

## HOUSE BILL No. 2588

By Committee on Commerce, Labor and Economic Development

Requested by Representative Willcott

1-28

1 AN ACT concerning occupational licensing; relating to statewide licensure  
2 of electricians; providing for such licensing of electricians by the ~~board~~  
3 ~~of technical professions~~ **state fire marshal; enacting the electrician**  
4 **licensing act**; amending K.S.A. **12-1526 and 12-1527, 74-7003, 74-**  
5 **7004, 74-7005, 74-7035 and 74-7040** and repealing the existing  
6 sections; ~~also repealing K.S.A. 12-1525 and 12-1526.~~

7  
8 *Be it enacted by the Legislature of the State of Kansas:*

9 **New Section 1. The provisions of sections 1 through 12, and**  
10 **amendments thereto, as contained in this act shall be known and may**  
11 **be cited as the electrician licensing act.**

12 **New Sec. 2. As used in this act:**

13 (a) "Act" means the electrician licensing act.

14 (b) "Board" means the electrician licensing advisory board.

15 (c) "Electrician," generally, or "master electrician,"  
16 "journeyman electrician" or "residential electrician," specifically,  
17 means a person who is qualified to engage in the practice of a master  
18 electrician, journeyman electrician or residential electrician,  
19 respectively, and licensed by the state fire marshal to practice such  
20 respective profession and perform electrical work.

21 (d) "Electrical work" or "practice as an electrician" means  
22 providing, offering to provide or representing oneself as able to  
23 provide professional electrician services as a master electrician,  
24 journeyman electrician or residential electrician.

25 (e) "Licensee" means a master electrician, journeyman  
26 electrician or residential electrician who is licensed pursuant to this  
27 act.

28 (f) "Person" means a natural person or business entity.

29 ~~New Section 1.~~ **New Sec. 3. On and after July 1, 2027, standard**  
30 **examinations for the determination of competency of electrical**  
31 **contractors, master electricians, journeyman electricians and residential**  
32 **electricians, as promulgated or administered, or both, by the international**  
33 **code council, the international association of plumbing and mechanical**

1 officials or prometric, a subsidiary of educational testing services in effect  
2 on July 1, 2008, are hereby designated as the standard examinations to be  
3 administered by ~~the board of technical professions~~ **state fire marshal** for  
4 determining the qualification of persons seeking licensure from the ~~board~~  
5 **state fire marshal** as electrical contractors, master electricians,  
6 journeyman electricians and residential electricians. The ~~board~~ **state fire**  
7 **marshal** shall administer such examinations or may designate any city or  
8 county to administer such examinations as directed by the ~~board~~ **state fire**  
9 **marshal**.

10 New Sec. ~~2~~ **4**. (a) **On and after July 1, 2027**, any city or county may  
11 conduct examinations designated by section 1, and amendments thereto, if  
12 and as directed by the ~~board of technical professions~~ **state fire marshal**,  
13 for the purpose of determining the competency of applicants for licensure  
14 as ~~electrical contractors or master, journeyman or residential electricians~~  
15 and shall not be allowed to ask further questions not designated by the  
16 ~~board~~ **state fire marshal** on such examination. The ~~board~~ **state fire**  
17 **marshal** shall adopt rules and regulations:

- 18 (1) Governing the conduct and grading of such examinations;
- 19 (2) prescribing a minimum score for passage of examinations that  
20 shall not be less than 75%;
- 21 (3) fixing a uniform fee to be charged all applicants taking each such  
22 examination;
- 23 (4) requiring all persons receiving such license to obtain not less than  
24 12 hours biennially or six hours annually of continuing education  
25 approved by the board. Not less than six hours biennially or three hours  
26 annually shall consist of code education. Continuing education may be  
27 provided by the local governing body, a nationally recognized trade  
28 association, community college, technical school, technical college or  
29 other provider approved by the ~~board~~ **state fire marshal**. All hours of  
30 education shall consist of training related to construction, maintenance and  
31 code update training. The ~~board~~ **state fire marshal** shall not impose any  
32 restriction on the number of providers of such continuing education; and
- 33 (5) defining the scope of practice for ~~electrical contractors and~~  
34 master, journeyman or residential electricians; and
- 35 (6) encouraging and facilitating entry into the profession of  
36 electrician through guidelines for safely obtaining experience through  
37 apprenticeships under the direct supervision of licensed master,  
38 journeyman or residential electricians.

39 (b) The ~~board~~ **state fire marshal** shall issue the appropriate license to  
40 any applicant who successfully passes an examination designated by  
41 section 1, and amendments thereto, and who demonstrates that such  
42 applicant has met the experience requirements specified in subsections ~~(e)~~  
43 **{(h)}** and ~~(f)~~ **{(i)}**. The ~~board~~ **state fire marshal** shall fix a uniform fee to

1 be charged to all such applicants for such licensure.

2 (c) All new licenses issued by the ~~board~~ **state fire marshal** shall bear  
3 a distinctive notation identifying the testing agency and the specific test by  
4 name. The ~~board~~ **state fire marshal** may review licenses upon the basis of  
5 completed continuing education as provided by subsection (a)(4). All  
6 licenses renewed upon the basis of completed continuing education as  
7 provided by subsection (a) shall bear a distinctive notation to verify such  
8 completion. All such licenses shall be valid in any county or city.

