

As Amended by House Committee

Session of 2012

HOUSE BILL No. 2666

By Committee on Commerce and Economic Development

2-8

1 AN ACT concerning experience requirements for certain contractors;
2 amending K.S.A. 2011 Supp. 12-1509, 12-1526 and 12-1542 and
3 repealing the existing sections.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2011 Supp. 12-1509 is hereby amended to read as
7 follows: 12-1509. (a) Any county or city requiring the licensure of
8 plumbers practicing within the county or city may conduct examinations
9 designated by K.S.A. 12-1508, and amendments thereto, for the purpose of
10 determining the competency of applicants for such licensure and shall not
11 be allowed to ask further questions not designated on such examination.
12 The board of county commissioners of such county or the governing body
13 of such city shall adopt rules and regulations: (1) Governing the conduct
14 and grading of such examinations; (2) prescribing a minimum score of
15 75% for passage of examinations; (3) fixing a uniform fee to be charged
16 all applicants taking each such examination; and (4) requiring all persons
17 receiving such license annually to obtain not less than 12 hours biennially
18 or six hours annually of continuing education approved by such local
19 governing body. Not less than six hours biennially or three hours annually
20 shall consist of code education. Continuing education may be provided by
21 the local governing body, a nationally recognized trade association,
22 community college, technical school, technical college or other provider
23 approved by the local governing body. All hours of education shall consist
24 of training relative to construction, maintenance and code update training.
25 Neither the county commission nor the governing body of such city shall
26 impose any restriction on the number of providers of such continuing
27 education.

28 (b) The certificate of competency received by any person who
29 *completes the experience requirements specified in ~~subsection (e)~~*
30 **subsections (e) and (f)** and who successfully passes an examination
31 designated by K.S.A. 12-1508, and amendments thereto, shall be valid
32 proof of competency for licensure, without additional examination, in any
33 county or city of the state which requires licensure of plumbers practicing
34 within such county or city. The county or city shall issue the appropriate
35 ~~license certificate~~ certificate to any applicant therefor who presents such a certificate
36 of competency and who demonstrates that such applicant has met the

1 *experience requirements specified in subsection (e)* **subsections (e) and**
2 **(f).** The county or city shall fix a uniform fee to be charged all such
3 applicants for licensure.

4 (c) All new licenses issued by a county or city upon the basis of
5 successful passage of an examination designated by K.S.A. 12-1508, and
6 amendments thereto, shall bear a distinctive notation identifying the
7 testing agency and the specific test by name. All such licenses renewed
8 upon the basis of completed continuing education as provided by
9 subsection (a) shall bear a distinctive notation to verify such completion.
10 All such licenses shall be valid in any other county or city which requires
11 examination and licensure of plumbers for practice in such county or city.

12 (d) No person who was certified or licensed prior to July 1, 1989,
13 upon the basis of passage of a standard examination designated as such
14 under the provisions of article 15 of chapter 12 of Kansas Statutes
15 Annotated, *and amendments thereto*, and whose certificate or license was
16 issued by a political subdivision which prescribed a minimum score of not
17 less than 70% for passage of such examination, shall be required to be
18 reexamined for renewal of certification or licensure.

19 ~~(e) Before sitting for the standard examination designated by K.S.A.~~
20 ~~12-1508, and amendments thereto, an applicant for a journeyman~~
21 ~~certificate shall demonstrate~~ *issuing a journeyman certificate, the issuing*
22 *jurisdiction shall verify the validity of the applicant's* documented proof of
23 a minimum of two years field experience. "Field experience" means
24 working under the direct supervision of a person having a valid
25 journeyman certificate or master certificate or attending trade related
26 schooling. No more than one year of the requirement may be satisfied by
27 trade related schooling. Schooling shall consist of a minimum of 240 hours
28 classroom training.

29 ~~(f) Before sitting for the standard examination designated by K.S.A.~~
30 ~~12-1508, and amendments thereto, an applicant for a master certificate~~
31 ~~shall demonstrate~~ *issuing a master certificate, the issuing jurisdiction shall*
32 *verify the validity of the applicant's* documented proof of having a valid
33 journeyman certificate for a minimum of two years or having field
34 experience for a minimum of four years.

35 (g) (1) No person shall install, improve, repair, maintain or inspect a
36 medical gas piping system within a county or city unless such person: (A)
37 Is licensed under the provisions of K.S.A. 12-1508 et seq., and
38 amendments thereto; and (B) is certified under the appropriate professional
39 qualifications standard or standards of ASSE Series 6000. All installers
40 shall obtain a proper permit from the county or city for which the medical
41 gas is being installed, all inspections shall be done by a third party agency
42 certified under the appropriate professional qualifications standard or
43 standards of ASSE Series 6000 for medical gas systems inspectors and all

1 documentation of the inspections and certifications of installers and
2 inspectors shall be provided to the county or city prior to any occupancy of
3 the building or unit of the building in which the medical gas piping has
4 been installed until an occupancy permit is issued. This subsection shall
5 not apply in counties or cities in which building codes require an inspector
6 certified by a nationally-recognized code organization to inspect medical
7 gas installation prior to an occupancy permit being issued or to limited
8 maintenance on a medical gas piping system previously installed in a
9 hospital when performed by hospital maintenance personnel.

