

SENATE BILL No. 334

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-1; IC 25-14.6; IC 35-51-25-1.

Synopsis: Licensing of electricians. Establishes the electrician licensing board. Establishes licensing requirements for electricians.

Effective: July 1, 2013.

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January 8, 2013, read first time and referred to Committee on Commerce, Economic Development & Technology.

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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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SENATE BILL No. 334



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 25-1-2-2.1, AS AMENDED BY P.L.84-2010,
- 2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2013]: Sec. 2.1. Rather than being issued annually, the
- 4 following permits, licenses, certificates of registration, or evidences of
- 5 authority granted by a state agency must be issued for a period of two
- 6 (2) years or for the period specified in the article under which the
- 7 permit, license, certificate of registration, or evidence of authority is
- 8 issued if the period specified in the article is longer than two (2) years:
- 9 (1) Certified public accountants, public accountants, and
- 10 accounting practitioners.
- 11 (2) Architects and landscape architects.
- 12 (3) Dry cleaners.
- 13 (4) Professional engineers.
- 14 (5) Land surveyors.
- 15 (6) Real estate brokers.
- 16 (7) Real estate agents.
- 17 (8) Security dealers' licenses issued by the securities



- 1 commissioner.
 2 (9) Dental hygienists.
 3 (10) Dentists.
 4 (11) Veterinarians.
 5 (12) Physicians.
 6 (13) Chiropractors.
 7 (14) Physical therapists.
 8 (15) Optometrists.
 9 (16) Pharmacists and assistants, drugstores or pharmacies.
 10 (17) Motels and mobile home community licenses.
 11 (18) Nurses.
 12 (19) Podiatrists.
 13 (20) Occupational therapists and occupational therapy assistants.
 14 (21) Respiratory care practitioners.
 15 (22) Social workers, marriage and family therapists, and mental
 16 health counselors.
 17 (23) Real estate appraiser licenses and certificates issued by the
 18 real estate appraiser licensure and certification board.
 19 (24) Wholesale legend drug distributors.
 20 (25) Physician assistants.
 21 (26) Dietitians.
 22 (27) Athlete agents.
 23 (28) Manufactured home installers.
 24 (29) Home inspectors.
 25 (30) Massage therapists.
 26 (31) Interior designers.
 27 (32) Genetic counselors.
 28 **(33) Electricians.**

29 SECTION 2. IC 25-1-2-6, AS AMENDED BY P.L.197-2011,
 30 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2013]: Sec. 6. (a) As used in this section, "license" includes
 32 all occupational and professional licenses, registrations, permits, and
 33 certificates issued under the Indiana Code, and "licensee" includes all
 34 occupational and professional licensees, registrants, permittees, and
 35 certificate holders regulated under the Indiana Code.

36 (b) This section applies to the following entities that regulate
 37 occupations or professions under the Indiana Code:

- 38 (1) Indiana board of accountancy.
 39 (2) Indiana grain buyers and warehouse licensing agency.
 40 (3) Indiana auctioneer commission.
 41 (4) Board of registration for architects and landscape architects.
 42 (5) State board of cosmetology and barber examiners.



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- 1 (6) Medical licensing board of Indiana.
 2 (7) Secretary of state.
 3 (8) State board of dentistry.
 4 (9) State board of funeral and cemetery service.
 5 (10) Worker's compensation board of Indiana.
 6 (11) Indiana state board of health facility administrators.
 7 (12) Committee of hearing aid dealer examiners.
 8 (13) Indiana state board of nursing.
 9 (14) Indiana optometry board.
 10 (15) Indiana board of pharmacy.
 11 (16) Indiana plumbing commission.
 12 (17) Board of podiatric medicine.
 13 (18) Private investigator and security guard licensing board.
 14 (19) State board of registration for professional engineers.
 15 (20) State psychology board.
 16 (21) Indiana real estate commission.
 17 (22) Speech-language pathology and audiology board.
 18 (23) Department of natural resources.
 19 (24) Board of chiropractic examiners.
 20 (25) Mining board.
 21 (26) Indiana board of veterinary medical examiners.
 22 (27) State department of health.
 23 (28) Indiana physical therapy committee.
 24 (29) Respiratory care committee.
 25 (30) Occupational therapy committee.
 26 (31) Behavioral health and human services licensing board.
 27 (32) Real estate appraiser licensure and certification board.
 28 (33) State board of registration for land surveyors.
 29 (34) Physician assistant committee.
 30 (35) Indiana dietitians certification board.
 31 (36) Attorney general (only for the regulation of athlete agents).
 32 (37) Manufactured home installer licensing board.
 33 (38) Home inspectors licensing board.
 34 (39) State board of massage therapy.
 35 **(40) Electrician licensing board.**
 36 ~~(40)~~ **(41)** Any other occupational or professional agency created
 37 after June 30, 1981.
 38 (c) Notwithstanding any other law, the entities included in
 39 subsection (b) shall send a notice of the upcoming expiration of a
 40 license to each licensee at least sixty (60) days prior to the expiration
 41 of the license. The notice must inform the licensee of the need to renew
 42 and the requirement of payment of the renewal fee. If this notice of

