

HOUSE BILL No. 1281

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-28.5-1.

Synopsis: Plumbing education and apprenticeships. Modifies the apprentice plumber supervision requirement. Modifies the requirements that an applicant must meet to qualify for a journeyman plumber examination or a plumbing contractor license examination.

Effective: July 1, 2002.

Burton

January 14, 2002, read first time and referred to Committee on Rules and Legislative Procedures.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

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HOUSE BILL No. 1281



A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-28.5-1-2 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 2. As used in this
 3 chapter:
 4 (1) "Plumbing" means the practice of and the materials and fixtures
 5 used in the installation, maintenance, extension, and alteration of all
 6 piping, fixtures, appliances, and appurtenances in connection with any
 7 of the following:
 8 (A) Sanitary drainage or storm drainage facilities, the venting
 9 system, and the public or private water supply systems, within or
 10 adjacent to any building or structure.
 11 (B) The practice and materials used in the installation,
 12 maintenance, extension, or alteration of the stormwater, liquid
 13 waste, or sewerage, and water supply systems of any premises to
 14 the private property line or to their connection with any point of
 15 public disposal or other acceptable terminal.
 16 The term does not include the planning, designing, and installation of
 17 sanitation and water systems in vehicles commonly known as mobile



1 homes, the drilling of wells, the installation of pumps, pressure tanks,
2 and piping incidental to the drilling or repair of a well system, the sale
3 or installation of water softening equipment and apparatuses and
4 services of the same, or the business of manufacturing or selling
5 plumbing fixtures; appliances, equipment, or hardware; the installation
6 of automatic sprinklers, the overhead or underground water supplies or
7 standpipes when connected to an automatic sprinkler system or to their
8 related devices or appurtenances connecting thereto; nor does the term
9 include the work referred to in section 32(i) of this chapter; nor does
10 the term include the planning or design of water supply or sewage
11 systems which would ordinarily be performed as "the practice of
12 engineering", as defined in IC 25-31-1, or the "practice of architecture",
13 as defined in IC 25-4-1.

14 (2) "Plumbing contractor" means any person who, for compensation,
15 undertakes to, or submits a bid to, or does himself or by others,
16 construct, repair, alter, remodel, add to, subtract from, or improve
17 plumbing and who is responsible for substantially all the plumbing
18 within the entire project, or one who fabricates units or plumbing
19 substantially completed and ready for installation.

20 (3) "Journeyman plumber" means a person who engages or offers to
21 engage in, as an occupation or trade, the construction, installation,
22 alteration, maintenance, repair, remodeling, or removal and
23 replacement of plumbing under the supervision, direction, and
24 responsibility of a licensed plumbing contractor.

25 (4) "Maintenance man" means a person who is employed on a
26 permanent basis to keep the premises of a business establishment in
27 good repair.

28 (5) "Contracting" means, except as exempted in this chapter,
29 engaging in a business as a contractor.

30 (6) "Person" means a natural person, except in the case of a
31 plumbing contractor, in which case it may mean the partners or
32 members of a partnership, limited partnership, or any form of
33 unincorporated enterprise, owned by two (2) or more persons, and as
34 applied to "corporation" in addition to the corporate entity means the
35 officers or directors and employees thereof.

36 (7) "Commission" means the Indiana plumbing commission created
37 by this chapter.

38 (8) "License" means a certificate issued by the commission
39 established by this chapter which confers upon the holder the privilege
40 to act as a plumbing contractor or a journeyman plumber as defined in
41 this chapter.

42 (9) "Farmstead" means a farm dwelling together with other

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1 buildings, structures, equipment, piping, and other plumbing materials
 2 and supplies, located upon a parcel of real estate used primarily for
 3 agricultural purposes located outside the corporate limits of a
 4 municipality and not connected to a public water supply.

5 (10) "Licensing agency" means the Indiana professional licensing
 6 agency established under IC 25-1-6.

7 (11) "Apprentice plumber" means an individual who:

8 (A) is learning the plumbing trade; and

9 (B) is under the direction ~~and immediate supervision~~ of:

10 (i) a licensed plumbing contractor; or

11 (ii) a licensed journeyman plumber;

12 **who inspects and approves the apprentice plumber's work.**

13 (12) "Registration" means the granting of a certificate by the
 14 commission that authorizes an individual to act as an apprentice
 15 plumber.

