

CHAPTER NO. 570

SENATE BILL NO. 3179

By Cooper, Mr. Speaker Wilder

Substituted for: House Bill No. 3076

By Curtiss, Bone, Fitzhugh

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 6, Part 4, relative to the licensing of plumbers.

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

SECTION 1. Tennessee Code Annotated, Section 62-6-404(b), is amended by adding the following new, appropriately designated subdivisions:

(3) Any person who holds a license issued by the Commissioner of Commerce and Insurance as either a manufactured home installer or a manufactured home retailer, pursuant to § 68-126-404, does not have to obtain a separate license as a limited licensed plumber in order to perform plumbing work on a manufactured home as defined in § 68-126-202, provided, such work is related to the set-up, as defined by § 68-126-402, of a manufactured home or performed in connection with a manufacturer's warranty covering a manufactured home.

(4) Any person who holds a license issued by the Commissioner of Commerce and Insurance as a manufactured home manufacturer, pursuant to § 68-126-206, does not have to obtain a separate license as a limited licensed plumber in order to perform plumbing work on a manufactured home as defined in § 68-126-202, provided, such work is related to the construction of a manufactured home or performed in connection with a manufacturer's warranty covering a manufactured home.

(5) Any person who holds a license issued by the Commissioner of Commerce and Insurance to manufacture or install modular building units, pursuant to § 68-126-305, does not have to obtain a separate license as a limited licensed plumber to perform plumbing work on a modular building unit as defined in § 68-126-303, provided, such work is related to the construction or installation of a modular building unit, or performed in connection with a manufacturer's warranty covering a modular building unit.

SECTION 2. Tennessee Code Annotated, Section 62-6-402, is amended by adding the following as a new, appropriately designated subdivision:

(3) "Plumbing work" means the construction, alteration, repair, improvement, movement, demolition, putting up, tearing down, or furnishing labor to install material or equipment within any residential or commercial building of all piping, fixtures, and appliances for the supply of gas, water, liquids or disposal of waste water or sewage; provided, that there is no intent to require licensure under this part for plumbing work performed outside a residential or commercial building, including but not limited to utility connections or irrigation systems.

SECTION 3. Tennessee Code Annotated, Section 62-6-406(a)(1), is amended by deleting the language "After January 1, 2006, once a person obtains the minimum two thousand (2,000) hours of plumbing experience" and by substituting instead the language "If a person was not engaged in plumbing work prior to January 1, 2006, after such date, once a person obtains a minimum of one (1) year of plumbing experience".

SECTION 4. Tennessee Code Annotated, Section 62-6-406(a)(2), is amended by deleting the last sentence and by substituting instead the following language:

The applicant is entitled to an examination to determine the applicant's qualifications. The examination may be written or oral, or both.

SECTION 5. Tennessee Code Annotated, Section 62-6-406(a)(4), is amended by deleting the language ", after January 1, 2006," and by substituting instead the language "if a person was not engaged in plumbing work prior to January 1, 2006, after such date", and by deleting the language "obtained the minimum two thousand (2,000) hours of plumbing experience" and by substituting instead the language "obtained the minimum of one (1) year of plumbing experience".

SECTION 6. Tennessee Code Annotated, Section 62-6-406(a)(5), is amended by deleting the language "Except as provided in subsection (i), after January 1, 2006," and by substituting instead the language "Except as provided in subsection (h), if a person was not engaged in plumbing work prior to January 1, 2006, after such date", and by deleting the language "has a minimum of four thousand (4,000) hours of plumbing experience" and by substituting instead the language "has a minimum of two (2) years of plumbing experience".

SECTION 7. Tennessee Code Annotated, Section 62-6-406(b), is amended by deleting the first sentence in its entirety, and by substituting instead the following language:

The board may issue a license as a limited licensed plumber to any person without an examination as required by this part if such person makes an application to the board prior to August 1, 2006, and provides evidence to the board that such person had obtained the minimum one (1) year of plumbing experience prior to January 1, 2006, satisfactory to the board.

SECTION 8. Tennessee Code Annotated, Section 62-6-406(c), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(c)(1) Except as provided in subsection (b), applications for a license after January 1, 2006, shall provide proof of experience as required by the board, and such plumbing experience shall not be less than one (1) year of plumbing experience satisfactory to the board.

(2) The board shall promulgate rules and regulations which establish uniform criteria to govern the issuance of licenses by the board. The board shall have discretionary authority in individual cases to modify such criteria for an applicant if the public safety and welfare clearly require such modification and if the board furnishes the applicant with a written statement justifying such modification; provided, that the minimum one (1) year of plumbing experience satisfactory to the board shall not be waived or modified.

SECTION 9. Tennessee Code Annotated, Section 62-6-406(e), is amended by deleting the subsection in its entirety and by substituting instead the following:

(e)(1) Notwithstanding any provision of this part to the contrary, a license as a limited licensed plumber shall not be required for a person to engage in plumbing work in any municipality or county that issues licenses to persons to perform plumbing work only in such municipality or county; provided, that such plumbing work may be used toward accumulating the minimum one (1) year of experience required to obtain licensure as a limited licensed plumber.

(2) A current copy of a license or certification issued to a person who was engaged in plumbing work prior to January 1, 2006, by any county or municipality of this state prior to August 1, 2006, is evidence that such applicant had, by examination by an official of such county or municipality, demonstrated the qualifications required to perform such plumbing work within its jurisdiction and was actively engaged in such business on January 1, 2006.

SECTION 10. Tennessee Code Annotated, Section 62-6-411(e), is amended by deleting the subsection in its entirety and by substituting instead the following:

(e) No limited licensed plumber shall be qualified to receive a renewal license when such limited licensed plumber has failed to comply with the provisions of this part for a period of ninety (90) days, and in such event the limited licensed plumber, in order to qualify under the law, shall make a new application as in the case of the issuance of the original license.


SECTION 11. Tennessee Code Annotated, Section 62-6-415, is amended by deleting the section in its entirety and by substituting instead the following:

No person shall be required to post a bond or provide a financial statement in order to obtain a license as a limited licensed plumber.

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 12, 2006


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 1st day of May 2006


PHIL BREDESEN, GOVERNOR