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1 expiration is not sent by the entity, the licensee is not subject to a
 2 sanction for failure to renew if, once notice is received from the entity,
 3 the license is renewed within forty-five (45) days of the receipt of the
 4 notice.

5 (d) Notwithstanding any other law, the entities included in
 6 subsection (b) shall send notice of the expiration of a license to each
 7 individual whose license has expired within thirty (30) days following
 8 the expiration of the license. The notice must meet the following
 9 requirements:

10 (1) Inform the individual of the following:

11 (A) That the individual's license has expired.

12 (B) Any requirements that must be met before reinstatement
 13 of a license may occur.

14 (2) Be sent electronically. However, if the entity does not have an
 15 electronic mail address on record for the individual, the notice
 16 must be sent via United States mail.

17 SECTION 3. IC 25-1-6-3, AS AMENDED BY P.L.42-2011,
 18 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2013]: Sec. 3. (a) The licensing agency shall perform all
 20 administrative functions, duties, and responsibilities assigned by law
 21 or rule to the executive director, secretary, or other statutory
 22 administrator of the following:

23 (1) Indiana board of accountancy (IC 25-2.1-2-1).

24 (2) Board of registration for architects and landscape architects
 25 (IC 25-4-1-2).

26 (3) Indiana auctioneer commission (IC 25-6.1-2-1).

27 (4) State board of cosmetology and barber examiners
 28 (IC 25-8-3-1).

29 (5) State board of funeral and cemetery service (IC 25-15-9).

30 (6) State board of registration for professional engineers
 31 (IC 25-31-1-3).

32 (7) Indiana plumbing commission (IC 25-28.5-1-3).

33 (8) Indiana real estate commission (IC 25-34.1).

34 (9) Real estate appraiser licensure and certification board
 35 (IC 25-34.1-8-1).

36 (10) Private investigator and security guard licensing board
 37 (IC 25-30-1-5.2).

38 (11) State board of registration for land surveyors
 39 (IC 25-21.5-2-1).

40 (12) Manufactured home installer licensing board (IC 25-23.7).

41 (13) Home inspectors licensing board (IC 25-20.2-3-1).

42 (14) State board of massage therapy (IC 25-21.8-2-1).

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- 1 **(15) Electrician licensing board (IC 25-14.6-2).**
 2 (b) Nothing in this chapter may be construed to give the licensing
 3 agency policy making authority, which remains with each board.
 4 SECTION 4. IC 25-1-7-1, AS AMENDED BY P.L.42-2011,
 5 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2013]: Sec. 1. As used in this chapter:
 7 "Board" means the appropriate agency listed in the definition of
 8 regulated occupation in this section.
 9 "Director" refers to the director of the division of consumer
 10 protection.
 11 "Division" refers to the division of consumer protection, office of
 12 the attorney general.
 13 "Licensee" means a person who is:
 14 (1) licensed, certified, or registered by a board listed in this
 15 section; and
 16 (2) the subject of a complaint filed with the division.
 17 "Person" means an individual, a partnership, a limited liability
 18 company, or a corporation.
 19 "Regulated occupation" means an occupation in which a person is
 20 licensed, certified, or registered by one (1) of the following:
 21 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 22 (2) Board of registration for architects and landscape architects
 23 (IC 25-4-1-2).
 24 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
 25 (4) Board of chiropractic examiners (IC 25-10-1).
 26 (5) State board of cosmetology and barber examiners
 27 (IC 25-8-3-1).
 28 (6) State board of dentistry (IC 25-14-1).
 29 (7) State board of funeral and cemetery service (IC 25-15-9).
 30 (8) State board of registration for professional engineers
 31 (IC 25-31-1-3).
 32 (9) Indiana state board of health facility administrators
 33 (IC 25-19-1).
 34 (10) Medical licensing board of Indiana (IC 25-22.5-2).
 35 (11) Indiana state board of nursing (IC 25-23-1).
 36 (12) Indiana optometry board (IC 25-24).
 37 (13) Indiana board of pharmacy (IC 25-26).
 38 (14) Indiana plumbing commission (IC 25-28.5-1-3).
 39 (15) Board of podiatric medicine (IC 25-29-2-1).
 40 (16) State psychology board (IC 25-33).
 41 (17) Speech-language pathology and audiology board
 42 (IC 25-35.6-2).

