

**Senator Curtis S. Bramble** proposes the following substitute bill:

**LICENSURE CHANGES**

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Mike Schultz**

Senate Sponsor: Curtis S. Bramble

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**LONG TITLE**

**General Description:**

This bill modifies the Utah Construction Trades Licensing Act (the act).

**Highlighted Provisions:**

This bill:

- ▶ defines terms related to certain electrical contractors, plumbing contractors, and precicensure course providers under the act;
- ▶ modifies the testing and work experience requirements for licensure as a specialty contractor under the act;
- ▶ modifies continuing education requirements for certain contractors; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**58-55-102**, as last amended by Laws of Utah 2016, Chapter 268

**58-55-301**, as last amended by Laws of Utah 2010, Chapter 227



26 [58-55-302](#), as last amended by Laws of Utah 2016, Chapters 238 and 268

27 [58-55-302.5](#), as last amended by Laws of Utah 2016, Chapter 260

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29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **58-55-102** is amended to read:

31 **58-55-102. Definitions.**

32 In addition to the definitions in Section [58-1-102](#), as used in this chapter:

33 (1) (a) "Alarm business or company" means a person engaged in the sale, installation,  
34 maintenance, alteration, repair, replacement, servicing, or monitoring of an alarm system,  
35 except as provided in Subsection (1)(b).

36 (b) "Alarm business or company" does not include:

37 (i) a person engaged in the manufacture or sale of alarm systems unless:

38 (A) that person is also engaged in the installation, maintenance, alteration, repair,  
39 replacement, servicing, or monitoring of alarm systems;

40 (B) the manufacture or sale occurs at a location other than a place of business  
41 established by the person engaged in the manufacture or sale; or

42 (C) the manufacture or sale involves site visits at the place or intended place of  
43 installation of an alarm system; or

44 (ii) an owner of an alarm system, or an employee of the owner of an alarm system who  
45 is engaged in installation, maintenance, alteration, repair, replacement, servicing, or monitoring  
46 of the alarm system owned by that owner.

47 (2) "Alarm company agent":

48 (a) except as provided in Subsection (2)(b), means any individual employed within this  
49 state by an alarm business; and

50 (b) does not include an individual who:

51 (i) is not engaged in the sale, installation, maintenance, alteration, repair, replacement,  
52 servicing, or monitoring of an alarm system; and

53 (ii) does not, during the normal course of the individual's employment with an alarm  
54 business, use or have access to sensitive alarm system information.

55 (3) "Alarm system" means equipment and devices assembled for the purpose of:

56 (a) detecting and signaling unauthorized intrusion or entry into or onto certain

57 premises; or

58 (b) signaling a robbery or attempted robbery on protected premises.

59 (4) "Apprentice electrician" means a person licensed under this chapter as an  
60 apprentice electrician who is learning the electrical trade under the immediate supervision of a  
61 master electrician, residential master electrician, a journeyman electrician, or a residential  
62 journeyman electrician.

63 (5) "Apprentice plumber" means a person licensed under this chapter as an apprentice  
64 plumber who is learning the plumbing trade under the immediate supervision of a master  
65 plumber, residential master plumber, journeyman plumber, or a residential journeyman  
66 plumber.

67 (6) "Approved continuing education" means instruction provided through courses  
68 under a program established under Subsection [58-55-302.5\(2\)](#).

69 (7) (a) "Approved prelicensure course provider" means a provider that is approved by  
70 the commission with the concurrence of the director, and that meets the requirements  
71 established by rule by the commission with the concurrence of the director, to teach the  
72 25-hour course described in Subsection [58-55-302\(1\)\(e\)\(iii\)](#).

73 (b) "Approved prelicensure course provider" may only include a provider that, in  
74 addition to any other locations, offers the 25-hour course described in Subsection  
75 [58-55-302\(1\)\(e\)\(iii\)](#) at least six times each year in one or more counties other than Salt Lake  
76 County, Utah County, Davis County, or Weber County.

77 [~~7~~] (8) "Board" means the Electrician Licensing Board, Alarm System Security and  
78 Licensing Board, or Plumbers Licensing Board created in Section [58-55-201](#).

79 [~~8~~] (9) "Combustion system" means an assembly consisting of:

80 (a) piping and components with a means for conveying, either continuously or  
81 intermittently, natural gas from the outlet of the natural gas provider's meter to the burner of the  
82 appliance;

83 (b) the electric control and combustion air supply and venting systems, including air  
84 ducts; and

85 (c) components intended to achieve control of quantity, flow, and pressure.

86 [~~9~~] (10) "Commission" means the Construction Services Commission created under  
87 Section [58-55-103](#).

88           ~~[(10)]~~ (11) "Construction trade" means any trade or occupation involving:

89           (a) (i) construction, alteration, remodeling, repairing, wrecking or demolition, addition  
90 to, or improvement of any building, highway, road, railroad, dam, bridge, structure, excavation  
91 or other project, development, or improvement to other than personal property; and

92           (ii) constructing, remodeling, or repairing a manufactured home or mobile home as  
93 defined in Section 15A-1-302; or

94           (b) installation or repair of a residential or commercial natural gas appliance or  
95 combustion system.

96           ~~[(11)]~~ (12) "Construction trades instructor" means a person licensed under this chapter  
97 to teach one or more construction trades in both a classroom and project environment, where a  
98 project is intended for sale to or use by the public and is completed under the direction of the  
99 instructor, who has no economic interest in the project.

100           ~~[(12)]~~ (13) (a) "Contractor" means any person who for compensation other than wages  
101 as an employee undertakes any work in the construction, plumbing, or electrical trade for  
102 which licensure is required under this chapter and includes:

103           (i) a person who builds any structure on the person's own property for the purpose of  
104 sale or who builds any structure intended for public use on the person's own property;

105           (ii) any person who represents that the person is a contractor, or will perform a service  
106 described in this Subsection ~~[(12)]~~ (13), by advertising on a website or social media, or any  
107 other means;

108           (iii) any person engaged as a maintenance person, other than an employee, who  
109 regularly engages in activities set forth under the definition of "construction trade";

110           (iv) any person engaged in, or offering to engage in, any construction trade for which  
111 licensure is required under this chapter; or

112           (v) a construction manager, construction consultant, construction assistant, or any other  
113 person who, for a fee:

114           (A) performs or offers to perform construction consulting;

115           (B) performs or offers to perform management of construction subcontractors;

116           (C) provides or offers to provide a list of subcontractors or suppliers; or

117           (D) provides or offers to provide management or counseling services on a construction  
118 project.