9 (d) No person who was certified or licensed prior to July 1, 1989,  
10 upon the basis of passing of a standard examination designated as such  
11 under the provisions of article 15 of chapter 12 of the Kansas Statutes  
12 Annotated, and amendments thereto, and whose certificate or license was  
13 issued by a political subdivision that prescribed a minimum score of not  
14 less than 70% for passing such examination; shall be required to be  
15 reexamined for renewal of licensure, **nor shall any person be required to**  
16 **be examined who, on or before July 1, 2027, provides to the state fire**  
17 **marshal documented proof of a minimum of 8,000 hours of field**  
18 **experience as defined in subsection (h) or documented proof of**  
19 **completion of a registered apprenticeship program approved by the**  
20 **United States department of labor.**

21 (e) Any person licensed to practice in this state as a master  
22 electrician, journeyman electrician or residential electrician on July 1,  
23 2026, in any city or county in this state shall thereafter continue to  
24 possess the same rights and privileges with respect to such practice in  
25 every city or county within this state without being required to obtain  
26 a new license under the provisions of this act, subject to the power of  
27 the state fire marshal to suspend or revoke such license or require  
28 such person to renew such license on and after July 1, 2027, as  
29 provided by this act. Renewals of such license may require completion  
30 of education or training requirements as specified by the state fire  
31 marshal but shall not require any examination.

32 (f) Any person licensed by a city or county as a master electrician,  
33 journeyman electrician or residential electrician after July 1, 2026,  
34 and before July 1, 2027, shall possess the same rights and privileges  
35 with respect to such license in every city or county within this state.  
36 Such license shall be subject to the provisions of this act on and after  
37 July 1, 2027.

38 (g) Before issuing a residential license, the state fire marshal shall  
39 verify the validity of the applicant's documented proof of trade-  
40 related schooling. Schooling shall consist of a minimum of 930  
41 program hours documented by a certificate of completion.

42 ~~(e)(h)~~ Before issuing a journeyman ~~or residential~~ license, the ~~board~~  
43 **state fire marshal** shall verify the validity of the applicant's documented

1 proof of a minimum of ~~two years~~ **8,000 hours** of field experience. "Field  
2 experience" means working under ~~the direct supervision of~~ a person  
3 having a valid journeyman license, ~~residential license~~ or master license or  
4 attending trade related schooling. Not more than one year of such  
5 requirement may be satisfied by trade-related schooling. Schooling shall  
6 consist of a minimum of 930 program hours documented by a certificate of  
7 completion.

8 ~~(f)~~(i) Before issuing a master license, the ~~board~~ **state fire marshal**  
9 shall verify the validity of the applicant's documented proof of having a  
10 valid journeyman license for a minimum of two years.

11 **New Sec. 5. (a) There is hereby established the electrical licensing**  
12 **advisory board within the office of the state fire marshal. The**  
13 **electrical licensing advisory board shall consist of the following six**  
14 **members who shall be residents of this state:**

- 15 (1) **One member to be appointed by the governor;**  
16 (2) **two members to be appointed by the president of the senate;**  
17 (3) **two members to be appointed by the speaker of the house of**  
18 **representatives; and**  
19 (4) **one member to be appointed by the state fire marshal or the**  
20 **state fire marshal's designee who shall serve as an ex officio member**  
21 **of the board.**

22 (c) **Each member of the board appointed under subsections (a)(1)**  
23 **through (3) shall serve a term of three years or until a successor is**  
24 **appointed and qualified. Whenever a vacancy occurs, a successor shall**  
25 **be appointed in accordance with subsection (a). The members of the**  
26 **board shall elect one of the members to serve as chairperson. In**  
27 **selecting appointees, the appointing authority shall consider the**  
28 **experience and training of the appointee in the profession of**  
29 **electrician.**

30 (d) **On and after July 1, 2027, under the direction of the state fire**  
31 **marshal, the board shall oversee the administration of the statewide**  
32 **electrician licensing program. The board shall advise the state fire**  
33 **marshal regarding the statewide licensing of electricians and make**  
34 **recommendations to the state fire marshal regarding administrative**  
35 **procedures or statutory changes necessary to implement and enforce**  
36 **such licensing and to facilitate the growth and development of the**  
37 **profession of electrician, including, but not limited to, furthering the**  
38 **recognition of such Kansas licenses in other states, development of**  
39 **apprenticeship programs and development of licensure standards for**  
40 **education, experience and testing. The board shall consult with**  
41 **stakeholders within the profession in executing its duties. The board**  
42 **shall annually review any rules and regulations adopted by the state**  
43 **fire marshal pertaining to the licensing of electricians.**

1 (e) The members of the board shall serve without compensation.  
2 Members who are not state officers or employees and attending  
3 meetings of such board or attending a subcommittee meeting thereof  
4 authorized by such board, shall be paid amounts provided in K.S.A.  
5 75-3223(e), and amendments thereto.

6 (f) The board shall meet at least four times each year at a time  
7 and place to be fixed by the state fire marshal and at such other times  
8 as the state fire marshal deems necessary for the transaction of such  
9 business as may come properly before the board. The state fire  
10 marshal shall arrange for meeting space and provide administrative  
11 support to the board.

12 New Sec. 6. (a) On and after July 1, 2027, electrical contractors  
13 shall submit proof to the state fire marshal of a current insurance  
14 policy issued by an insurance company authorized to do business in  
15 this state that provides general liability coverage of at least \$1,000,000  
16 for injury or death of any number of persons in any one occurrence,  
17 with coverage of at least \$500,000 for property damage in any one  
18 occurrence and proof of workers compensation insurance coverage as  
19 required by Kansas law.

20 (b) Proof of such policies shall be delivered to the state fire  
21 marshal with the application for a license, as required and designated  
22 by the state fire marshal. A licensee shall provide the state fire marshal  
23 of notice of any material alteration or cancellation of any policy at  
24 least 10 days prior to the effective date of such change in the policy.