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- 1 (18) Indiana real estate commission (IC 25-34.1-2).
 2 (19) Indiana board of veterinary medical examiners (IC 25-38.1).
 3 (20) Department of natural resources for purposes of licensing
 4 water well drillers under IC 25-39-3.
 5 (21) Respiratory care committee (IC 25-34.5).
 6 (22) Private investigator and security guard licensing board
 7 (IC 25-30-1-5.2).
 8 (23) Occupational therapy committee (IC 25-23.5).
 9 (24) Behavioral health and human services licensing board
 10 (IC 25-23.6).
 11 (25) Real estate appraiser licensure and certification board
 12 (IC 25-34.1-8).
 13 (26) State board of registration for land surveyors
 14 (IC 25-21.5-2-1).
 15 (27) Physician assistant committee (IC 25-27.5).
 16 (28) Indiana athletic trainers board (IC 25-5.1-2-1).
 17 (29) Indiana dietitians certification board (IC 25-14.5-2-1).
 18 (30) Indiana physical therapy committee (IC 25-27).
 19 (31) Manufactured home installer licensing board (IC 25-23.7).
 20 (32) Home inspectors licensing board (IC 25-20.2-3-1).
 21 (33) State department of health, for out-of-state mobile health
 22 care entities.
 23 (34) State board of massage therapy (IC 25-21.8-2-1).
 24 (35) **Electrician licensing board (IC 25-14.6-2).**
 25 ~~(35)~~ **(36)** Any other occupational or professional agency created
 26 after June 30, 1981.
 27 SECTION 5. IC 25-1-8-1, AS AMENDED BY P.L.42-2011,
 28 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2013]: Sec. 1. As used in this chapter, "board" means any of
 30 the following:
 31 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 32 (2) Board of registration for architects and landscape architects
 33 (IC 25-4-1-2).
 34 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
 35 (4) Board of chiropractic examiners (IC 25-10-1).
 36 (5) State board of cosmetology and barber examiners
 37 (IC 25-8-3-1).
 38 (6) State board of dentistry (IC 25-14-1).
 39 (7) State board of funeral and cemetery service (IC 25-15).
 40 (8) State board of registration for professional engineers
 41 (IC 25-31-1-3).
 42 (9) Indiana state board of health facility administrators