119 (b) "Contractor" does not include:

120 (i) an alarm company or alarm company agent; or

121 (ii) a material supplier who provides consulting to customers regarding the design and  
122 installation of the material supplier's products.

123 ~~[(13)]~~ (14) (a) "Electrical trade" means the performance of any electrical work involved  
124 in the installation, construction, alteration, change, repair, removal, or maintenance of facilities,  
125 buildings, or appendages or appurtenances.

126 (b) "Electrical trade" does not include:

127 (i) transporting or handling electrical materials;

128 (ii) preparing clearance for raceways for wiring; or

129 (iii) work commonly done by unskilled labor on any installations under the exclusive  
130 control of electrical utilities.

131 (c) For purposes of Subsection ~~[(13)]~~ (14)(b):

132 (i) no more than one unlicensed person may be so employed unless more than five  
133 licensed electricians are employed by the shop; and

134 (ii) a shop may not employ unlicensed persons in excess of the five-to-one ratio  
135 permitted by this Subsection ~~[(13)]~~ (14)(c).

136 ~~[(14)]~~ (15) "Elevator" means the same as that term is defined in Section [34A-7-202](#),  
137 except that for purposes of this chapter it does not mean a stair chair, a vertical platform lift, or  
138 an incline platform lift.

139 ~~[(15)]~~ (16) "Elevator contractor" means a sole proprietor, firm, or corporation licensed  
140 under this chapter that is engaged in the business of erecting, constructing, installing, altering,  
141 servicing, repairing, or maintaining an elevator.

142 ~~[(16)]~~ (17) "Elevator mechanic" means an individual who is licensed under this chapter  
143 as an elevator mechanic and who is engaged in erecting, constructing, installing, altering,  
144 servicing, repairing, or maintaining an elevator under the immediate supervision of an elevator  
145 contractor.

146 ~~[(17)]~~ (18) "Employee" means an individual as defined by the division by rule giving  
147 consideration to the definition adopted by the Internal Revenue Service and the Department of  
148 Workforce Services.

149 ~~[(18)]~~ (19) "Engage in a construction trade" means to:

150 (a) engage in, represent oneself to be engaged in, or advertise oneself as being engaged  
151 in a construction trade; or

152 (b) use the name "contractor" or "builder" or in any other way lead a reasonable person  
153 to believe one is or will act as a contractor.

154 ~~[(19)]~~ (20) (a) "Financial responsibility" means a demonstration of a current and  
155 expected future condition of financial solvency evidencing a reasonable expectation to the  
156 division and the board that an applicant or licensee can successfully engage in business as a  
157 contractor without jeopardy to the public health, safety, and welfare.

158 (b) Financial responsibility may be determined by an evaluation of the total history  
159 concerning the licensee or applicant including past, present, and expected condition and record  
160 of financial solvency and business conduct.

161 ~~[(20)]~~ (21) "Gas appliance" means any device that uses natural gas to produce light,  
162 heat, power, steam, hot water, refrigeration, or air conditioning.

163 ~~[(21)]~~ (22) (a) "General building contractor" means a person licensed under this  
164 chapter as a general building contractor qualified by education, training, experience, and  
165 knowledge to perform or superintend construction of structures for the support, shelter, and  
166 enclosure of persons, animals, chattels, or movable property of any kind or any of the  
167 components of that construction except plumbing, electrical work, mechanical work, work  
168 related to the operating integrity of an elevator, and manufactured housing installation, for  
169 which the general building contractor shall employ the services of a contractor licensed in the  
170 particular specialty, except that a general building contractor engaged in the construction of  
171 single-family and multifamily residences up to four units may perform the mechanical work  
172 and hire a licensed plumber or electrician as an employee.

173 (b) The division may by rule exclude general building contractors from engaging in the  
174 performance of other construction specialties in which there is represented a substantial risk to  
175 the public health, safety, and welfare, and for which a license is required unless that general  
176 building contractor holds a valid license in that specialty classification.

177 (23) (a) "General electrical contractor" means a person licensed under this chapter as a  
178 general electrical contractor qualified by education, training, experience, and knowledge to  
179 perform the fabrication, construction, and installation of generators, transformers, conduits,  
180 raceways, panels, switch gear, electrical wires, fixtures, appliances, or apparatus that uses

181 electrical energy.

182 (b) The scope of work of a general electrical contractor may be further defined by rules  
183 made by the commission, with the concurrence of the director, in accordance with Title 63G,  
184 Chapter 3, Utah Administrative Rulemaking Act.

185 [~~22~~] (24) (a) "General engineering contractor" means a person licensed under this  
186 chapter as a general engineering contractor qualified by education, training, experience, and  
187 knowledge to perform construction of fixed works in any of the following: irrigation, drainage,  
188 water, power, water supply, flood control, inland waterways, harbors, railroads, highways,  
189 tunnels, airports and runways, sewers and bridges, refineries, pipelines, chemical and industrial  
190 plants requiring specialized engineering knowledge and skill, piers, and foundations, or any of  
191 the components of those works.

192 (b) A general engineering contractor may not perform construction of structures built  
193 primarily for the support, shelter, and enclosure of persons, animals, and chattels.

194 (25) (a) "General plumbing contractor" means a person licensed under this chapter as a  
195 general plumbing contractor qualified by education, training, experience, and knowledge to  
196 perform the fabrication or installation of material and fixtures to create and maintain sanitary  
197 conditions in a building by providing permanent means for a supply of safe and pure water, a  
198 means for the timely and complete removal from the premises of all used or contaminated  
199 water, fluid and semi-fluid organic wastes and other impurities incidental to life and the  
200 occupation of such premises, and a safe and adequate supply of gases for lighting, heating, and  
201 industrial purposes.

202 (b) The scope of work of a general plumbing contractor may be further defined by rules  
203 made by the commission, with the concurrence of the director, in accordance with Title 63G,  
204 Chapter 3, Utah Administrative Rulemaking Act.

205 [~~23~~] (26) "Immediate supervision" means reasonable direction, oversight, inspection,  
206 and evaluation of the work of a person:

207 (a) as the division specifies in rule;

208 (b) by, as applicable, a qualified electrician or plumber;

209 (c) as part of a planned program of training; and

210 (d) to ensure that the end result complies with applicable standards.

211 [~~24~~] (27) "Individual" means a natural person.

212            [~~(25)~~] (28) "Journeyman electrician" means a person licensed under this chapter as a  
213 journeyman electrician having the qualifications, training, experience, and knowledge to wire,  
214 install, and repair electrical apparatus and equipment for light, heat, power, and other purposes.