25 New Sec. 7. (a) On and after July 1, 2027, an application for a  
26 license may be denied, a license may be suspended or revoked or civil  
27 penalties may be assessed by the state fire marshal upon a finding that  
28 one or more of the following have been committed by a person,  
29 applicant or licensee:

30 (1) Any willfully false statement or willful omission as to a  
31 material matter made in the process of securing a license or renewal of  
32 a license. A material matter is a fact relevant to a question or line of  
33 inquiry in the applicable application form or in additional inquiry of  
34 the applicant by the state fire marshal that, if made known to the state  
35 fire marshal, could constitute a basis for a denial of the application  
36 under this act or rules and regulations adopted pursuant thereto;

37 (2) fraud, misrepresentation or bribery in securing a license;

38 (3) failure to maintain any requirement or to notify the state fire  
39 marshal of any material alteration or change relating to any  
40 requirement that is necessary to obtain or renew a license that is in  
41 nature a continuing requirement, including, but not limited to,  
42 insurance requirements;

43 (4) failure to have immediate personal possession of the licensee's

1 valid electrical license while performing electrical work;

2 (5) performing electrical work for which a permit is required  
3 without obtaining an electrical permit;

4 (6) knowingly performing electrical work that is not in  
5 compliance with building, electrical, fire prevention and other  
6 applicable codes adopted by the state fire marshal or cities and  
7 counties;

8 (7) intentionally charging a customer for work not performed or  
9 parts not provided;

10 (8) knowingly allowing a hazardous situation to remain so that  
11 the public is unduly exposed to risk of injury;

12 (9) impersonating another licensee or knowingly allowing the use  
13 of the licensee's license by an unlicensed person;

14 (10) engaging in conduct intended to defraud or deceive the  
15 public;

16 (11) chronic or persistent abuse of alcohol or prescription or  
17 nonprescription drugs such that continued performance of electrical  
18 work is dangerous to clients or the public;

19 (12) having a physical or mental disability or other condition such  
20 that continued performance of electrical work is dangerous to clients  
21 or to the public; and

22 (13) having a license, certificate, registration or other official  
23 authorization to perform electrical work denied, limited, suspended,  
24 probated or revoked in another jurisdiction on grounds sufficient to  
25 cause an electrical license to be denied, limited, suspended, probated  
26 or revoked in this state.

27 (b) A license may be suspended or revoked upon a finding by the  
28 state fire marshal that facts and circumstances exist that require  
29 suspension or revocation of the license to protect the safety of the  
30 public, including, but not limited to, facts and circumstances going to  
31 the competence, ability or fitness of the licensee to safely conduct the  
32 work or activities permitted by the license in a manner that does not  
33 risk the safety or well-being of coworkers, employees or the public.

34 (c) Except as otherwise provided by this act, no license shall be  
35 suspended or revoked, nor shall any civil penalty be assessed, until  
36 after a written order issued by the state fire marshal has been served  
37 to the licensee who committed the violation. Such order shall state the  
38 violation, the penalty to be imposed and the right of the person to  
39 request a hearing as provided in the Kansas administrative procedure  
40 act. The state fire marshal may issue emergency orders, including, but  
41 not limited to, immediate suspensions or revocations of a license, as  
42 provided by the Kansas administrative procedure act.

43 New Sec. 8. (a) On and after July 1, 2027, in addition to any other

1 penalty provided by law, the state fire marshal, upon a finding that  
2 any licensee has violated, knowingly permitted a violation or  
3 negligently failed to detect, report or correct a violation of any  
4 provision of this act or rules and regulations adopted pursuant  
5 thereto, is authorized to impose a civil penalty not to exceed \$1,000 per  
6 violation. Such civil penalty shall constitute an actual and substantial  
7 economic deterrent to the violation for which the penalty is assessed.

8 (b) No civil penalty shall be imposed except upon the written  
9 order of the state fire marshal to the person who committed the  
10 violation. Such order shall state the violation, the penalty to be  
11 imposed and the right of the person to request a hearing as provided  
12 in the Kansas administrative procedures act.

13 (c) All fines assessed and collected under this section shall be  
14 remitted to the state treasurer in accordance with the provisions of  
15 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such  
16 remittance, the state treasurer shall deposit the entire amount in the  
17 state treasury to the credit of the state general fund.

18 New Sec. 9. (a) Any individual, sole proprietor, firm, partnership,  
19 association or corporation aggrieved by an order issued by the state  
20 fire marshal pursuant to the provisions of this act may request a  
21 hearing on such order within 15 days from the date of the service of  
22 such order by filing such request in writing with the state fire marshal.  
23 Such hearing shall be conducted in accordance with the provisions of  
24 the Kansas administrative procedure act. The filing of a request for a  
25 hearing shall not abate or operate as a stay of the effect of an  
26 emergency order or an order to cease and desist or a stop work order  
27 unless otherwise stated in such order.

28 (b) Except as otherwise provided, all administrative proceedings  
29 by the state fire marshal under this act shall be conducted in  
30 accordance with the provisions of the Kansas administrative  
31 procedure act.

32 (c) Judicial review and civil enforcement of agency actions under  
33 this act shall be in accordance with the Kansas judicial review act.

34 New Sec. 10. (a) On and after July 1, 2027, the state fire marshal  
35 shall be responsible for receiving and monitoring the disposition of  
36 complaints received concerning the professional conduct,  
37 qualifications and quality of work performed by persons and  
38 licensees. The state fire marshal may require an investigation of a  
39 complaint, in accordance with this section, concerning a person or  
40 licensee who is alleged to have violated this act or any rules or  
41 regulations adopted by the state fire marshal.