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- 1 (IC 25-19-1).
 2 (10) Medical licensing board of Indiana (IC 25-22.5-2).
 3 (11) Mining board (IC 22-10-1.5-2).
 4 (12) Indiana state board of nursing (IC 25-23-1).
 5 (13) Indiana optometry board (IC 25-24).
 6 (14) Indiana board of pharmacy (IC 25-26).
 7 (15) Indiana plumbing commission (IC 25-28.5-1-3).
 8 (16) State psychology board (IC 25-33).
 9 (17) Speech-language pathology and audiology board
 10 (IC 25-35.6-2).
 11 (18) Indiana real estate commission (IC 25-34.1-2-1).
 12 (19) Indiana board of veterinary medical examiners
 13 (IC 25-38.1-2-1).
 14 (20) Department of insurance (IC 27-1).
 15 (21) State police department (IC 10-11-2-4), for purposes of
 16 certifying polygraph examiners under IC 25-30-2.
 17 (22) Department of natural resources for purposes of licensing
 18 water well drillers under IC 25-39-3.
 19 (23) Private investigator and security guard licensing board
 20 (IC 25-30-1-5.2).
 21 (24) Occupational therapy committee (IC 25-23.5-2-1).
 22 (25) Behavioral health and human services licensing board
 23 (IC 25-23.6-2-1).
 24 (26) Real estate appraiser licensure and certification board
 25 (IC 25-34.1-8).
 26 (27) State board of registration for land surveyors
 27 (IC 25-21.5-2-1).
 28 (28) Physician assistant committee (IC 25-27.5).
 29 (29) Indiana athletic trainers board (IC 25-5.1-2-1).
 30 (30) Board of podiatric medicine (IC 25-29-2-1).
 31 (31) Indiana dietitians certification board (IC 25-14.5-2-1).
 32 (32) Indiana physical therapy committee (IC 25-27).
 33 (33) Manufactured home installer licensing board (IC 25-23.7).
 34 (34) Home inspectors licensing board (IC 25-20.2-3-1).
 35 (35) State board of massage therapy (IC 25-21.8-2-1).
 36 **(36) Electrician licensing board (IC 25-14.6-2).**
 37 ~~(36)~~ **(37)** Any other occupational or professional agency created
 38 after June 30, 1981.

39 SECTION 6. IC 25-1-11-1, AS AMENDED BY P.L.42-2011,
 40 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2013]: Sec. 1. As used in this chapter, "board" means any of
 42 the following:



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- 1 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 2 (2) Board of registration for architects and landscape architects
- 3 (IC 25-4-1-2).
- 4 (3) Indiana auctioneer commission (IC 25-6.1-2).
- 5 (4) State board of cosmetology and barber examiners
- 6 (IC 25-8-3-1).
- 7 (5) State board of registration for land surveyors (IC 25-21.5-2-1).
- 8 (6) State board of funeral and cemetery service (IC 25-15-9).
- 9 (7) State board of registration for professional engineers
- 10 (IC 25-31-1-3).
- 11 (8) Indiana plumbing commission (IC 25-28.5-1-3).
- 12 (9) Indiana real estate commission (IC 25-34.1-2-1).
- 13 (10) Real estate appraiser licensure and certification board
- 14 (IC 25-34.1-8).
- 15 (11) Private investigator and security guard licensing board
- 16 (IC 25-30-1-5.2).
- 17 (12) Manufactured home installer licensing board (IC 25-23.7).
- 18 (13) Home inspectors licensing board (IC 25-20.2-3-1).
- 19 (14) State board of massage therapy (IC 25-21.8-2-1).

20 **(15) Electrician licensing board (IC 25-14.6-2).**

21 SECTION 7. IC 25-14.6 IS ADDED TO THE INDIANA CODE AS
 22 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 23 2013]:

24 **ARTICLE 14.6. ELECTRICIANS**

25 **Chapter 1. Definitions**

26 **Sec. 1. The definitions in this chapter apply throughout this**
 27 **article.**

28 **Sec. 2. "Board" means the electrician licensing board**
 29 **established by IC 25-14.6-2-1.**

30 **Sec. 3. "Electrical work" means:**

- 31 **(1) designing;**
- 32 **(2) installing;**
- 33 **(3) erecting;**
- 34 **(4) repairing; or**
- 35 **(5) altering;**

36 **electrical wires or conductors to be used for electrical light, heat,**
 37 **power, or signaling purposes. The term includes the installation or**
 38 **repair of ducts, raceways, or conduits for the reception or**
 39 **protection of wires or conductors and the installation or repair of**
 40 **electrical machinery, apparatus, or systems used for electrical**
 41 **light, heat, power, or signaling.**

42 **Sec. 4. "Electrician" means a person who performs electrical**

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work.

Sec. 5. "IBEW" means the International Brotherhood of Electrical Workers.

Sec. 6. "Licensee" means an individual who performs electrical work and is licensed under this article.

Sec. 7. "Licensing agency" refers to the Indiana professional licensing agency established by IC 25-1-5-3.

Sec. 8. "NJATC" means the National Joint Apprenticeship and Training Committee for the electrical industry.

