

**PUBLIC ACTS, 1999**

**CHAPTER NO. 238**

**SENATE BILL NO. 306**

**By Atchley**

Substituted for: House Bill No. 275

By Curtiss, Phelan, Gunnels, Head, Mumpower, Godsey, McDaniel, Sargent, Bittle, Kisber,  
Bowers, Kent, Walker

AN ACT To amend Tennessee Code Annotated, Title 62, Chapter 6, Part 1, relative to residential and light commercial electrical contractors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-6-102, is amended in subdivision (2) by adding the word and figures "or subdivision (6)" after the word and figures "subdivision (3)(A)".

SECTION 2. Tennessee Code Annotated, Section 62-6-102, is further amended by inserting a new subdivision (6) to read as follows:

(6) "Limited licensed electrician" means any person or entity who performs any electrical work that has a total cost of less than twenty-five thousand dollars (\$25,000) and who is required to be registered under the provisions of Section 68-102-150.

SECTION 3. Tennessee Code Annotated, Title 62, Chapter 6, Part 1, is amended by adding a new section thereto, as follows:

Section \_\_\_\_\_. Nothing in this chapter shall be construed to provide that a limited licensed electrician is a contractor. It is the intent of this chapter to provide that a limited licensed electrician is subject to the jurisdiction of the board solely for the purposes of licensure and disciplinary proceedings. No limited licensed electrician shall be authorized to use the appellation "contractor" or any other designation that gives or is designed to give the impression that a limited licensed electrician is a contractor.

SECTION 4. Tennessee Code Annotated, Section 62-6-111(a)(1), is amended in the first sentence by adding after the words and figures "twenty-five thousand dollars (\$25,000)" the words "or in the case of a limited licensed electrician where the amount of such applicant's contract is less than twenty-five thousand dollars (\$25,000)".

SECTION 5. Tennessee Code Annotated, Section 62-6-111(d), is amended in the second sentence by adding after the words and figures "twenty-five thousand dollars (\$25,000)" the words "or in the case of a limited licensed electrician where the amount of work is less than twenty-five thousand dollars (\$25,000)".

SECTION 6. Tennessee Code Annotated, Section 62-6-120(b), is amended in the first sentence by adding after the words and punctuation "and sufficient monetary limitations," the

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words and punctuation “or in the case of a limited licensed electrician where the amount is less than twenty-five thousand dollars (\$25,000),”.

SECTION 7. Tennessee Code Annotated, Section 62-6-111, is amended by adding the following new subsections:

( ) (1) Notwithstanding any provision of the law to the contrary, the board may issue a license as a limited licensed electrician to any individual without an examination as required by this chapter, except as provided in subdivision (3) of this subsection, if such individual makes an application to the board in which the following information is provided:

(A) On the effective date of this act, the applicant was registered in accordance with the provisions of Tennessee Code Annotated, Section 68-102-150; and

(B) Evidence that all fees and taxes relative to the operation of such applicant's electrical work have been paid to the appropriate agencies when such application is filed under this subsection; or

(C) A current license or certificate issued by any county or municipality of this state prior to the effective date of this act that is evidence that such applicant had by examination by an official of such county or municipality demonstrated the qualifications required to perform such electrical contract work within its jurisdiction and was actively engaged in such business on the effective date of this act.

(2) Applications for a license under the provision of this subsection shall be filed with the board within twelve (12) months of the effective date of this act. If a license issued to a limited licensed electrician pursuant to the provisions of this subsection is not periodically renewed as provided by this chapter, then such limited licensed electrician shall be eligible for a license only after the satisfactory completion of the examination required by the board.

(3) Any individual who is licensed as a limited licensed electrician under the provisions of subdivisions (A), (B) and (C) of this subsection shall be required to have satisfactorily completed the examination of the board to engage in business as a limited licensed electrician in any county or municipality that is within the provisions of subdivision (D) of this subsection.

(4) Any person who performs electrical work and who is subject to licensure as a limited licensed electrician shall apply to the board for a license. To receive a license the applicant shall be registered pursuant to §68-102-150, shall pay a fee as set by the board for such license and shall pass an examination prescribed by the board. The board may administer such examination or may contract for the administration of such examination.

(5) Notwithstanding any provision of this act to the contrary, a license as a limited licensed electrician shall not be required in any municipality or county that

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issues licenses to persons who perform electrical work in such municipality or county.

(6) Any limited licensed electrician requesting an electrical inspection must first have a registration card from the State Fire Marshal as required by §68-102-150 and a license from the Board for Licensing Contractors as required by §62-6-103.

(7) Any person requesting an inspection on temporary service must have a registration card as required by §68-102-150.

(8) Any person with knowledge of faulty electrical work performed by a limited licensed electrician must report such electrician to the State Board for Licensing Contractors and the State Fire Marshal, either of whom may initiate proceedings against the electrician for such faulty work.

(9) The State Fire Marshal shall have the authority to revoke the registration card and the Board for Licensing Contractors shall have the authority to revoke the license of a limited licensed electrician for faulty electrical work performed by such electrician.

(10) The provisions of the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, govern all matters and procedures respecting the hearing and judicial review of any contested case, as defined therein, arising under this section.

(11) The State Fire Marshal and Board for Licensing Contractors shall formulate a system for inspectors to report any problems they may encounter with the workmanship of a limited license electrician.

SECTION 8. The exemption provisions of subsections (a)(2) and (a)(3) of Tennessee Code Annotated, Section 62-6-103, on licensure shall apply to limited licensed electricians.

SECTION 9. Tennessee Code Annotated, Title 62, Chapter 6, Part 1, is amended by adding a new section thereto, as follows:

(a) No person shall be required to post a bond, provide a financial statement or a letter of reference in order to obtain a license as a limited licensed electrician.

(b) All limited license electrician licenses shall expire biennially on the month of their issuance.

(c) The board shall prescribe fees for the issuance and renewal of licenses of limited licensed electricians. Such fees shall be in an amount that provides for the cost of administering the licensing and regulation of limited licensed electricians. Fees shall be adjusted as necessary to provide that the licensing of limited licensed electricians is fiscally self-sufficient and that revenues from fees do not exceed necessary and required expenditures.

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SECTION 10. The State Fire Marshal is hereby directed to notify by mail and by other means deemed to be reasonable all persons who are registered pursuant to Section 68-102-150 on July 1, 1999. Such notification shall include the requirements of this act pertaining to limited licensed electricians and the means for obtaining a license as a limited licensed electrician. Such notification shall also include a telephone number which persons needing additional information can call.

SECTION 11. The board shall issue limited licensed electrician licenses beginning September 1, 1999. No person subject to the provisions of this act shall be required to have a limited licensed electrician license until January 1, 2000.

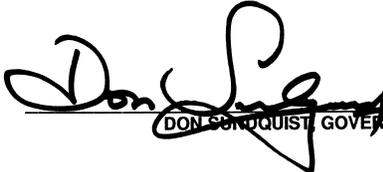
SECTION 12. For the purposes of promulgating rules and regulations pursuant to Title 4, Chapter 5, this act shall take effect upon becoming a law, the public welfare requiring it. For the purpose of issuing licenses, this act shall take effect September 1, 1999, the public welfare requiring it. For all other purposes this act shall take effect January 1, 2000, the public welfare requiring it.

**PASSED: May 20, 1999**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 27th day of May 1999**

  
DON SUNDQUIST, GOVERNOR