42 (b) For the purpose of facilitating the handling of complaints, the  
43 state fire marshal shall devise simple, standard complaint forms

1 designed to supply the information necessary to properly investigate  
2 complaints. The complainant shall produce a complaint in writing  
3 before any formal action shall be taken on the complaint. The receipt  
4 of the forms shall be acknowledged on behalf of the state fire marshal,  
5 and the complainant shall be advised in writing of the final disposition  
6 of the complaint.

7 (c) Such complaint, notice and any records relating to the  
8 complaint shall be confidential and shall not be disclosed by the state  
9 fire marshal unless ordered to be disclosed by a court of competent  
10 jurisdiction. However, the state fire marshal may present the results  
11 of any investigation of a complaint against a person or licensee to the  
12 electrician licensure advisory board, omitting names and other  
13 personal identifying information, to receive their feedback on  
14 potential disciplinary measures.

15 (d) Upon receipt of a written complaint, the state fire marshal  
16 may:

17 (1) Assign a complaint specially for investigation; or

18 (2) take such other action on the complaint as appears to the state  
19 fire marshal to be warranted in the circumstances.

20 (e) Nothing in this section supersedes the state fire marshal's  
21 statutory power to issue, suspend, revoke or renew licenses.

22 New Sec. 11. (a) Military personnel who have been called to  
23 federally funded active duty for more than 120 days for the purpose of  
24 serving in a war, emergency or contingency and who hold an  
25 electrician license issued by the state fire marshal shall be exempt  
26 from the requirement to submit a license renewal application,  
27 payment of any license renewal fees and from any continuing  
28 education requirements of the state fire marshal that falls within the  
29 period of service or within the six months following the completion of  
30 service in the war, emergency or contingency.

31 (b) The state fire marshal may accept, from a person with  
32 authority to practice, continuing education, training or service  
33 completed as a member of the armed forces or reserves of the United  
34 States, the national guard of any state, the military reserves of any  
35 state or the naval militia of any state toward the educational  
36 qualifications to renew the person's authority to practice.

37 New Sec. 12. The electrician fee fund is hereby established in the  
38 state treasury and shall be administered by the state fire marshal. The  
39 state fire marshal shall remit all moneys received from fees, charges or  
40 penalties assessed in accordance with this act to the state treasurer in  
41 accordance with the provisions of K.S.A. 75-4215, and amendments  
42 thereto. Upon receipt of each such remittance, the state treasurer shall  
43 deposit the entire amount in the state treasury to the credit of the



1 electrician fee fund. All expenditures from the electrician fee fund  
2 shall be made in accordance with appropriation acts upon warrants of  
3 the director of accounts and reports issued pursuant to vouchers  
4 approved by the state fire marshal or the state fire marshal's designee.

5 Sec. 13. K.S.A. 12-1526 is hereby amended to read as follows: 12-  
6 1526. (a) Any county or city requiring the licensure of electricians  
7 practicing within the county or city may conduct examinations  
8 designated by K.S.A. 12-1525, and amendments thereto, for the  
9 purpose of determining the competency of applicants for such  
10 licensure and shall not be allowed to ask further questions not  
11 designated on such examination. The board of county commissioners  
12 of such county or the governing body of such city shall adopt rules and  
13 regulations: (1) Governing the conduct and grading of such  
14 examinations; (2) prescribing a minimum score of 75% for passage of  
15 examinations; (3) fixing a uniform fee to be charged all applicants  
16 taking each such examination; and (4) requiring all persons receiving  
17 such license to obtain not less than 12 hours biennially or six hours  
18 annually of continuing education approved by such local governing  
19 body. Not less than six hours biennially or three hours annually shall  
20 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  
23 provider approved by the local governing body. All hours of education  
24 shall consist of training relative to construction, maintenance and code  
25 update training. Neither the county commission nor the governing  
26 body of such city shall impose any restriction on the number of  
27 providers of such continuing education.

28 (b) The certificate of competency received by any person who  
29 completes the experience requirements specified in subsections (e) and  
30 (f) and who successfully passes an examination designated by K.S.A.  
31 12-1525, and amendments thereto, shall be valid proof of competency  
32 for licensure, without additional examination, in any county or city of  
33 the state which requires licensure of electricians practicing within  
34 such county or city. The county or city shall issue the appropriate  
35 certificate to any *such* applicant—therefor who presents such a  
36 certificate of competency and who demonstrates that such applicant  
37 has met the experience requirements specified in subsections (e) and  
38 (f). The county or city shall fix a uniform fee to be charged all such  
39 applicants for licensure.

40 (c) All new licenses issued by a county or city upon the basis of  
41 successful passage of an examination designated by K.S.A. 12-1525,  
42 and amendments thereto, shall bear a distinctive notation identifying  
43 the testing agency and the specific test by name. All licenses renewed

1 upon the basis of completed continuing education as provided by  
2 subsection (a) shall bear a distinctive notation to verify such  
3 completion. All such licenses shall be valid in any other county or city  
4 which requires examination and licensure of electricians for practice  
5 in such county or city.

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

14 (e) Before issuing a journeyman or residential certificate, the  
15 issuing jurisdiction shall verify the validity of the applicant's  
16 documented proof of a minimum of two years field experience. "Field  
17 experience" means working under the direct supervision of a person  
18 having a valid journeyman certificate, residential certificate or master  
19 certificate or attending trade related schooling. No more than one year  
20 of the requirement may be satisfied by trade related schooling.  
21 Schooling shall consist of a minimum of 930 program hours  
22 documented by a certificate of completion.

23 (f) Before issuing a master certificate, the issuing jurisdiction  
24 shall verify the validity of the applicant's documented proof of having  
25 a valid journeyman certificate for a minimum of two years.