215            [~~(26)~~] (29) "Journeyman plumber" means a person licensed under this chapter as a  
216 journeyman plumber having the qualifications, training, experience, and technical knowledge  
217 to engage in the plumbing trade.

218            [~~(27)~~] (30) "Master electrician" means a person licensed under this chapter as a master  
219 electrician having the qualifications, training, experience, and knowledge to properly plan,  
220 layout, and supervise the wiring, installation, and repair of electrical apparatus and equipment  
221 for light, heat, power, and other purposes.

222            [~~(28)~~] (31) "Master plumber" means a person licensed under this chapter as a master  
223 plumber having the qualifications, training, experience, and knowledge to properly plan and  
224 layout projects and supervise persons in the plumbing trade.

225            [~~(29)~~] (32) "Person" means a natural person, sole proprietorship, joint venture,  
226 corporation, limited liability company, association, or organization of any type.

227            [~~(30)~~] (33) (a) "Plumbing trade" means the performance of any mechanical work  
228 pertaining to the installation, alteration, change, repair, removal, maintenance, or use in  
229 buildings, or within three feet beyond the outside walls of buildings, of pipes, fixtures, and  
230 fittings for the:

231            (i) delivery of the water supply;

232            (ii) discharge of liquid and water carried waste; [~~or~~]

233            (iii) [~~the~~] building drainage system within the walls of the building[-]; and

234            (iv) delivery of gases for lighting, heating, and industrial purposes.

235            (b) "Plumbing trade" includes work pertaining to the water supply, distribution pipes,  
236 fixtures and fixture traps, soil, waste and vent pipes, [~~and~~] the building drain and roof drains,  
237 and the safe and adequate supply of gases, together with their devices, appurtenances, and  
238 connections where installed within the outside walls of the building.

239            [~~(31)~~] (34) (a) "Ratio of apprentices" means, for the purpose of determining  
240 compliance with the requirements for planned programs of training and electrician apprentice  
241 licensing applications, the shop ratio of apprentice electricians to journeyman or master  
242 electricians shall be one journeyman or master electrician to one apprentice on industrial and



243 commercial work, and one journeyman or master electrician to three apprentices on residential  
244 work.

245 (b) On-the-job training shall be under circumstances in which the ratio of apprentices  
246 to supervisors is in accordance with a ratio of one-to-one on nonresidential work and up to  
247 three apprentices to one supervisor on residential projects.

248 [~~(32)~~] (35) "Residential and small commercial contractor" means a person licensed  
249 under this chapter as a residential and small commercial contractor qualified by education,  
250 training, experience, and knowledge to perform or superintend the construction of  
251 single-family residences, multifamily residences up to four units, and commercial construction  
252 of not more than three stories above ground and not more than 20,000 square feet, or any of the  
253 components of that construction except plumbing, electrical work, mechanical work, and  
254 manufactured housing installation, for which the residential and small commercial contractor  
255 shall employ the services of a contractor licensed in the particular specialty, except that a  
256 residential and small commercial contractor engaged in the construction of single-family and  
257 multifamily residences up to four units may perform the mechanical work and hire a licensed  
258 plumber or electrician as an employee.

259 [~~(33)~~] (36) "Residential building," as it relates to the license classification of residential  
260 journeyman plumber and residential master plumber, means a single or multiple family  
261 dwelling of up to four units.

262 (37) (a) "Residential electrical contractor" means a person licensed under this chapter  
263 as a residential electrical contractor qualified by education, training, experience, and  
264 knowledge to perform the fabrication, construction, and installation of services, disconnecting  
265 means, grounding devices, panels, conductors, load centers, lighting and plug circuits,  
266 appliances, and fixtures in a residential unit.

267 (b) The scope of work of a residential electrical contractor may be further defined by  
268 rules made by the commission, with the concurrence of the director, in accordance with Title  
269 63G, Chapter 3, Utah Administrative Rulemaking Act.

270 [~~(34)~~] (38) "Residential journeyman electrician" means a person licensed under this  
271 chapter as a residential journeyman electrician having the qualifications, training, experience,  
272 and knowledge to wire, install, and repair electrical apparatus and equipment for light, heat,  
273 power, and other purposes on buildings using primarily nonmetallic sheath cable.

274           ~~[(35)]~~ (39) "Residential journeyman plumber" means a person licensed under this  
275 chapter as a residential journeyman plumber having the qualifications, training, experience, and  
276 knowledge to engage in the plumbing trade as limited to the plumbing of residential buildings.

277           ~~[(36)]~~ (40) "Residential master electrician" means a person licensed under this chapter  
278 as a residential master electrician having the qualifications, training, experience, and  
279 knowledge to properly plan, layout, and supervise the wiring, installation, and repair of  
280 electrical apparatus and equipment for light, heat, power, and other purposes on residential  
281 projects.

282           ~~[(37)]~~ (41) "Residential master plumber" means a person licensed under this chapter as  
283 a residential master plumber having the qualifications, training, experience, and knowledge to  
284 properly plan and layout projects and supervise persons in the plumbing trade as limited to the  
285 plumbing of residential buildings.

286           (42) (a) "Residential plumbing contractor" means a person licensed under this chapter  
287 as a general plumbing contractor qualified by education, training, experience, and knowledge to  
288 perform the fabrication or installation of material and fixtures to create and maintain sanitary  
289 conditions in residential buildings by providing permanent means for a supply of safe and pure  
290 water, a means for the timely and complete removal from the premises of all used or  
291 contaminated water, fluid and semi-fluid organic wastes and other impurities incidental to life  
292 and the occupation of such premises, and a safe and adequate supply of gases for lighting,  
293 heating, and industrial purposes.

294           (b) The scope of work of a residential plumbing contractor may be further defined by  
295 rules made by the commission, with the concurrence of the director, in accordance with Title  
296 63G, Chapter 3, Utah Administrative Rulemaking Act.

297           ~~[(38)]~~ (43) "Residential project," as it relates to an electrician or electrical contractor,  
298 means buildings primarily wired with nonmetallic sheathed cable, in accordance with standard  
299 rules and regulations governing this work, including the National Electrical Code, and in which  
300 the voltage does not exceed 250 volts line to line and 125 volts to ground.

