

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Regulated Industries Committee

BILL: SB 838

INTRODUCER: Senator Wise

SUBJECT: Electrical Contracting

DATE: April 5, 2011

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Young	Imhof	RI	Favorable
2.	_____	_____	CA	_____
3.	_____	_____	BC	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill amends the requirements for when a municipality or county may require an electrical journeyman to be present on a job site. The bill amends the requirements for an electrical journeyman, and provides that the journeyman must possess a certificate of competency instead of being a graduate of the Institute of Applied Technology in Construction Excellence or licensed pursuant to s. 489.533, F.S. The bill also changes the square footage and voltage specifications that require such a person to be present on the site.

This bill substantially amends the following section of the Florida Statutes: 489.537.

II. Present Situation:

Section 489.537, F.S., provides that a municipality or county may utilize their power to place certain restrictions on electrical contracting. Currently, s. 489.537(3)(f), F.S., provides that a municipality or county has the power to require that an electrical journeyman, who is a graduate of the Institute of Applied Technology in Construction Excellence or licensed pursuant to s. 489.5335, F.S., be present on an industrial or commercial new construction site with a facility of 50,000 gross square feet or more when electrical work in excess of 77 volts is being performed in order to supervise or perform such work, except as provided in s. 489.503, F.S.

Under s. 489.5335, F.S., any journeyman who is licensed in any county or municipality in this state, may work as a journeyman in any other county or municipality in the state if:

- They scored at least a 70 percent, or after October 1, 1997, a 75 percent on a proctored journeyman Block and Associates examination or other proctored examination approved by the board for the electrical trade;
- Has completed an apprenticeship program registered with the Department of Labor and Employment Security¹ and demonstrates 4 years' verifiable practical experience in the electrical trade, or demonstrates 6 years' verifiable practical experience in the electrical trade;
- Has satisfactorily completed specialized and advanced module coursework approved by the Florida Building Commission, as part of the building code training program established in s. 553.841, F.S., specific to the discipline, or, pursuant to authorization by the certifying authority, provides proof of completion of such curriculum or coursework within 6 months after such certification; and
- Has not had a license suspended or revoked within the last 5 years.

Section 489.537(3)(f), F.S., does not apply to the exemptions found in s. 489.503, F.S. There are several contracting and practice exemptions in this section including persons authorized to engage in contracting, engineering, while acting under their own license, state and federal government employees, owners of their own properties, persons working on emergency systems and alarm systems, and persons installing communications systems

III. Effect of Proposed Changes:

This bill changes some of the requirements for when a municipality or county may require an electrical journeyman to be present on a work site.

This bill amends the requirements for an electrical journeyman by providing that an electrical journeyman must possess a certificate of competency issued by the municipality or county conditioned upon the journeyman's passage of a competency examination, rather than the current requirement that the journeymen have graduated from the Institute of Applied Technology in Construction Excellence or be licensed pursuant to s. 489.5335, F.S.

It further amends s. 489.537(f), F.S., by changing the site requirements necessary for a journeyman to be required to be present on the site for supervision or performance of such work. The bill reduces the gross square feet of electrical work from 50,000 to 5,000. The bill also changes the voltage requirements from 77 volts to 98 volts.

According to the representative of the Journeymen, the changes in the educational requirements put them more in line with the national requirements.

This bill provides an effective date of July 1, 2011.

¹ Chapter 2002-194, L.O.F., repealed s. 20.171, which created the Department of Labor and Employment Security.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill reduces the gross square feet of electrical work from 50,000 square feet to 5,000 square feet; this reduction may permit municipalities and counties to require electrical journeyman be present on more construction sites.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.