26 (g) *No city or county shall issue any license pursuant to this section  
27 on and after July 1, 2027.*

28 (h) *Licenses issued by a city or county pursuant to this section prior  
29 to July 1, 2027, shall be effective for practice in every city or county in  
30 this state.*

31 ~~Sec. 3.~~ 14. K.S.A. 12-1527 is hereby amended to read as follows: 12-  
32 1527. (a) **On and after July 1, 2027, for any city or county that**  
33 **requires a certification or license for practice as a master, journeyman**  
34 **or residential electrician, no person shall practice as**~~an electrical~~  
35 ~~contractor; a master, journeyman or residential electrician within the state~~  
36 ~~of Kansas any such jurisdiction unless licensed by the board of technical~~  
37 ~~professions state fire marshal pursuant to the provisions of K.S.A. 7001,~~  
38 ~~et seq., and amendments thereto the electrician licensing act. Such~~  
39 ~~license shall authorize practice within the scope of such license in every~~  
40 ~~city or county within this state that requires licensure or certification.~~  
41 ~~No city or county shall require any additional licensure requirements or~~  
42 ~~fees, nor provide for any alternative licensure or certification.~~

43 (b) ~~Within their such city's or county's respective jurisdictions and~~

1 subject to the provisions of ~~K.S.A. 12-1526 12-1527 and 74-7001 et seq.~~  
2 **the electrician licensing act**, and amendments thereto, any city or county  
3 may:

4 ~~(a) Utilize examinations other than those designated by K.S.A. 12-~~  
5 ~~1525, and amendments thereto, for the examination of electricians for~~  
6 ~~licensure to practice only within the jurisdiction of such city or county;~~

7 ~~(b)(1) Adopt and enforce such electrical codes, standards and~~  
8 ~~regulations as the board of county commissioners or governing body of the~~  
9 ~~city deem appropriate; and~~

10 ~~(e)(2) conduct such inspections and fix such reasonable fees therefor~~  
11 ~~as the board of county commissioners or governing body of the city may~~  
12 ~~prescribe.~~

13 Except when authorized by reciprocal agreement between the political  
14 subdivisions involved, licenses granted upon the basis of examinations  
15 other than those designated by K.S.A. 12-1525, and amendments thereto,  
16 shall not authorize an electrician to practice outside of the jurisdiction of  
17 the city or county granting such license.

18 Sec. 4. ~~K.S.A. 74-7003 is hereby amended to read as follows: 74-~~  
19 ~~7003. As used in K.S.A. 74-7001 et seq., and amendments thereto:~~

20 ~~(a) "Agricultural building" means any structure designed and~~  
21 ~~constructed to house hay, grain, poultry, livestock or other horticultural~~  
22 ~~products, or for farm storage of farming implements. Such structure shall~~  
23 ~~not be a place for human habitation or a place of employment where~~  
24 ~~agricultural products are processed, treated or packaged, nor shall it be a~~  
25 ~~building or structure for use by the public.~~

26 ~~(b) "Architect" means a person who is qualified to engage in the~~  
27 ~~practice of architecture and who is licensed by the board to practice~~  
28 ~~architecture as provided in K.S.A. 74-7001 et seq., and amendments~~  
29 ~~thereto.~~

30 ~~(c) (1) "Architecture" or "practice of architecture" means providing,~~  
31 ~~offering to provide or holding oneself out as able to provide professional~~  
32 ~~architectural services or performing creative work which requires~~  
33 ~~architectural education, training and experience as may be required in~~  
34 ~~connection with the design and construction, restoration, enlargement or~~  
35 ~~alteration of non-exempt public or private buildings intended for human~~  
36 ~~habitation, occupancy or use, and the spaces within and the site~~  
37 ~~surrounding such buildings.~~

38 ~~(2) Professional architectural services include the following:~~  
39 ~~Common technical services, as defined in subsection (g); pre-design and~~  
40 ~~schematic design; programming; planning; preparing or providing~~  
41 ~~architectural designs, drawings, specifications and other technical~~  
42 ~~submissions; the design of items relating to building code requirements, as~~  
43 ~~such items pertain to architecture; and the preparation of any architectural~~

1 design features that are required on legal documents and those other  
2 professional architectural services as may be necessary for the rendering of  
3 services which *that* have the purpose of protecting the health, safety,  
4 property and welfare of the public.

5 (3) The term "Architecture" or "practice of architecture" shall *does*  
6 not include those services specifically identified in the definition of  
7 "landscape architecture," "professional engineering," "professional  
8 geology" and "professional surveying" except for those services which  
9 *that* are included in the term "common technical services," as defined in  
10 subsection (g):

11 (d) "Board" means the state board of technical professions.

12 (e) "Building" means any permanent structure which is enclosed or  
13 partially enclosed that provides shelter for human habitation.

14 (f) "Business entity" means a general corporation, professional  
15 corporation, limited liability company, limited liability partnership,  
16 corporate partnership or other legal entity created by law.

17 (g) "Common technical services" means those services which may be  
18 offered or performed by any licensee, are performed within the licensee's  
19 defined scope of practice and are further described as follows:

20 (1) Representation of clients in connection with contracts entered into  
21 between clients and others;

22 (2) coordination of elements of technical submissions prepared by the  
23 licensee's consultants;

24 (3) administration of contracts for construction;

25 (4) observation of construction for general conformance with  
26 requirements of approved construction documents or technical  
27 submissions prepared by a licensee;

28 (5) performing acts of consultation and technical investigation;

29 (6) providing expert technical testimony or testimony evaluation;

30 (7) performing technical evaluations and research;

31 (8) teaching in a college or university offering an accredited technical  
32 professional curriculum recognized by the board;

33 (9) providing responsible supervision of these services, insofar as  
34 such services involve safeguarding the health, safety, property and welfare  
35 of the public; and

36 (10) preparing and providing drawings, specifications and other  
37 technical submissions.