301           ~~[(39)]~~ (44) "Sensitive alarm system information" means:

302           (a) a pass code or other code used in the operation of an alarm system;

303           (b) information on the location of alarm system components at the premises of a  
304 customer of the alarm business providing the alarm system;

305 (c) information that would allow the circumvention, bypass, deactivation, or other  
306 compromise of an alarm system of a customer of the alarm business providing the alarm  
307 system; and

308 (d) any other similar information that the division by rule determines to be information  
309 that an individual employed by an alarm business should use or have access to only if the  
310 individual is licensed as provided in this chapter.

311 [~~(40)~~] (45) (a) "Specialty contractor" means a person licensed under this chapter under  
312 a specialty contractor classification established by rule, who is qualified by education, training,  
313 experience, and knowledge to perform those construction trades and crafts requiring  
314 specialized skill, the regulation of which are determined by the division to be in the best  
315 interest of the public health, safety, and welfare.

316 (b) A specialty contractor may perform work in crafts or trades other than those in  
317 which the specialty contractor is licensed if they are incidental to the performance of the  
318 specialty contractor's licensed craft or trade.

319 [~~(41)~~] (46) "Unincorporated entity" means an entity that is not:

- 320 (a) an individual;
- 321 (b) a corporation; or
- 322 (c) publicly traded.

323 [~~(42)~~] (47) "Unlawful conduct" means the same as that term is defined in Sections  
324 58-1-501 and 58-55-501.

325 [~~(43)~~] (48) "Unprofessional conduct" means the same as that term is defined in  
326 Sections 58-1-501 and 58-55-502 and as may be further defined by rule.

327 [~~(44)~~] (49) "Wages" means amounts due to an employee for labor or services whether  
328 the amount is fixed or ascertained on a time, task, piece, commission, or other basis for  
329 calculating the amount.

330 Section 2. Section 58-55-301 is amended to read:

331 **58-55-301. License required -- License classifications.**

332 (1) (a) A person engaged in the construction trades licensed under this chapter, as a  
333 contractor regulated under this chapter, as an alarm business or company, or as an alarm  
334 company agent, shall become licensed under this chapter before engaging in that trade or  
335 contracting activity in this state unless specifically exempted from licensure under Section

336 58-1-307 or 58-55-305.

337 (b) The license issued under this chapter and the business license issued by the local  
338 jurisdiction in which the licensee has its principal place of business shall be the only licenses  
339 required for the licensee to engage in a trade licensed by this chapter, within the state.

340 (c) Neither the state nor any of its political subdivisions may require of a licensee any  
341 additional business licenses, registrations, certifications, contributions, donations, or anything  
342 else established for the purpose of qualifying a licensee under this chapter to do business in that  
343 local jurisdiction, except for contract prequalification procedures required by state agencies, or  
344 the payment of any fee for the license, registration, or certification established as a condition to  
345 do business in that local jurisdiction.

346 (2) The division shall issue licenses under this chapter to qualified persons in the  
347 following classifications:

- 348 (a) general engineering contractor;
- 349 (b) general building contractor;
- 350 (c) residential and small commercial contractor;
- 351 (d) elevator contractor;
- 352 (e) general plumbing contractor;
- 353 (f) residential plumbing contractor;
- 354 (g) general electrical contractor;
- 355 (h) residential electrical contractor;
- 356 [~~e~~] (i) specialty contractor;
- 357 [~~f~~] (j) master plumber;
- 358 [~~g~~] (k) residential master plumber;
- 359 [~~h~~] (l) journeyman plumber;
- 360 [~~i~~] (m) apprentice plumber;
- 361 [~~j~~] (n) residential journeyman plumber;
- 362 [~~k~~] (o) master electrician;
- 363 [~~l~~] (p) residential master electrician;
- 364 [~~m~~] (q) journeyman electrician;
- 365 [~~n~~] (r) residential journeyman electrician;
- 366 [~~o~~] (s) apprentice electrician;

367            ~~[(p)]~~ (t) construction trades instructor:

368            (i) general engineering classification;

369            (ii) general building classification;

370            (iii) electrical classification;

371            (iv) plumbing classification; and

372            (v) mechanical classification;

373            ~~[(q)]~~ (u) alarm company;

374            ~~[(r)]~~ (v) alarm company agent; and

375            ~~[(s)]~~ (w) elevator mechanic.

376            (3) (a) An applicant may apply for a license in one or more classification or specialty  
377 contractor subclassification.

378            (b) A license shall be granted in each classification or subclassification for which the  
379 applicant qualifies.

380            (c) A separate application and fee must be submitted for each license classification or  
381 subclassification.

382            Section 3. Section **58-55-302** is amended to read:

383            **58-55-302. Qualifications for licensure.**

384            (1) Each applicant for a license under this chapter shall:

385            (a) submit an application prescribed by the division;

386            (b) pay a fee as determined by the department under Section [63J-1-504](#);

387            (c) (i) meet the examination requirements established by rule by the commission with  
388 the concurrence of the director, except ~~[for the classifications of apprentice plumber and~~  
389 ~~apprentice electrician for whom no examination is required]~~ that no examination, other than an  
390 examination as part of a 25-hour course described in Subsection (1)(e)(iii), is required for  
391 licensure as an apprentice electrician, apprentice plumber, or specialty contractor; or

392            (ii) if required in Section [58-55-304](#), the individual qualifier must pass the required  
393 examination if the applicant is a business entity;

394            (d) if an apprentice, identify the proposed supervisor of the apprenticeship;

395            (e) if an applicant for a contractor's license:

396            (i) produce satisfactory evidence of financial responsibility, except for a construction  
397 trades instructor for whom evidence of financial responsibility is not required;

398 (ii) produce satisfactory evidence of:

399 (A) except as provided in Subsection (2)(a), and except that no employment experience  
400 is required for licensure as a specialty contractor, two years full-time paid employment  
401 experience in the construction industry, which [~~experience, unless more specifically described~~  
402 ~~in this section,~~] employment experience may be related to any contracting classification unless  
403 more specifically described in this section; and

404 (B) knowledge of the principles of the conduct of business as a contractor, reasonably  
405 necessary for the protection of the public health, safety, and welfare;

406 (iii) except as otherwise provided by rule by the commission with the concurrence of  
407 the director, complete a [~~20-hour~~] 25-hour course established by rule by the commission with  
408 the concurrence of the director, which is taught by an approved prelicensure course provider,  
409 and which course may include:

410 (A) construction business practices;

411 (B) bookkeeping fundamentals;

412 (C) mechanics lien fundamentals; [~~and~~]

413 (D) other aspects of business and construction principles considered important by the  
414 commission with the concurrence of the director; and

415 (E) for no additional fee, an examination at the end of the 25-hour course;

416 (iv) (A) be a licensed master electrician if an applicant for an electrical contractor's  
417 license or a licensed master residential electrician if an applicant for a residential electrical  
418 contractor's license;

419 (B) be a licensed master plumber if an applicant for a plumbing contractor's license or  
420 a licensed master residential plumber if an applicant for a residential plumbing contractor's  
421 license; or

422 (C) be a licensed elevator mechanic and produce satisfactory evidence of three years  
423 experience as an elevator mechanic if an applicant for an elevator contractor's license; and

424 (v) when the applicant is an unincorporated entity, provide a list of the one or more  
425 individuals who hold an ownership interest in the applicant as of the day on which the  
426 application is filed that includes for each individual:

427 (A) the individual's name, address, birth date, and social security number; and

428 (B) whether the individual will engage in a construction trade; and

429 (f) if an applicant for a construction trades instructor license, satisfy any additional  
430 requirements established by rule.

