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BILL



ANALYSIS

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Senate Bill 297 (Substitute S-1 as reported)
Sponsor: Senator Ken Horn
Committee: Regulatory Reform

Date Completed: 5-31-17

RATIONALE

Public Acts 407 through 416 of 2016 repealed the Electrical Administration Act, the Mechanical Contractors Act, the State Plumbing Act, the Boiler Act, and the Building Officials and Inspectors Registration Act, and enacted the Skilled Trades Regulation Act to regulate all of the occupations previously regulated under those former Acts. The Skilled Trades Regulation Act was designed to restructure and streamline the regulatory process without substantial policy change. Apparently, however, there is confusion about who is allowed to install electric wiring. Specifically, some question whether licensing requirements apply to the installation of electrical wiring that is not energized. To remove this confusion, it was suggested that amendments to the Act should clarify that only an individual who is licensed by the State is allowed to install electric wiring, whether it is energized or not. In addition, it has been pointed out the Act contains a mistake regarding the criteria that must be met before the Department of Licensing and Regulatory Affairs may issue a master electrician's license to an individual.

CONTENT

The bill would amend the Skilled Trades Regulation Act to do the following:

- **Require a person to be licensed as an electrician in order to install any electric wiring, regardless of whether it was energized at the time.**
- **Require an individual to hold a journeyman's license and have a certain amount of experience before the Department could issue a master electrician's license to him or her, instead of allowing the Department to issue the license if only one of those criteria is satisfied.**
- **Require an individual licensed under the Act, upon request, to present proof of licensure and a government-issued photo ID to a building official, inspector, or enforcing agency employee.**

Article 7 (Electricians and Electrical Contractors) of the Act prohibits a person from installing any electrical wiring, devices, appliances, or appurtenances for the generation, distribution, and use of electrical energy, in or on any building, structure, or property, without a license. The bill provides, instead, that only an individual who was licensed under Article 7 could install electrical wiring.

The Act defines "electrical wiring" as all wiring, generating equipment, fixtures, appliances, and appurtenances in connection with the generation, distribution, and use of electrical energy, in or on a building, residence, structure, or propriety. The bill would add, "regardless of whether or not the electrical wiring is energized at the time of installation". The bill also would refer to devices in the definition.

In addition, the bill would require an individual to fulfill both of the following requirements, instead of one of them, before the Department could issue a master electrician's license to him or her:

- Have at least 12,000 hours of experience that was obtained over a period of six or more years, was related to electrical construction, the maintenance of buildings, or electrical wiring or equipment, and was performed under the supervision of a master electrician.
- Hold an electrical journeyman's license for at least two years.

Under the bill, at the request of a building official, inspector, or employee of an enforcing agency, an individual who was licensed under the Act would have to present to that building official, inspector, or employee proof of licensure and a government-issued photo identification.

"Building official" would mean that term as defined in Section 1001 of the Act: a construction code enforcement person working as an inspector, or plan reviewer, or actively engaged in the administration and enforcement of adopted building, electrical, mechanical, or plumbing codes, or any combination of these codes.

"Inspector" would mean that term as defined in Section 1003 of the Act: the individual who is responsible for the administration and enforcement of the construction of buildings, structures, or appurtenances under the State Construction Code.

Under the Act, "enforcing agency" means the governmental agency that, in accordance with the Single State Construction Code Act, is responsible for administration and enforcement of the State Construction Code within a governmental subdivision.

The bill would take effect 90 days after its enactment.

MCL 339.5201 et al.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

According to a Department of Licensing and Regulatory Affairs report from fiscal year 2015-16, approximately 1,500 new electrical licenses (all types) and 26,000 electrical contractor license renewals were issued that year. It is important that the Department, licensed electricians, and unlicensed individuals understand the responsibilities of an electrician and know which activities require licensure. By clarifying the scope of practice for electricians, the bill would remove confusion regarding whether a person must be licensed by the State to install electric wiring that is not energized. In addition, the bill would ensure that an individual met both the requirement for work experience and the requirement for a journeyman's license, in order to be licensed as a master electrician.

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.