10 (2) As used in this subsection (g):

11 (A) "Medical gas piping" means the piping used solely to transport
12 gasses used for medical purposes at a health care facility or the place of
13 business of a health care provider;

14 (B) "limited maintenance" means minor repair or replacement of
15 incidental parts and any related inspection or testing; and

16 (C) "hospital" means a medical care facility as defined in K.S.A. 65-
17 425, and amendments thereto, and includes within its meaning any clinic,
18 long-term care facility, limited care residential facility and joint enterprises
19 for the provision of health care services operated in connection with the
20 operation of the medical care facility.

21 Sec. 2. K.S.A. 2011 Supp. 12-1526 is hereby amended to read as
22 follows: 12-1526. (a) Any county or city requiring the licensure of
23 electricians practicing within the county or city may conduct examinations
24 designated by K.S.A. 12-1525, and amendments thereto, for the purpose of
25 determining the competency of applicants for such licensure and shall not
26 be allowed to ask further questions not designated on such examination.
27 The board of county commissioners of such county or the governing body
28 of such city shall adopt rules and regulations: (1) Governing the conduct
29 and grading of such examinations; (2) prescribing a minimum score of
30 75% for passage of examinations; (3) fixing a uniform fee to be charged
31 all applicants taking each such examination; and (4) requiring all persons
32 receiving such license to obtain not less than 12 hours biennially or six
33 hours annually of continuing education approved by such local governing
34 body. Not less than six hours biennially or three hours annually shall
35 consist of code education. Continuing education may be provided by the
36 local governing body, a nationally recognized trade association,
37 community college, technical school, technical college or other provider
38 approved by the local governing body. All hours of education shall consist
39 of training relative to construction, maintenance and code update training.
40 Neither the county commission nor the governing body of such city shall
41 impose any restriction on the number of providers of such continuing
42 education.

43 (b) The certificate of competency received by any person who

1 *completes the experience requirements specified in subsection (e)*
2 **subsections (e) and (f) and who** successfully passes an examination
3 designated by K.S.A. 12-1525, and amendments thereto, shall be valid
4 proof of competency for licensure, without additional examination, in any
5 county or city of the state which requires licensure of electricians
6 practicing within such county or city. The county or city shall issue the
7 appropriate ~~license certificate~~ to any applicant therefor who presents such
8 a certificate of competency *and who demonstrates that such applicant has*
9 *met the experience requirements specified in subsection (e)* **subsections (e)**
10 **and (f)**. The county or city shall fix a uniform fee to be charged all such
11 applicants for licensure.

12 (c) All new licenses issued by a county or city upon the basis of
13 successful passage of an examination designated by K.S.A. 12-1525, and
14 amendments thereto, shall bear a distinctive notation identifying the
15 testing agency and the specific test by name. All licenses renewed upon the
16 basis of completed continuing education as provided by subsection (a)
17 shall bear a distinctive notation to verify such completion. All such
18 licenses shall be valid in any other county or city which requires
19 examination and licensure of electricians for practice in such county or
20 city.

21 (d) No person who was certified or licensed prior to July 1, 1989,
22 upon the basis of passage of a standard examination designated as such
23 under the provisions of article 15 of chapter 12 of Kansas Statutes
24 Annotated, *and amendments thereto*, and whose certificate or license was
25 issued by a political subdivision which prescribed a minimum score of not
26 less than 70% for passage of such examination, shall be required to be
27 reexamined for renewal of certification or licensure.

28 (e) ~~Before sitting for the standard examination designated by K.S.A.~~
29 ~~12-1525, and amendments thereto, an applicant for a journeyman or~~
30 ~~residential certificate shall demonstrate~~ *issuing a journeyman or*
31 *residential certificate, the issuing jurisdiction shall verify the validity of*
32 *the applicant's* documented proof of a minimum of two years field
33 experience. "Field experience" means working under the direct supervision
34 of a person having a valid journeyman certificate, residential certificate or
35 master certificate or attending trade related schooling. No more than one
36 year of the requirement may be satisfied by trade related schooling.
37 Schooling shall consist of a minimum of 240 hours classroom training.

38 (f) ~~Before sitting for the standard examination designated by K.S.A.~~
39 ~~12-1525, and amendments thereto, an applicant for a master certificate~~
40 ~~shall demonstrate~~ *issuing a master certificate, the issuing jurisdiction shall*
41 *verify the validity of the applicant's* documented proof of having a valid
42 journeyman certificate for a minimum of two years.