38 (h) "Construction administration" means the provision of technical  
39 professional services during construction by licensees, or persons under  
40 the licensee's responsible supervision, which act to confirm substantial  
41 compliance with the requirements and provisions of applicable technical  
42 documents prepared by the licensee or under the licensee's responsible  
43 supervision. Such technical professional services include, but are not

1 limited to: Assisting with bidding or negotiation processes; reviewing and  
2 acting upon shop drawings and other submittals; providing clarification or  
3 interpretation of the licensee's technical documents; evaluating general  
4 progress of construction; observing or evaluating completed construction;  
5 and assisting the client in matters related to the licensee's technical  
6 professional expertise. Construction administration services do not include  
7 management of, or responsibility for, the contractor's construction  
8 activities, means or methods.

9 (i) ~~"Electrician," generally, or "electrical contractor," "master-~~  
10 ~~electrician," "journeyman electrician" or "residential electrician,"~~  
11 ~~specifically, means a person who is qualified to engage in the practice of~~  
12 ~~an electrical contractor, master electrician, journeyman electrician or~~  
13 ~~residential electrician, respectively, and licensed by the board to practice~~  
14 ~~such respective profession and perform the respective electrical work as~~  
15 ~~provided in K.S.A. 74-7001 et seq., and amendments thereto.~~

16 (j) ~~"Electrical work" or "practice as an electrician" means providing;~~  
17 ~~offering to provide or representing oneself as able to provide professional~~  
18 ~~electrician services as an electrical contractor, master electrician,~~  
19 ~~journeyman electrician or residential electrician.~~

20 (k) ~~"Government client" means any state, county or municipal~~  
21 ~~governmental entity, including, but not limited to, any department, agency,~~  
22 ~~authority, planning district, board, commission, office or institution~~  
23 ~~thereof, and any school district, college, university and any individual~~  
24 ~~acting under authority to represent any such governmental entity.~~

25 (j)(l) ~~"Landscape architect" means a person who is qualified to~~  
26 ~~engage in the practice of landscape architecture and who is licensed by the~~  
27 ~~board to practice landscape architecture as provided in K.S.A. 74-7001 et~~  
28 ~~seq., and amendments thereto.~~

29 (k)(m) (1) ~~"Landscape architecture" or "practice of landscape~~  
30 ~~architecture" means performing professional landscape architectural~~  
31 ~~services, including the following: Common technical services, as defined~~  
32 ~~in subsection (g); consultation, planning, designing or responsible~~  
33 ~~supervision in connection with the development of land areas for~~  
34 ~~preservation and enhancement; the development of sustainable designs and~~  
35 ~~technology; preparation, review and analysis of master plans for land use~~  
36 ~~and development; production of overall site development and land~~  
37 ~~enhancement plans, grading and drainage plans, irrigation plans, planting~~  
38 ~~plans and construction details; specifications, cost analysis and reports for~~  
39 ~~land development; and the designing of land forms and non-habitable~~  
40 ~~structures for aesthetic and functional purposes, such as pools, walls and~~  
41 ~~structures for outdoor living spaces, for public and private use. The~~  
42 ~~practice of landscape architecture also encompasses the determination of~~  
43 ~~proper land use as it pertains to: Natural features; ground cover, use,~~

1 nomenclature and arrangement of plant material adapted to soils and  
2 climate; naturalistic and aesthetic values; settings and approaches to  
3 structures and other improvements; soil conservation; erosion control; and  
4 the development of outdoor space in accordance with ideals of human use  
5 and enjoyment.

6 (2) ~~The term "Landscape architecture" or "practice of landscape~~  
7 ~~architecture" shall does not include those services specifically identified in~~  
8 ~~the definition of "architecture," "professional engineering," "professional~~  
9 ~~geology" and "professional surveying" except for those services which~~  
10 ~~that are included in the term "common technical services," as defined in~~  
11 ~~subsection (g):~~

12 (l)(n) ~~"License" means a license to practice the technical professions~~  
13 ~~granted under K.S.A. 74-7001 et seq., and amendments thereto.~~

14 (m)(o) ~~"Person" means a natural person or business entity.~~

15 (n)(p) ~~"Principal" means a person who serves in a business entity as~~  
16 ~~an officer, member of a board of directors, member of a limited liability~~  
17 ~~company or partner.~~

18 (o)(q) ~~"Professional engineer" means a person who is qualified to~~  
19 ~~engage in the practice of engineering and who is licensed by the board to~~  
20 ~~practice engineering as provided in K.S.A. 74-7001 et seq., and~~  
21 ~~amendments thereto.~~

22 (p)(r) (1) ~~"Professional engineering" or "practice of engineering"~~  
23 ~~means providing, offering to provide, or holding oneself out as able to~~  
24 ~~provide professional engineering services, the adequate performance of~~  
25 ~~which requires engineering education, training and experience in the~~  
26 ~~application of special knowledge of the mathematical, physical and~~  
27 ~~engineering sciences, including the following: Common technical services,~~  
28 ~~as defined in subsection (g); consulting, investigating, evaluating, planning~~  
29 ~~and designing of engineering works and systems; producing engineering~~  
30 ~~surveys and studies; and preparing any engineering design features which~~  
31 ~~embrace such service or work, either public or private, for any utilities,~~  
32 ~~structures, buildings, machines, equipment, processes, work systems,~~  
33 ~~projects and industrial or consumer products or equipment of a~~  
34 ~~mechanical, electrical, hydraulic, pneumatic or thermal nature, insofar as~~  
35 ~~they involve safeguarding the health, safety, property or welfare of the~~  
36 ~~public.~~