431 (2) (a) If the applicant for a contractor's license described in Subsection (1) is a  
432 building inspector, the applicant may satisfy Subsection (1)(e)(ii)(A) by producing satisfactory  
433 evidence of two years full-time paid employment experience as a building inspector, which  
434 shall include at least one year full-time experience as a licensed combination inspector.

435 (b) After approval of an applicant for a contractor's license by the applicable board and  
436 the division, the applicant shall file the following with the division before the division issues  
437 the license:

438 (i) proof of workers' compensation insurance which covers employees of the applicant  
439 in accordance with applicable Utah law;

440 (ii) proof of public liability insurance in coverage amounts and form established by rule  
441 except for a construction trades instructor for whom public liability insurance is not required;  
442 and

443 (iii) proof of registration as required by applicable law with the:

444 (A) Department of Commerce;

445 (B) Division of Corporations and Commercial Code;

446 (C) Unemployment Insurance Division in the Department of Workforce Services, for  
447 purposes of Title 35A, Chapter 4, Employment Security Act;

448 (D) State Tax Commission; and

449 (E) Internal Revenue Service.

450 (3) In addition to the general requirements for each applicant in Subsection (1),  
451 applicants shall comply with the following requirements to be licensed in the following  
452 classifications:

453 (a) (i) A master plumber shall produce satisfactory evidence that the applicant:

454 (A) has been a licensed journeyman plumber for at least two years and had two years of  
455 supervisory experience as a licensed journeyman plumber in accordance with division rule;

456 (B) has received at least an associate of applied science degree or similar degree  
457 following the completion of a course of study approved by the division and had one year of  
458 supervisory experience as a licensed journeyman plumber in accordance with division rule; or

459 (C) meets the qualifications determined by the division in collaboration with the board

460 to be equivalent to Subsection (3)(a)(i)(A) or (B).

461 (ii) An individual holding a valid Utah license as a journeyman plumber, based on at  
462 least four years of practical experience as a licensed apprentice under the supervision of a  
463 licensed journeyman plumber and four years as a licensed journeyman plumber, in effect  
464 immediately prior to May 5, 2008, is on and after May 5, 2008, considered to hold a current  
465 master plumber license under this chapter, and satisfies the requirements of this Subsection  
466 (3)(a) for the purpose of renewal or reinstatement of that license under Section 58-55-303.

467 (iii) An individual holding a valid plumbing contractor's license or residential  
468 plumbing contractor's license, in effect immediately prior to May 5, 2008, is on or after May 5,  
469 2008:

470 (A) considered to hold a current master plumber license under this chapter if licensed  
471 as a plumbing contractor and a journeyman plumber, and satisfies the requirements of this  
472 Subsection (3)(a) for purposes of renewal or reinstatement of that license under Section  
473 58-55-303; and

474 (B) considered to hold a current residential master plumber license under this chapter if  
475 licensed as a residential plumbing contractor and a residential journeyman plumber, and  
476 satisfies the requirements of this Subsection (3)(a) for purposes of renewal or reinstatement of  
477 that license under Section 58-55-303.

478 (b) A master residential plumber applicant shall produce satisfactory evidence that the  
479 applicant:

480 (i) has been a licensed residential journeyman plumber for at least two years and had  
481 two years of supervisory experience as a licensed residential journeyman plumber in  
482 accordance with division rule; or

483 (ii) meets the qualifications determined by the division in collaboration with the board  
484 to be equivalent to Subsection (3)(b)(i).

485 (c) A journeyman plumber applicant shall produce satisfactory evidence of:

486 (i) successful completion of the equivalent of at least four years of full-time training  
487 and instruction as a licensed apprentice plumber under supervision of a licensed master  
488 plumber or journeyman plumber and in accordance with a planned program of training  
489 approved by the division;

490 (ii) at least eight years of full-time experience approved by the division in collaboration



491 with the Plumbers Licensing Board; or

492 (iii) satisfactory evidence of meeting the qualifications determined by the board to be  
493 equivalent to Subsection (3)(c)(i) or (c)(ii).

494 (d) A residential journeyman plumber shall produce satisfactory evidence of:

495 (i) completion of the equivalent of at least three years of full-time training and  
496 instruction as a licensed apprentice plumber under the supervision of a licensed residential  
497 master plumber, licensed residential journeyman plumber, or licensed journeyman plumber in  
498 accordance with a planned program of training approved by the division;

499 (ii) completion of at least six years of full-time experience in a maintenance or repair  
500 trade involving substantial plumbing work; or

501 (iii) meeting the qualifications determined by the board to be equivalent to Subsection  
502 (3)(d)(i) or (d)(ii).

503 (e) The conduct of licensed apprentice plumbers and their licensed supervisors shall be  
504 in accordance with the following:

505 (i) while engaging in the trade of plumbing, a licensed apprentice plumber shall be  
506 under the immediate supervision of a licensed master plumber, licensed residential master  
507 plumber, licensed journeyman plumber, or a licensed residential journeyman plumber; and

508 (ii) a licensed apprentice plumber in the fourth through tenth year of training may work  
509 without supervision for a period not to exceed eight hours in any 24-hour period, but if the  
510 apprentice does not become a licensed journeyman plumber or licensed residential journeyman  
511 plumber by the end of the tenth year of apprenticeship, this nonsupervision provision no longer  
512 applies.