Sec. 9. "Person" means an individual, a corporation, a partnership, an association, or another legal entity.

Chapter 2. Electrician Licensing Board

Sec. 1. The electrician licensing board is established.

Sec. 2. (a) The board consists of seven (7) members appointed by the governor as follows:

- (1) Six (6) electricians who are licensed under this article.
- (2) One (1) individual representing the public.

(b) An individual appointed under subsection (a)(1) must hold a license under this article:

- (1) for at least five (5) years immediately preceding the appointment of the individual to the board; and
- (2) during the individual's term on the board.

Sec. 3. (a) Each member of the board shall serve a term of four (4) years and until the member's successor is appointed and qualified.

(b) A member may not serve on the board for more than two (2) consecutive terms.

Sec. 4. (a) The governor may remove a member of the board at any time for incompetency, neglect of duty, or unprofessional conduct.

(b) A vacancy in the membership of the board shall be filled by an individual appointed by the governor for the unexpired term. An individual appointed under this subsection must be qualified to serve on the board under sections 2 and 3 of this chapter.

Sec. 5. (a) Each year, the board shall elect a member as chairperson and another member as vice chairperson.

(b) A member serving as chairperson or vice chairperson serves until the member's successor as chairperson or vice chairperson is elected.

(c) The chairperson shall preside at all meetings at which the chairperson is present. The vice chairperson shall preside at meetings in the absence of the chairperson and shall perform other

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duties as the chairperson directs.

(d) If the chairperson and vice chairperson are absent from a meeting of the board when a quorum exists, the members who are present may elect a presiding officer, who shall serve as acting chairperson until the conclusion of the meeting or until the arrival of the chairperson or vice chairperson.

Sec. 6. The board shall meet at least four (4) times each calendar year upon the call of the chairperson or the written request of a majority of the members of the board.

Sec. 7. (a) Four (4) members of the board constitute a quorum.

(b) An affirmative vote of four (4) members of the board is necessary for the board to take official action.

Sec. 8. Each member of the board is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Each member of the board is entitled to reimbursement for travel expenses as provided in IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

Sec. 9. The board shall do the following:

- (1) Administer, coordinate, and enforce this article.
- (2) Adopt rules under IC 4-22-2 for the administration and enforcement of this article.
- (3) Prescribe the requirements for and the form of licenses issued or renewed under this article.
- (4) Issue, deny, renew, suspend, or revoke licenses under this article.
- (5) In accordance with IC 25-1-7, investigate and prosecute complaints involving licensees or individuals the board has reason to believe should be licensees, including complaints concerning the failure to comply with this article or rules adopted under this article.
- (6) Bring actions in the name of the state of Indiana in an appropriate circuit court to enforce compliance with this article or rules adopted under this article.
- (7) Establish fees in accordance with IC 25-1-8.
- (8) Inspect the records of a licensee in accordance with rules adopted by the board.
- (9) Conduct or designate a board member or another representative to conduct public hearings on any matter for which a hearing is required under this article and to exercise all powers granted under IC 4-21.5.

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(10) Maintain the board's records and files.

Sec. 10. The licensing agency shall do the following:

- (1) Carry out the administrative functions of the board.
- (2) Provide necessary personnel to carry out the duties of this article.

Chapter 3. Licensing Requirements

Sec. 1. Beginning July 1, 2015, an individual may not perform or offer to perform as an electrician without a license to perform electrical contracting issued by the board under this article.

Sec. 2. An application for a license to perform as an electrician must be:

- (1) made to the board on forms provided by the board; and
- (2) accompanied by an application fee in the amount set by the board.

Sec. 3. (a) Except as provided in section 5 of this chapter, an individual who applies for a license to perform as an electrician must:

- (1) furnish evidence satisfactory to the board showing that the individual is at least twenty-one (21) years of age;
- (2) provide evidence that the individual:
 - (A) has completed at least ten thousand (10,000) hours of practical experience in installing equipment and associated wiring related to a license under this article;
 - (B) has:
 - (i) received an electrical journeyman certificate from a IBEW or NJATC approved electrical apprenticeship program; and
 - (ii) completed at least eight thousand (8,000) hours of practical experience installing equipment and associated wiring related to a license under this article;
 - (C) has:
 - (i) received an associate's degree from a state accredited program in a field related to perform as an electrician; and
 - (ii) completed at least six thousand (6,000) practical hours of experience installing equipment and associated wiring related to a license under this chapter; or
 - (D) has:
 - (i) received a four (4) year degree in electrical engineering; and
 - (ii) completed at least two thousand (2,000) hours of experience installing equipment and associated wiring