37 (2) ~~As used in this subsection, the term "engineering surveys"~~  
38 ~~includes all survey activities required to support the sound conception,~~  
39 ~~planning, design, construction, maintenance and operation of engineered~~  
40 ~~projects, but excludes the surveying of real property for the establishment~~  
41 ~~of land boundaries, rights-of-way, easements and the dependent or~~  
42 ~~independent surveys or resurveys of the public land survey system.~~

43 (3) ~~The term "Professional engineering" or "practice of professional~~

1 engineering" shall *does* not include those services specifically identified in  
2 the definition of "architecture," "landscape architecture," "professional  
3 geology" and "professional surveying" except for those services which  
4 *that* are included in the term "common technical services," as defined in  
5 subsection (g):

6 (q)(s)—"Professional geologist" means a person who is qualified to  
7 engage in the practice of geology and who is licensed by the board to  
8 practice geology as provided in K.S.A. 74-7001 et seq., and amendments  
9 thereto.

10 (r)(t) (1)—"Professional geology" or "practice of professional geology"  
11 means the performing of professional geology services, including the  
12 following: Common technical services, as defined in subsection (g);  
13 planning or mapping, providing observation, or the responsible  
14 supervision thereof, in connection with the treatment of the earth and its  
15 origin and history, in general; the investigation of the earth's constituent  
16 rocks, minerals, solids, fluids, including surface and underground waters,  
17 gases and other materials; and the study of the natural agents, forces and  
18 processes which cause changes in the earth.

19 (2) The term "Professional geology" or "practice of professional  
20 geology" shall *does* not include those services specifically identified in the  
21 definition of "architecture," "landscape architecture," "professional  
22 engineering" and "professional surveying" except for those services which  
23 *that* are included in the term "common technical services," as defined in  
24 subsection (g):

25 (s)(u)—"Professional surveyor" means any person who is engaged in  
26 the practice of surveying and who is licensed by the board to practice  
27 surveying as provided in K.S.A. 74-7001 et seq., and amendments thereto.

28 (t)(v) (1)—"Professional surveying" or "practice of professional  
29 surveying" means providing, or offering to provide, professional surveying  
30 services, including the following: Common technical services, as defined  
31 in subsection (g); using such sciences as mathematics, geodesy and  
32 photogrammetry; and involving the making of geometric measurements  
33 and gathering related information pertaining to the physical or legal  
34 features of the earth, improvements on the earth, the space above, on or  
35 below the earth and providing, utilizing or developing the same into  
36 survey products such as graphics, data, maps, plans, reports, descriptions  
37 or projects. "Professional surveying services" also include *includes*  
38 planning, mapping, assembling and interpreting gathered measurements  
39 and information related to any one or more of the following:

40 (A)—Determining by measurement the configuration or contour of the  
41 earth's surface or the position of fixed objects thereon;

42 (B)—determining by performing geodetic surveys the size and shape of  
43 the earth or the position of any point on the earth;

1       ~~(C) locating, relocating, establishing, re-establishing or retracing~~  
2 ~~property lines or boundaries of any tract of land, road, right-of-way or~~  
3 ~~easement;~~

4       ~~(D) preparing the original descriptions of real property for the~~  
5 ~~conveyance of or recording thereof and the preparation of graphics, data,~~  
6 ~~maps, plans, reports, land subdivision plats, descriptions and projects that~~  
7 ~~represent these surveys;~~

8       ~~(E) determining, by the use of principles of surveying, the position~~  
9 ~~for any survey monument, whether boundary or non-boundary, or~~  
10 ~~reference point and establishing or replacing any such monument or~~  
11 ~~reference point;~~

12       ~~(F) making any survey for the division, subdivision or consolidation~~  
13 ~~of any tract of land;~~

14       ~~(G) locating or laying out alignments, positions or elevations where~~  
15 ~~such work is part of the construction of engineering or architectural works;~~  
16 ~~and~~

17       ~~(H) creating, preparing or modifying electronic, computerized or~~  
18 ~~other data relative to performance of the activities set forth in~~  
19 ~~subparagraphs (A) through (G).~~

20       ~~(2) The term "Professional surveying" or "practice of professional~~  
21 ~~surveying" shall does not include those services specifically identified in~~  
22 ~~the definition of "architecture," "landscape architecture," "professional~~  
23 ~~engineering" and "professional geology" except for those services which~~  
24 ~~that are included in the term "common technical services," as defined in~~  
25 ~~subsection (g).~~

26       ~~(u)(w) "Responsible charge" means the application of personal~~  
27 ~~supervision and professional judgment, and the incorporation of detailed~~  
28 ~~knowledge with respect to the content of a technical submission by a~~  
29 ~~licensee when applying the normal standard of care for the work that such~~  
30 ~~licensee is licensed to perform.~~

31       ~~(v)(x) "Standard of care" means the duty to exercise the degree of~~  
32 ~~learning and skill ordinarily possessed by a reputable licensee practicing in~~  
33 ~~Kansas in the same or similar locality and under similar circumstances.~~

34       ~~(w)(y) "Technical professions" includes the professions of~~  
35 ~~architecture, landscape architecture, professional engineering, professional~~  
36 ~~geology and professional surveying as the practice of such professions are~~  
37 ~~defined in K.S.A. 74-7001 et seq., and amendments thereto.~~