513 (f) A master electrician applicant shall produce satisfactory evidence that the applicant:

514 (i) is a graduate electrical engineer of an accredited college or university approved by  
515 the division and has one year of practical electrical experience as a licensed apprentice  
516 electrician;

517 (ii) is a graduate of an electrical trade school, having received an associate of applied  
518 sciences degree following successful completion of a course of study approved by the division,  
519 and has two years of practical experience as a licensed journeyman electrician;

520 (iii) has four years of practical experience as a journeyman electrician; or

521 (iv) meets the qualifications determined by the board to be equivalent to Subsection

522 (3)(f)(i), (ii), or (iii).

523 (g) A master residential electrician applicant shall produce satisfactory evidence that  
524 the applicant:

525 (i) has at least two years of practical experience as a residential journeyman electrician;  
526 or

527 (ii) meets the qualifications determined by the board to be equivalent to this practical  
528 experience.

529 (h) A journeyman electrician applicant shall produce satisfactory evidence that the  
530 applicant:

531 (i) has successfully completed at least four years of full-time training and instruction as  
532 a licensed apprentice electrician under the supervision of a master electrician or journeyman  
533 electrician and in accordance with a planned training program approved by the division;

534 (ii) has at least eight years of full-time experience approved by the division in  
535 collaboration with the Electricians Licensing Board; or

536 (iii) meets the qualifications determined by the board to be equivalent to Subsection  
537 (3)(h)(i) or (ii).

538 (i) A residential journeyman electrician applicant shall produce satisfactory evidence  
539 that the applicant:

540 (i) has successfully completed two years of training in an electrical training program  
541 approved by the division;

542 (ii) has four years of practical experience in wiring, installing, and repairing electrical  
543 apparatus and equipment for light, heat, and power under the supervision of a licensed master,  
544 journeyman, residential master, or residential journeyman electrician; or

545 (iii) meets the qualifications determined by the division and applicable board to be  
546 equivalent to Subsection (3)(i)(i) or (ii).

547 (j) The conduct of licensed apprentice electricians and their licensed supervisors shall  
548 be in accordance with the following:

549 (i) A licensed apprentice electrician shall be under the immediate supervision of a  
550 licensed master, journeyman, residential master, or residential journeyman electrician. An  
551 apprentice in the fourth year of training may work without supervision for a period not to  
552 exceed eight hours in any 24-hour period.

553 (ii) A licensed master, journeyman, residential master, or residential journeyman  
554 electrician may have under immediate supervision on a residential project up to three licensed  
555 apprentice electricians.

556 (iii) A licensed master or journeyman electrician may have under immediate  
557 supervision on nonresidential projects only one licensed apprentice electrician.

558 (k) An alarm company applicant shall:

559 (i) have a qualifying agent who is an officer, director, partner, proprietor, or manager of  
560 the applicant who:

561 (A) demonstrates 6,000 hours of experience in the alarm company business;

562 (B) demonstrates 2,000 hours of experience as a manager or administrator in the alarm  
563 company business or in a construction business; and

564 (C) passes an examination component established by rule by the commission with the  
565 concurrence of the director;

566 (ii) if a corporation, provide:

567 (A) the names, addresses, dates of birth, social security numbers, and fingerprint cards  
568 of all corporate officers, directors, and those responsible management personnel employed  
569 within the state or having direct responsibility for managing operations of the applicant within  
570 the state; and

571 (B) the names, addresses, dates of birth, social security numbers, and fingerprint cards  
572 of all shareholders owning 5% or more of the outstanding shares of the corporation, except this  
573 shall not be required if the stock is publicly listed and traded;

574 (iii) if a limited liability company, provide:

575 (A) the names, addresses, dates of birth, social security numbers, and fingerprint cards  
576 of all company officers, and those responsible management personnel employed within the  
577 state or having direct responsibility for managing operations of the applicant within the state;  
578 and

579 (B) the names, addresses, dates of birth, social security numbers, and fingerprint cards  
580 of all individuals owning 5% or more of the equity of the company;

581 (iv) if a partnership, provide the names, addresses, dates of birth, social security  
582 numbers, and fingerprint cards of all general partners, and those responsible management  
583 personnel employed within the state or having direct responsibility for managing operations of

584 the applicant within the state;

585 (v) if a proprietorship, provide the names, addresses, dates of birth, social security  
586 numbers, and fingerprint cards of the proprietor, and those responsible management personnel  
587 employed within the state or having direct responsibility for managing operations of the  
588 applicant within the state;

589 (vi) if a trust, provide the names, addresses, dates of birth, social security numbers, and  
590 fingerprint cards of the trustee, and those responsible management personnel employed within  
591 the state or having direct responsibility for managing operations of the applicant within the  
592 state;

593 (vii) be of good moral character in that officers, directors, shareholders described in  
594 Subsection (3)(k)(ii)(B), partners, proprietors, trustees, and responsible management personnel  
595 have not been convicted of a felony, a misdemeanor involving moral turpitude, or any other  
596 crime that when considered with the duties and responsibilities of an alarm company is  
597 considered by the board to indicate that the best interests of the public are served by granting  
598 the applicant a license;

599 (viii) document that none of the applicant's officers, directors, shareholders described  
600 in Subsection (3)(k)(ii)(B), partners, proprietors, trustees, and responsible management  
601 personnel have been declared by any court of competent jurisdiction incompetent by reason of  
602 mental defect or disease and not been restored;

603 (ix) document that none of the applicant's officers, directors, shareholders described in  
604 Subsection (3)(k)(ii)(B), partners, proprietors, and responsible management personnel are  
605 currently suffering from habitual drunkenness or from drug addiction or dependence;

606 (x) file and maintain with the division evidence of:

607 (A) comprehensive general liability insurance in form and in amounts to be established  
608 by rule by the commission with the concurrence of the director;

609 (B) workers' compensation insurance that covers employees of the applicant in  
610 accordance with applicable Utah law; and

611 (C) registration as is required by applicable law with the:

612 (I) Division of Corporations and Commercial Code;

613 (II) Unemployment Insurance Division in the Department of Workforce Services, for  
614 purposes of Title 35A, Chapter 4, Employment Security Act;

