

CHAPTER 16
HOUSE BILL No. 2142

AN ACT concerning licensure and continuing education requirements for certain trades and crafts; amending K.S.A. 2008 Supp. 12-1509, 12-1526 and 12-1542 and repealing the existing sections.

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

Section 1. K.S.A. 2008 Supp. 12-1509 is hereby amended to read as follows: 12-1509. (a) Any county or city requiring the licensure of plumbers practicing within the county or city may conduct examinations designated by K.S.A. 12-1508, and amendments thereto, for the purpose of determining the competency of applicants for such licensure and shall not be allowed to ask further questions not designated on such examination. The board of county commissioners of such county or the governing body of such city shall adopt rules and regulations: (1) Governing the conduct and grading of such examinations; (2) prescribing a minimum score of 75% for passage of examinations; (3) fixing a uniform fee to be charged all applicants taking each such examination; and (4) requiring all persons receiving such license annually to obtain not less than 12 hours biennially *or six hours annually* of continuing education approved by such local governing body. *Not less than six hours biennially or three hours annually shall consist of code education.* Continuing education may be provided by the local governing body ~~or~~, a nationally recognized trade association, *community college, technical school, technical college or other provider approved by the local governing body.* All ~~12~~ hours of education ~~may consist of code update training on the code currently adopted in the county or city where licensing is being requested shall consist of training relative to construction, maintenance and code update training.~~ *Neither the county commission nor the governing body of such city shall impose any restriction on the number of providers of such continuing education.*

(b) The certificate of competency received by any person who successfully passes an examination designated by K.S.A. 12-1508, and amendments thereto, shall be valid proof of competency for licensure, without additional examination, in any county or city of the state which requires licensure of plumbers practicing within such county or city. The county or city shall issue the appropriate license to any applicant therefor who presents such a certificate of competency. The county or city shall fix a uniform fee to be charged all such applicants for licensure.

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

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

(e) Before sitting for the standard examination designated by K.S.A. 12-1508, and amendments thereto, an applicant for a journeyman certificate shall demonstrate documented proof of a minimum of two years field experience. "Field experience" means working under the direct supervision of a person having a valid journeyman certificate or master certificate or attending trade related schooling. No more than one year of the requirement may be satisfied by trade related schooling. Schooling shall consist of a minimum of 240 hours classroom training.

(f) Before sitting for the standard examination designated by K.S.A. 12-1508, and amendments thereto, an applicant for a master certificate shall demonstrate documented proof of having a valid journeyman certificate for a minimum of two years or having field experience for a minimum of four years.

Sec. 2. K.S.A. 2008 Supp. 12-1526 is hereby amended to read as follows: 12-1526. (a) Any county or city requiring the licensure of electricians practicing within the county or city may conduct examinations designated by K.S.A. 12-1525, and amendments thereto, for the purpose of determining the competency of applicants for such licensure and shall not be allowed to ask further questions not designated on such examination. The board of county commissioners of such county or the governing body of such city shall adopt rules and regulations: (1) Governing the conduct and grading of such examinations; (2) prescribing a minimum score of 75% for passage of examinations; (3) fixing a uniform fee to be charged all applicants taking each such examination; and (4) requiring all persons receiving such license to obtain not less than 12 hours biennially *or six hours annually* of continuing education approved by such local governing body. *Not less than six hours biennially or three hours annually shall consist of code education.* Continuing education may be provided by the local governing body, a nationally recognized trade ~~organization~~ *association*, community college, technical school ~~or~~ *technical college or other provider approved by the local governing body.* All ~~12~~ hours of education ~~may consist of code up-date training on the code currently adopted in the county or city where licensing is being requested~~ *shall consist of training relative to construction, maintenance and code update training.* Neither the county commission nor the governing body of such city shall impose any restriction on the number of providers of such continuing education.

(b) The certificate of competency received by any person who successfully passes an examination designated by K.S.A. 12-1525, and amendments thereto, shall be valid proof of competency for licensure, without additional examination, in any county or city of the state which requires licensure of electricians practicing within such county or city. The county or city shall issue the appropriate license to any applicant therefor who presents such a certificate of competency. The county or city shall fix a uniform fee to be charged all such applicants for licensure.

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

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

(e) Before sitting for the standard examination designated by K.S.A. 12-1525, and amendments thereto, an applicant for a journeyman or residential certificate shall demonstrate documented proof of a minimum of two years field experience. "Field experience" means working under the direct supervision of a person having a valid journeyman certificate, residential certificate or master certificate or attending trade related schooling. No more than one year of the requirement may be satisfied by trade related schooling. Schooling shall consist of a minimum of 240 hours classroom training.

(f) Before sitting for the standard examination designated by K.S.A. 12-1525, and amendments thereto, an applicant for a master certificate shall demonstrate documented proof of having a valid journeyman certificate for a minimum of two years.

Sec. 3. K.S.A. 2008 Supp. 12-1542 is hereby amended to read as follows: 12-1542. (a) Any county or city requiring the licensure of mechanical heating, ventilation and air conditioning contractors and master and journeyman heating, ventilation and air conditioning mechanics practicing within the county or city may conduct examinations designated by K.S.A. 12-1541 for the purpose of determining the competency of applicants for such licensure and shall not be allowed to ask further questions not designated on such examination. The board of county commissioners

of such county or the governing body of such city shall adopt rules and regulations: (1) Governing the conduct and grading of such examinations; (2) prescribing a minimum score of 75% for passage of examinations; (3) fixing a uniform fee to be charged all applicants taking each such examination; and (4) requiring all persons receiving such license annually to obtain not less than 12 hours biennially or six hours annually of continuing education approved by such local governing body. *Not less than six hours biennially or three hours annually shall consist of code education.* Continuing education may be provided by the local governing body ~~or~~, a nationally recognized trade association, *community college, technical school, technical college or other provider approved by the local governing body.* All ~~12~~ hours of education ~~may consist of code update training on the code currently adopted in the county or city where licensing is being requested.~~ *shall consist of training relative to construction, maintenance and code update training. Neither the county commission nor the governing body of such city shall impose any restriction on the number of providers of such continuing education.*

(b) The certificate of competency received by any person who successfully passes an examination designated by K.S.A. 12-1541, and amendments thereto, shall be valid proof of competency for licensure, without additional examination, in any county or city of the state which requires licensure of mechanical heating, ventilation and air conditioning contractors and master and journeyman heating, ventilation and air conditioning mechanics practicing within such county or city. The county or city shall issue the appropriate license to any applicant therefor who presents such a certificate of competency. The county or city shall fix a uniform fee to be charged all such applicants for licensure.

(c) All *new* licenses issued by a county or city upon the basis of successful passage of an examination designated by K.S.A. 12-1541, and amendments thereto, shall bear a distinctive notation ~~of such fact.~~ *identifying the testing agency and the specific test by name. All licenses renewed upon the basis of completed continuing education as provided by subsection (a) shall bear a distinctive notation to verify such completion.* All such licenses shall be valid in any other county or city which requires examination and licensure of mechanical heating, ventilation and air conditioning contractors and master and journeyman heating, ventilation and air conditioning mechanics for practice in such county or city.

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

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

(f) Before sitting for the standard examination designated by K.S.A. 12-1541, and amendments thereto, an applicant for a master heating, ventilation and air conditioning mechanic certificate shall demonstrate documented proof of having a valid journeyman certificate for a minimum of two years or having field experience for a minimum of four years.

Sec. 4. K.S.A. 2008 Supp. 12-1509, 12-1526 and 12-1542 are hereby repealed.

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