43 Sec. 3. K.S.A. 2011 Supp. 12-1542 is hereby amended to read as

1 follows: 12-1542. (a) Any county or city requiring the licensure of
2 mechanical heating, ventilation and air conditioning contractors and
3 master and journeyman heating, ventilation and air conditioning
4 mechanics practicing within the county or city may conduct examinations
5 designated by K.S.A. 12-1541, *and amendments thereto*, for the purpose of
6 determining the competency of applicants for such licensure and shall not
7 be allowed to ask further questions not designated on such examination.
8 The board of county commissioners of such county or the governing body
9 of such city shall adopt rules and regulations: (1) Governing the conduct
10 and grading of such examinations; (2) prescribing a minimum score of
11 75% for passage of examinations; (3) fixing a uniform fee to be charged
12 all applicants taking each such examination; and (4) requiring all persons
13 receiving such license annually to obtain not less than 12 hours biennially
14 or six hours annually of continuing education approved by such local
15 governing body. Not less than six hours biennially or three hours annually
16 shall consist of code education. Continuing education may be provided by
17 the local governing body, a nationally recognized trade association,
18 community college, technical school, technical college or other provider
19 approved by the local governing body. All hours of education shall consist
20 of training relative to construction, maintenance and code update training.
21 Neither the county commission nor the governing body of such city shall
22 impose any restriction on the number of providers of such continuing
23 education.

24 (b) The certificate of competency received by any person who
25 *completes the experience requirements specified in ~~subsection (e)~~*
26 **subsections (e) and (f)** and who successfully passes an examination
27 designated by K.S.A. 12-1541, and amendments thereto, shall be valid
28 proof of competency for licensure, without additional examination, in any
29 county or city of the state which requires licensure of mechanical heating,
30 ventilation and air conditioning ~~contractors and master and journeyman~~
31 ~~heating, ventilation and air conditioning~~ mechanics practicing within such
32 county or city. The county or city shall issue the appropriate ~~license-~~
33 *certificate* to any applicant therefor who presents such a certificate of
34 competency *and who demonstrates that such applicant has met the*
35 *experience requirements specified in ~~subsection (e)~~ subsections (e) and*
36 **(f)**. The county or city shall fix a uniform fee to be charged all such
37 applicants for licensure.

38 (c) All new licenses issued by a county or city upon the basis of
39 successful passage of an examination designated by K.S.A. 12-1541, and
40 amendments thereto, shall bear a distinctive notation identifying the
41 testing agency and the specific test by name. All licenses renewed upon the
42 basis of completed continuing education as provided by subsection (a)
43 shall bear a distinctive notation to verify such completion. All such

1 licenses shall be valid in any other county or city which requires
2 examination and licensure of mechanical heating, ventilation and air
3 conditioning contractors and master and journeyman heating, ventilation
4 and air conditioning mechanics for practice in such county or city.

5 (d) No person who was certified or licensed prior to July 1, 1989,
6 upon the basis of passage of a standard examination designated by the
7 political subdivision and whose certificate or license was issued by such
8 political subdivision which prescribed a minimum score of not less than
9 70% for passage of such examination, shall be required to be reexamined
10 for renewal of certification or licensure.

11 ~~(e) Before sitting for the standard examination designated by K.S.A.~~
12 ~~12-1541, and amendments thereto, an applicant for a journeyman heating,~~
13 ~~ventilation and air conditioning mechanic certificate shall demonstrate~~
14 ~~issuing a journeyman heating, ventilation and air conditioning mechanic~~
15 ~~certificate, the issuing jurisdiction shall verify the validity of the~~
16 ~~applicant's documented proof of a minimum of two years field experience.~~
17 "Field experience" means working under the direct supervision of a person
18 having a valid journeyman certificate or master certificate or attending
19 trade related schooling. No more than one year of the requirement may be
20 satisfied by trade related schooling. Schooling shall consist of minimum of
21 240 hours classroom training.

22 ~~(f) Before sitting for the standard examination designated by K.S.A.~~
23 ~~12-1541, and amendments thereto, an applicant for a master heating,~~
24 ~~ventilation and air conditioning mechanic certificate shall demonstrate~~
25 ~~issuing a master heating, ventilation and air conditioning certificate, the~~
26 ~~issuing jurisdiction shall verify the validity of the applicant's documented~~
27 ~~proof of having a valid journeyman certificate for a minimum of two years~~
28 ~~or having field experience for a minimum of four years.~~

29 Sec. 4. K.S.A. 2011 Supp. 12-1509, 12-1526 and 12-1542 are hereby
30 repealed.

31 Sec. 5. This act shall take effect and be in force from and after its
32 publication in the statute book.

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