- 615 (III) State Tax Commission; and
- 616 (IV) Internal Revenue Service; and
- 617 (xi) meet with the division and board.
- 618 (l) Each applicant for licensure as an alarm company agent shall:
- 619 (i) submit an application in a form prescribed by the division accompanied by
- 620 fingerprint cards;
- 621 (ii) pay a fee determined by the department under Section [63J-1-504](#);
- 622 (iii) be of good moral character in that the applicant has not been convicted of a felony,
- 623 a misdemeanor involving moral turpitude, or any other crime that when considered with the
- 624 duties and responsibilities of an alarm company agent is considered by the board to indicate
- 625 that the best interests of the public are served by granting the applicant a license;
- 626 (iv) not have been declared by any court of competent jurisdiction incompetent by
- 627 reason of mental defect or disease and not been restored;
- 628 (v) not be currently suffering from habitual drunkenness or from drug addiction or
- 629 dependence; and
- 630 (vi) meet with the division and board if requested by the division or the board.
- 631 (m) (i) Each applicant for licensure as an elevator mechanic shall:
- 632 (A) provide documentation of experience and education credits of not less than three
- 633 years work experience in the elevator industry, in construction, maintenance, or service and
- 634 repair; and
- 635 (B) satisfactorily complete a written examination administered by the division
- 636 established by rule under Section [58-1-203](#); or
- 637 (C) provide certificates of completion of an apprenticeship program for elevator
- 638 mechanics, having standards substantially equal to those of this chapter and registered with the
- 639 United States Department of Labor Bureau Apprenticeship and Training or a state
- 640 apprenticeship council.
- 641 (ii) (A) If an elevator contractor licensed under this chapter cannot find a licensed
- 642 elevator mechanic to perform the work of erecting, constructing, installing, altering, servicing,
- 643 repairing, or maintaining an elevator, the contractor may:
- 644 (I) notify the division of the unavailability of licensed personnel; and
- 645 (II) request the division issue a temporary elevator mechanic license to an individual

646 certified by the contractor as having an acceptable combination of documented experience and  
647 education to perform the work described in this Subsection (3)(m)(ii)(A).

648 (B) (I) The division may issue a temporary elevator mechanic license to an individual  
649 certified under Subsection (3)(m)(ii)(A)(II) upon application by the individual, accompanied by  
650 the appropriate fee as determined by the department under Section 63J-1-504.

651 (II) The division shall specify the time period for which the license is valid and may  
652 renew the license for an additional time period upon its determination that a shortage of  
653 licensed elevator mechanics continues to exist.

654 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
655 division may make rules establishing when Federal Bureau of Investigation records shall be  
656 checked for applicants as an alarm company or alarm company agent.

657 (5) To determine if an applicant meets the qualifications of Subsections (3)(k)(vii) and  
658 (3)(l)(iii), the division shall provide an appropriate number of copies of fingerprint cards to the  
659 Department of Public Safety with the division's request to:

660 (a) conduct a search of records of the Department of Public Safety for criminal history  
661 information relating to each applicant for licensure as an alarm company or alarm company  
662 agent and each applicant's officers, directors, shareholders described in Subsection  
663 (3)(k)(ii)(B), partners, proprietors, and responsible management personnel; and

664 (b) forward to the Federal Bureau of Investigation a fingerprint card of each applicant  
665 requiring a check of records of the Federal Bureau of Investigation for criminal history  
666 information under this section.

667 (6) The Department of Public Safety shall send to the division:

668 (a) a written record of criminal history, or certification of no criminal history record, as  
669 contained in the records of the Department of Public Safety in a timely manner after receipt of  
670 a fingerprint card from the division and a request for review of Department of Public Safety  
671 records; and

672 (b) the results of the Federal Bureau of Investigation review concerning an applicant in  
673 a timely manner after receipt of information from the Federal Bureau of Investigation.

674 (7) (a) The division shall charge each applicant for licensure as an alarm company or  
675 alarm company agent a fee, in accordance with Section 63J-1-504, equal to the cost of  
676 performing the records reviews under this section.

677 (b) The division shall pay the Department of Public Safety the costs of all records  
678 reviews, and the Department of Public Safety shall pay the Federal Bureau of Investigation the  
679 costs of records reviews under this section.

680 (8) Information obtained by the division from the reviews of criminal history records of  
681 the Department of Public Safety and the Federal Bureau of Investigation shall be used or  
682 disseminated by the division only for the purpose of determining if an applicant for licensure as  
683 an alarm company or alarm company agent is qualified for licensure.

684 (9) (a) An application for licensure under this chapter shall be denied if:

685 (i) the applicant has had a previous license, which was issued under this chapter,  
686 suspended or revoked within two years before the date of the applicant's application;

687 (ii) (A) the applicant is a partnership, corporation, or limited liability company; and

688 (B) any corporate officer, director, shareholder holding 25% or more of the stock in the  
689 applicant, partner, member, agent acting as a qualifier, or any person occupying a similar  
690 status, performing similar functions, or directly or indirectly controlling the applicant has  
691 served in any similar capacity with any person or entity which has had a previous license,  
692 which was issued under this chapter, suspended or revoked within two years before the date of  
693 the applicant's application;

694 (iii) (A) the applicant is an individual or sole proprietorship; and

695 (B) any owner or agent acting as a qualifier has served in any capacity listed in  
696 Subsection (9)(a)(ii)(B) in any entity which has had a previous license, which was issued under  
697 this chapter, suspended or revoked within two years before the date of the applicant's  
698 application; or

699 (iv) (A) the applicant includes an individual who was an owner, director, or officer of  
700 an unincorporated entity at the time the entity's license under this chapter was revoked; and

701 (B) the application for licensure is filed within 60 months after the revocation of the  
702 unincorporated entity's license.

703 (b) An application for licensure under this chapter shall be reviewed by the appropriate  
704 licensing board prior to approval if:

705 (i) the applicant has had a previous license, which was issued under this chapter,  
706 suspended or revoked more than two years before the date of the applicant's application;

707 (ii) (A) the applicant is a partnership, corporation, or limited liability company; and

708 (B) any corporate officer, director, shareholder holding 25% or more of the stock in the  
709 applicant, partner, member, agent acting as a qualifier, or any person occupying a similar  
710 status, performing similar functions, or directly or indirectly controlling the applicant has  
711 served in any similar capacity with any person or entity which has had a previous license,  
712 which was issued under this chapter, suspended or revoked more than two years before the date  
713 of the applicant's application; or

714 (iii) (A) the applicant is an individual or sole proprietorship; and

715 (B) any owner or agent acting as a qualifier has served in any capacity listed in  
716 Subsection (9)(b)(ii)(B) in any entity which has had a previous license, which was issued under  
717 this chapter, suspended or revoked more than two years before the date of the applicant's  
718 application.

