liability insurance
13 ~~shall~~ to be filed with the application and ~~shall be~~ in an amount not
14 less than Five Hundred Thousand Dollars (\$500,000.00). Any
15 insurance company issuing a liability policy to an applicant
16 pursuant to the provisions of the poultry house contractor license
17 under ~~this act~~ the Electrical License Act shall be required to
18 notify the Construction Industries Board in the event such liability
19 policy is ~~cancelled~~ canceled for any reason or lapses for nonpayment
20 of premiums. All licenses granted under ~~this act~~ the Electrical
21 License Act shall be suspended on the date of the policy
22 cancellation. The Board must receive proof of insurance prior to
23 reinstating the license;

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1 8. ~~The applicant shall submit proof~~ Proof of satisfactory
2 workers' compensation coverage under the Administrative Workers'
3 Compensation Act or an affidavit of exemption or self-insurance as
4 authorized pursuant to the Administrative Workers' Compensation Act;

5 9. Disclosure of any felony convictions; and

6 10. ~~Applicants for poultry house contractor license shall~~
7 ~~provide such additional~~ Additional documents, statements, or other
8 information as may be deemed appropriate or necessary and required
9 by the Board.

10 E. The Construction Industries Board shall refuse to license
11 any person if the Board determines:

12 1. The application contains false, misleading, or incomplete
13 information;

14 2. The applicant or any member of the business entity fails or
15 refuses to provide any information requested by the Board;

16 3. The applicant fails or refuses to pay the required fees;

17 4. The applicant or owner or officer or managing member of the
18 legal entity is ineligible for license due to a suspended or revoked
19 license or registration in this state;

20 5. The nonresident applicant has a revoked or suspended
21 registration or license required by law for contractors in another
22 state; or

23 6. The applicant or legal entity has failed or refuses to
24 submit any taxes due in this state.

1 F. The Board shall suspend the poultry house contractor license
2 when the licensee fails to:

- 3 1. Maintain liability insurance coverage;
- 4 2. Maintain satisfactory workers' compensation coverage under
5 the Administrative Workers' Compensation Act or provide an affidavit
6 of exemption or self-insurance as authorized pursuant to the
7 Administrative Workers' Compensation Act;
- 8 3. Comply with provisions of the Electrical License Act or any
9 rule or order issued pursuant thereto;
- 10 4. Perform normal business obligations without justifiable
11 cause;
- 12 5. Notify the Board of a change in name, address, legal
13 business entity, legal service agent, adverse finding by a licensing
14 entity in this state or another state or adjudication by a court of
15 competent jurisdiction for any act or omission that is a violation
16 of the Electrical License Act;
- 17 6. Maintain a registration or license as required by law in
18 another state while licensed in this state as a nonresident
19 contractor; or
- 20 7. File and pay all taxes of the contractor or legal entity
21 when due in this state.

22 SECTION 4. This act shall become effective July 1, 2028.

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