16 SECTION 2. IC 25-28.5-1-12 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 12. (a) Except as
 18 otherwise provided in this chapter, any natural person over the age of
 19 eighteen (18) years who resides in Indiana and any corporation which
 20 satisfies the further requirements of this chapter may be licensed by the
 21 commission as a plumbing contractor. Except as otherwise provided by
 22 this chapter, any natural person over the age of eighteen (18) years may
 23 be licensed by the commission as journeyman plumber.

24 (b) Any person who desires to be licensed as a plumbing contractor
 25 or journeyman plumber is eligible for such a license upon the
 26 successful taking of the examination provided in section 15 of this
 27 chapter.

28 (c) To qualify for a journeyman plumber examination under
 29 subsection (b), an applicant who is an Indiana resident:

30 (1) must:

31 (A) provide evidence that the applicant has completed at least
 32 four (4) years in an apprenticeship program approved by the
 33 commission; or

34 (B) present to the commission a notarized statement providing
 35 evidence that the applicant has at least four (4) years of
 36 experience in the plumbing trade; **and**

37 **(2) if completion of a plumbing education program is required**
 38 **by the commission, must satisfy the requirements of:**

39 (A) **a plumbing education program approved by the**
 40 **Bureau of Apprenticeship and Training of the United**
 41 **States Department of Labor; or**

42 (B) **a home study plumbing education program approved**

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- 1 **by the commission.**
- 2 (d) To qualify for a plumbing contractor license examination under
- 3 subsection (b), an applicant who is an Indiana resident:
- 4 (1) must:
- 5 (A) provide evidence that the applicant has completed at least
- 6 four (4) years in an apprenticeship program approved by the
- 7 commission; or
- 8 (B) present to the commission a notarized statement providing
- 9 evidence that the applicant has at least four (4) years of
- 10 experience in the plumbing trade or has worked in a plumbing
- 11 business under the direction of a licensed plumbing contractor
- 12 for at least four (4) years; **and**
- 13 (2) **if completion of a plumbing education program is required**
- 14 **by the commission, must satisfy the requirements of:**
- 15 (A) **a plumbing education program approved by the**
- 16 **Bureau of Apprenticeship and Training of the United**
- 17 **States Department of Labor; or**
- 18 (B) **a home study plumbing education program approved**
- 19 **by the commission.**
- 20 (†) (e) An applicant who is not an Indiana resident may qualify to
- 21 take an examination under subsection (b) in the following manner:
- 22 (1) If the applicant holds a license in a state that does not have a
- 23 reciprocity agreement with Indiana, the applicant must present the
- 24 license to the commission to be eligible to take the examination.
- 25 (2) If the applicant resides in a state that does not have licensing
- 26 requirements, the applicant before taking the examination must
- 27 meet the appropriate requirements of subsection (b).
- 28 (‡) (f) If the applicant holds a license in a state that has a reciprocity
- 29 agreement with Indiana, the appropriate license shall be issued
- 30 automatically.
- 31 SECTION 3. IC 25-28.5-1-18.1 IS AMENDED TO READ AS
- 32 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 18.1. (a) An individual
- 33 age seventeen (17) years or older wanting to be registered by the
- 34 commission as an apprentice plumber shall, on a form provided by the
- 35 commission, make application for registration. The applicant shall also
- 36 provide to the commission a statement signed by a licensed plumbing
- 37 contractor or journeyman plumber who is the employer of the applicant
- 38 that the prospective apprentice is the employer's employee and will
- 39 work under the ~~direct and immediate personal supervision~~ **direction** of
- 40 a licensed contractor or journeyman plumber **who will inspect and**
- 41 **approve the individual's work.**
- 42 (b) If the commission approves the application for registration, it

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1 shall issue a certificate of registration as an apprentice plumber to the
2 applicant.

3 **(c) An individual may not be registered as an apprentice**
4 **plumber for more than one (1) year unless the individual enrolls in**
5 **a journeyman training program approved by the commission.**

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