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1 related to a license under this article; and
 2 (3) pay the fee established by the board.
 3 (b) Upon the applicant's compliance with subsection (a), the
 4 commission shall:
 5 (1) issue or make available electronically a wall certificate in
 6 the name of the electrician; and
 7 (2) issue or make available electronically to an electrician a
 8 pocket identification card which certifies that the electrician
 9 is licensed and indicates the expiration date of the license.
 10 Sec. 4. An individual who is denied a license under this article
 11 has the remedies prescribed under IC 4-21.5.
 12 Sec. 5. The board may grant a license to an applicant who:
 13 (1) submits satisfactory evidence to the board that the
 14 applicant has been licensed to perform as an electrician in
 15 another state or country under qualifications that are
 16 substantially equivalent to the qualifications for licensure
 17 under this article; and
 18 (2) pays the fee established by the board.
 19 Sec. 6. Under IC 25-1-5.5, the agency shall maintain an
 20 electronic registry of all electricians who:
 21 (1) electronically apply for and meet the registration
 22 requirements under this article;
 23 (2) swear or affirm under penalty of perjury that the
 24 electrician's representations and information provided to the
 25 agency are true; and
 26 (3) pay the fees under this article.
 27 Chapter 4. Renewal of License
 28 Sec. 1. A license issued by the board is valid for four (4) years
 29 from its date of issuance.
 30 Sec. 2. (a) An individual who applies to renew a license as an
 31 electrician shall:
 32 (1) file a renewal application with the board;
 33 (2) pay a renewal fee established by the board; and
 34 (3) meet other requirements established by the board.
 35 (b) The board shall send renewal notices to licensees in
 36 accordance with IC 25-1-2-6(c).
 37 (c) The renewal fee must be paid in accordance with
 38 IC 25-1-8-2(d).
 39 Sec. 3. If an individual desires to discontinue the practice of
 40 electrician in Indiana, the individual may select inactive status on
 41 the renewal form for the individual's license under this article. The
 42 board may grant inactive status to an individual if the individual:

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- 1 (1) does not profess to the public to possess a license under
- 2 this article;
- 3 (2) maintains continuing competency requirements as
- 4 established by the board; and
- 5 (3) pays a fee established by the board.

6 **Chapter 5. Discipline and Violations**

7 **Sec. 1. The board may take disciplinary action against a licensee**
8 **for any of the following violations:**

- 9 (1) Violating this article or rules adopted by the board under
- 10 this article.
- 11 (2) Making a false or materially misleading representation in:
- 12 (A) a license application form or renewal form; or
- 13 (B) information provided to the board.
- 14 (3) Failing to pay fees or civil penalties required under this
- 15 article.
- 16 (4) Communicating to the public false or misleading
- 17 information concerning the license held.

18 **Sec. 2. The procedures set forth in IC 4-21.5 govern the board's**
19 **conduct of disciplinary hearings.**

20 **Sec. 3. The board may summarily suspend a licensee's license**
21 **for up to ninety (90) days before a final adjudication or during an**
22 **appeal of the board's determination if the board finds that the**
23 **licensee represents a clear and immediate danger to the public's**
24 **health, safety, or property if the licensee is allowed to practice**
25 **electrical contracting. The summary suspension may be renewed,**
26 **upon a hearing before the board, for up to ninety (90) days.**

27 **Sec. 4. (a) If the board determines that an individual not**
28 **licensed under this article is engaged in or believed to be engaged**
29 **in activities for which a license is required under this article, the**
30 **board may issue an order to the individual requiring the individual**
31 **to show cause why the individual should not be ordered to cease**
32 **and desist from the activities. The show cause order must set forth**
33 **a date, time, and place for a hearing at which the affected**
34 **individual may appear and show cause as to why the individual**
35 **should not be subject to licensing under this article.**