719 (10) (a) (i) A licensee that is an unincorporated entity shall file an ownership status  
720 report with the division every 30 days after the day on which the license is issued if the licensee  
721 has more than five owners who are individuals who:

722 (A) own an interest in the contractor that is an unincorporated entity;

723 (B) own, directly or indirectly, less than an 8% interest, as defined by rule made by the  
724 division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, in the  
725 unincorporated entity; and

726 (C) engage, or will engage, in a construction trade in the state as owners of the  
727 contractor described in Subsection (10)(a)(i)(A).

728 (ii) If the licensee has five or fewer owners described in Subsection (10)(a)(i), the  
729 licensee shall provide the ownership status report with an application for renewal of licensure.

730 (b) An ownership status report required under this Subsection (10) shall:

731 (i) specify each addition or deletion of an owner:

732 (A) for the first ownership status report, after the day on which the unincorporated  
733 entity is licensed under this chapter; and

734 (B) for a subsequent ownership status report, after the day on which the previous  
735 ownership status report is filed;

736 (ii) be in a format prescribed by the division that includes for each owner, regardless of  
737 the owner's percentage ownership in the unincorporated entity, the information described in  
738 Subsection(1)(e)(v);



739 (iii) list the name of:  
740 (A) each officer or manager of the unincorporated entity; and  
741 (B) each other individual involved in the operation, supervision, or management of the  
742 unincorporated entity; and  
743 (iv) be accompanied by a fee set by the division in accordance with Section 63J-1-504  
744 if the ownership status report indicates there is a change described in Subsection (10)(b)(i).  
745 (c) The division may, at any time, audit an ownership status report under this  
746 Subsection (10):  
747 (i) to determine if financial responsibility has been demonstrated or maintained as  
748 required under Section 58-55-306; and  
749 (ii) to determine compliance with Subsection 58-55-501(24), (25), or (27) or  
750 Subsection 58-55-502(8) or (9).  
751 (11) (a) An unincorporated entity that provides labor to an entity licensed under this  
752 chapter by providing an individual who owns an interest in the unincorporated entity to engage  
753 in a construction trade in Utah shall file with the division:  
754 (i) before the individual who owns an interest in the unincorporated entity engages in a  
755 construction trade in Utah, a current list of the one or more individuals who hold an ownership  
756 interest in the unincorporated entity that includes for each individual:  
757 (A) the individual's name, address, birth date, and social security number; and  
758 (B) whether the individual will engage in a construction trade; and  
759 (ii) every 30 days after the day on which the unincorporated entity provides the list  
760 described in Subsection (11)(a)(i), an ownership status report containing the information that  
761 would be required under Subsection (10) if the unincorporated entity were a licensed  
762 contractor.  
763 (b) When filing an ownership list described in Subsection (11)(a)(i) or an ownership  
764 status report described in Subsection (11)(a)(ii), an unincorporated entity shall pay a fee set by  
765 the division in accordance with Section 63J-1-504.  
766 (12) This chapter may not be interpreted to create or support an express or implied  
767 independent contractor relationship between an unincorporated entity described in Subsection  
768 (10) or (11) and the owners of the unincorporated entity for any purpose, including income tax  
769 withholding.

770 (13) A social security number provided under Subsection (1)(e)(v) is a private record  
771 under Subsection 63G-2-302(1)(i).

772 Section 4. Section 58-55-302.5 is amended to read:

773 **58-55-302.5. Continuing education requirements for contractor licensees --**

774 **Continuing education courses.**

775 (1) Each contractor licensee under a license issued under this chapter shall complete  
776 six hours of approved continuing education during each two-year renewal cycle established by  
777 rule under Subsection 58-55-303(1).

778 (2) (a) The commission shall, with the concurrence of the division, establish by rule a  
779 program of approved continuing education for contractor licensees.

780 (b) Except as provided in Subsection (2)(e), beginning on or after June 1, 2015, only  
781 courses offered by any of the following may be included in the program of approved continuing  
782 education for contractor licensees:

- 783 (i) the Associated General Contractors of Utah;
- 784 (ii) Associated Builders and Contractors, Utah Chapter;
- 785 (iii) the Home Builders Association of Utah;
- 786 (iv) the National Electrical Contractors Association Intermountain Chapter;
- 787 (v) the Utah Plumbing & Heating Contractors Association;
- 788 (vi) the Independent Electrical Contractors of Utah;
- 789 (vii) the Rocky Mountain Gas Association;
- 790 (viii) the Utah Mechanical Contractors Association;
- 791 (ix) the Sheet Metal Contractors Association;
- 792 (x) the Intermountain Electrical Association;
- 793 (xi) the Builders Bid Service of Utah; or
- 794 (xii) Utah Roofing Contractors Association.

795 (c) An approved continuing education program for a contractor licensee may include a  
796 course approved by an entity described in Subsections (2)(b)(i) through (2)(b)(iii).

797 (d) (i) Except as provided in Subsections (2)(d)(ii) and (iii), an entity listed in  
798 Subsections (2)(b)(iv) through (2)(b)(xii) may only offer and market continuing education  
799 courses to a licensee who is a member of the entity.

800 (ii) An entity described in Subsection (2)(b)(iv), (vi), or (x) may offer and market a

801 continuing education course that the entity offers to satisfy the continuing education  
802 requirement described in Subsection 58-55-302.7(2)(a) to a contractor in the electrical trade.

803 (iii) An entity described in Subsection (2)(b)(v) or (viii) may offer and market a  
804 continuing education course that the entity offers to satisfy the continuing education  
805 requirement described in Subsection 58-55-302.7(2)(b) to a contractor in the plumbing trade.

806 (e) On or after June 1, 2015, an approved continuing education program for a  
807 contractor licensee may include a course offered and taught by:

808 (i) a state executive branch agency;

809 (ii) the Workers' Compensation Fund created in Section 31A-33-102; or

810 (iii) a nationally or regionally accredited college or university that has a physical  
811 campus in the state.

812 (f) On or after June 1, 2017, for a contractor licensee that is licensed in the specialty  
813 contractor classification of HVAC contractor, at least three of the six hours described in  
814 Subsection (1) shall include continuing education directly related to the installation, repair, or  
815 replacement of a heating, ventilation, or air conditioning system.

816 (3) The division may contract with a person to establish and maintain a continuing  
817 education registry to include:

818 (a) a list of courses that the division has approved for inclusion in the program of  
819 approved continuing education; and

820 (b) a list of courses that:

821 (i) a contractor licensee has completed under the program of approved continuing  
822 education; and

823 (ii) the licensee may access to monitor the licensee's compliance with the continuing  
824 education requirement established under Subsection (1).

825 (4) The division may charge a fee, as established by the division under Section  
826 63J-1-504, to administer the requirements of this section.