36 **(b) If the board, after a hearing, determines that the activities**
37 **in which the individual is engaged are subject to licensing under**
38 **this article, the board may issue a cease and desist order that**
39 **describes the individual and activities that are the subjects of the**
40 **order.**

41 **(c) A cease and desist order issued under this section is**
42 **enforceable in the circuit or superior courts.**

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1 **Sec. 5. An individual who knowingly and intentionally:**
 2 **(1) performs or offers to perform as an electrician without**
 3 **being licensed or without being exempt from licensing under**
 4 **Indiana law;**
 5 **(2) presents as the individual's own the license of another;**
 6 **(3) gives false or materially misleading information of any**
 7 **kind to the board or to a board member in connection with**
 8 **licensing matters;**
 9 **(4) impersonates a licensee;**
 10 **(5) uses an expired, suspended, or revoked license; or**
 11 **(6) otherwise violates this article;**
 12 **commits a Class B misdemeanor.**

13 **Sec. 6. An individual who applies for and is denied a license**
 14 **under this article or a licensee who is aggrieved by an order or a**
 15 **determination of the board is entitled to a judicial review under**
 16 **IC 4-21.5.**

17 **Sec. 7. The attorney general shall act as the legal adviser for the**
 18 **board and provide any legal assistance necessary to carry out this**
 19 **article.**

20 SECTION 8. IC 35-51-25-1, AS ADDED BY P.L.70-2011,
 21 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2013]: Sec. 1. The following statutes define crimes in IC 25:

- 23 IC 25-2.1-13-3 (Concerning accountants).
- 24 IC 25-2.5-3-4 (Concerning acupuncturists).
- 25 IC 25-5.1-4-2 (Concerning athletic trainers).
- 26 IC 25-5.2-2-12 (Concerning athlete agents).
- 27 IC 25-6.1-7-1 (Concerning auctioneers and auctions).
- 28 IC 25-6.1-7-2 (Concerning auctioneers and auctions).
- 29 IC 25-8-15.4-25 (Concerning beauty culture).
- 30 IC 25-10-1-11 (Concerning chiropractors).
- 31 IC 25-11-1-12 (Concerning collection agencies).
- 32 IC 25-13-1-3 (Concerning dental hygienists).
- 33 IC 25-14-1-25 (Concerning dentists).
- 34 IC 25-14-4-6 (Concerning dentists).
- 35 IC 25-14.5-7-2 (Concerning dietitians).
- 36 **IC 25-14.6-5-5 (Concerning electricians).**
- 37 IC 25-16-1-18 (Concerning employment services).
- 38 IC 25-17.3-5-3 (Concerning genetic counselors).
- 39 IC 25-17.6-8-2 (Concerning geologists).
- 40 IC 25-18-1-19 (Concerning distress sales).
- 41 IC 25-20-1-21 (Concerning hearing aid dealers).
- 42 IC 25-20.7-5-1 (Concerning interior designers).

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- 1 IC 25-21.5-5-10 (Concerning land surveyors).
 2 IC 25-21.5-13-2 (Concerning land surveyors).
 3 IC 25-21.8-7-1 (Concerning massage therapists).
 4 IC 25-22.5-8-2 (Concerning physicians).
 5 IC 25-22.5-8-3 (Concerning physicians).
 6 IC 25-23-1-27 (Concerning nurses).
 7 IC 25-23.5-3-2 (Concerning occupational therapists).
 8 IC 25-23.6-3-3 (Concerning marriage and family therapists).
 9 IC 25-23.6-4-4 (Concerning marriage and family therapists).
 10 IC 25-23.6-4.5-4 (Concerning marriage and family therapists).
 11 ~~IC 25-23.6-4.7-7~~ **IC 25-23.6-7-7** (Concerning marriage and
 12 family therapists).
 13 IC 25-23.6-10.1-6 (Concerning marriage and family therapists).
 14 IC 25-23.6-11-1 (Concerning marriage and family therapists).
 15 IC 25-23.6-11-2 (Concerning marriage and family therapists).
 16 IC 25-23.6-11-3 (Concerning marriage and family therapists).
 17 IC 25-23.7-7-5 (Concerning manufactured home installers).
 18 IC 25-24-1-18 (Concerning optometrists).
 19 IC 25-24-3-17 (Concerning optometrists).
 20 IC 25-26-13-29 (Concerning pharmacists, pharmacies, and drug
 21 stores).
 22 IC 25-26-14-23 (Concerning pharmacists, pharmacies, and drug
 23 stores).
 24 IC 25-26-14-25 (Concerning pharmacists, pharmacies, and drug
 25 stores).
 26 IC 25-26-14-26 (Concerning pharmacists, pharmacies, and drug
 27 stores).
 28 IC 25-26-14-27 (Concerning pharmacists, pharmacies, and drug
 29 stores).
 30 IC 25-26-19-9 (Concerning pharmacists, pharmacies, and drug
 31 stores).
 32 IC 25-26-21-11 (Concerning pharmacists, pharmacies, and drug
 33 stores).
 34 IC 25-27-1-12 (Concerning physical therapists).
 35 IC 25-27.5-7-2 (Concerning physician assistants).
 36 IC 25-28.5-1-31 (Concerning plumbers).
 37 IC 25-29-9-1 (Concerning podiatrists).
 38 IC 25-30-1-21 (Concerning private investigator firms, security
 39 guards, and polygraph examiners).
 40 IC 25-30-1.3-23 (Concerning private investigator firms, security
 41 guards, and polygraph examiners).
 42 IC 25-31-1-13 (Concerning engineers).

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- 1 IC 25-31-1-27 (Concerning engineers).
 2 IC 25-31.5-8-7 (Concerning soil scientists).
 3 IC 25-33-1-15 (Concerning psychologists).
 4 IC 25-34.5-3-2 (Concerning respiratory care specialists).
 5 IC 25-35.6-3-10 (Concerning speech pathologists and
 6 audiologists).
 7 IC 25-36.1-1-2 (Concerning surgical technologists).
 8 IC 25-36.5-1-10 (Concerning timber buyers).
 9 IC 25-36.5-1-15 (Concerning timber buyers).
 10 IC 25-38.1-4-10 (Concerning veterinarians).
 11 IC 25-38.1-4-11 (Concerning veterinarians).
 12 IC 25-39-5-1 (Concerning water well drilling contractors).
 13 IC 25-39-5-7 (Concerning water well drilling contractors).
 14 IC 25-41-1-2 (Concerning behavior analysts).

15 SECTION 9. [EFFECTIVE JULY 1, 2013] (a) As used in this
 16 SECTION, "board" means the electrician licensing board
 17 established by IC 25-14.6-2-1, as added by this act.

18 (b) The governor shall make the initial appointments to the
 19 board not later than January 1, 2014. In making an initial
 20 appointment, the governor shall indicate the length of the term for
 21 which the individual is appointed, subject to subsection (c).

22 (c) The initial terms of office for the seven (7) individuals
 23 appointed to the board by the governor are as follows:

- 24 (1) One (1) member for a term of four (4) years.
 25 (2) Two (2) members for a term of three (3) years.
 26 (3) Two (2) members for a term of two (2) years.
 27 (4) Two (2) members for a term of one (1) year.

28 (d) The initial term begins January 1, 2014.

29 (e) An individual who does not meet the requirements of
 30 IC 25-14.6-2-2(b), as added by this act, may be appointed to the
 31 board under IC 25-14.6-2-2(a), as added by this act, if the
 32 individual:

- 33 (1) meets the requirements under IC 25-14.6-3-3(a)(1) and
 34 IC 25-14.6-3-3(a)(2), as added by this act;
 35 (2) has been actively engaged as an electrician for at least five
 36 (5) years immediately before the individual's appointment;
 37 and
 38 (3) obtains a license under IC 25-14.6-3, as added by this act,
 39 not later than January 1, 2015.

40 (f) A board member appointed under subsection (e) who does
 41 not obtain the requisite license under IC 25-14.6-3, as added by this
 42 act, on or before January 1, 2015, shall be considered to have

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1 **resigned from the board on that date, and the governor shall fill**
2 **the vacancy under IC 25-14.6-2-4(b), as added by this act.**
3 **(g) Not later than July 1, 2014, the board shall adopt rules under**
4 **IC 4-22-2 to carry out IC 25-14.6, as added by this act.**
5 **(h) This SECTION expires December 31, 2017.**

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