38       ~~Sec. 5. K.S.A. 74-7004 is hereby amended to read as follows: 74-~~  
39 ~~7004. (a) For the purpose of administering the provisions of this act and in~~  
40 ~~order to establish and maintain a high standard of integrity, skills and~~  
41 ~~practice in the technical professions and to safeguard the health, safety,~~  
42 ~~property and welfare of the public, the governor shall appoint a state board~~  
43 ~~of technical professions consisting of 13 members. At least 30 days prior~~



1 to the expiration of any term other than that of a member appointed from  
2 the general public, professional societies and associations which ~~that~~ are  
3 respectively representative of each branch of the technical professions may  
4 submit to the governor a list of three or more names of persons of  
5 recognized ability who have the qualifications prescribed for board  
6 members for appointment from that ~~such~~ branch of the technical  
7 professions. The governor shall consider the ~~such~~ list of persons in making  
8 the appointment to the board. In case of a vacancy in the membership of  
9 the board, other than that of a member appointed from the general public,  
10 for any reason other than the expiration of a term of office, the governor  
11 shall appoint a qualified successor to fill the unexpired term. In making the  
12 appointment, the governor shall give consideration to the list of persons  
13 last submitted.

14 ~~(b) Within 30 days of July 1, 2026, professional societies and~~  
15 ~~associations that are representative of electrical contractors or master,~~  
16 ~~journeyman or residential electricians may submit to the governor a list of~~  
17 ~~six or more names of persons of recognized ability who have the~~  
18 ~~qualifications prescribed for such board members for appointment. The~~  
19 ~~governor shall consider such list of persons in making appointments to the~~  
20 ~~board to fulfill the two board memberships of persons engaged in practice~~  
21 ~~as electricians as provided by K.S.A. 74-7005, and amendments thereto.~~  
22 ~~Following the first appointments, such members shall be appointed~~  
23 ~~pursuant to to the provisions of K.S.A. 74-7001, et seq., and amendments~~  
24 ~~thereto.~~

25 Sec. 6. K.S.A. 74-7005 is hereby amended to read as follows: 74-  
26 7005. (a) Membership of the board shall be as follows:

27 (1) ~~Four members shall have been engaged in the practice of~~  
28 ~~engineering for at least eight years, which practice shall include~~  
29 ~~responsible charge of engineering work, and shall be Kansas licensed~~  
30 ~~professional engineers. At least one of such members shall be engaged in~~  
31 ~~private practice as an engineer. At least one of such members may also be~~  
32 ~~licensed as a Kansas professional surveyor, as well as a Kansas licensed~~  
33 ~~professional engineer.~~

34 (2) ~~Two members shall have been engaged in the practice of~~  
35 ~~surveying for at least eight years, which practice shall include responsible~~  
36 ~~charge of surveying work, and shall be Kansas licensed professional~~  
37 ~~surveyors.~~

38 (3) ~~Three members shall have been engaged in the practice of~~  
39 ~~architecture for at least eight years, which practice shall include~~  
40 ~~responsible charge of architectural work, and shall be Kansas licensed~~  
41 ~~architects.~~

42 (4) ~~One member shall have been engaged in the practice of landscape~~  
43 ~~architecture for at least eight years, which practice shall include~~

1 responsible charge of landscape architectural work, and shall be a Kansas  
2 licensed landscape architect.

3 (5) One member shall have been engaged in the practice of geology  
4 for at least eight years, which practice shall include responsible charge of  
5 geology work, and shall be a Kansas licensed professional geologist.

6 (6) Two members shall be from the general public of this state.

7 (7) ~~Two members shall have been engaged in practice as electricians~~  
8 ~~for at least eight years, which practice shall include responsible charge of~~  
9 ~~electrician work, and shall be Kansas licensed electricians.~~

10 (b) Each member of the board shall be a citizen of the United States  
11 and a resident of this state.

12 (c) ~~Any amendments to this section shall not be applicable to any~~  
13 ~~member of the board who was appointed to the board and qualified for~~  
14 ~~such appointment under this section prior to the effective date of such~~  
15 ~~enactment.~~

16 Sec. 7. ~~K.S.A. 74-7035 is hereby amended to read as follows: 74-~~  
17 ~~7035. The provisions of K.S.A. 74-7001 et seq., and amendments thereto,~~  
18 ~~shall not apply to:~~

19 (a) ~~The work of an employee, consultant or a subordinate of a person~~  
20 ~~holding a license under K.S.A. 74-7001 et seq., and amendments thereto, if~~  
21 ~~such work does not include final designs or decisions, responsible charge of~~  
22 ~~design and is done under the direct responsibility and supervision of a~~  
23 ~~person practicing lawfully a technical profession or, except as otherwise~~  
24 ~~provided pursuant to the provisions of K.S.A. 74-7001 et seq., and~~  
25 ~~amendments thereto, work of an apprentice of a licensed journeyman,~~  
26 ~~master or residential electrician, if such work is done under the direct~~  
27 ~~responsibility and supervision of a licensed journeyman, master or~~  
28 ~~residential electrician;~~

29 (b) ~~the work of any person who is exclusively and regularly~~  
30 ~~employed by a single employer, provided if, such employer is not an~~  
31 ~~engineering, architectural, surveying, landscape architectural or, geology~~  
32 ~~firm, or electrical contractor and is not primarily engaged in the business~~  
33 ~~of conveying an interest in real property, and also provided, such work is~~  
34 ~~performed under an employer-employee relationship, and making surveys~~  
35 ~~of land and determinations of physical property rights is performed solely~~  
36 ~~in connection with the affairs of such employer or its subsidiaries and~~  
37 ~~affiliates and solely for the uses, purposes and benefit of such employer,~~  
38 ~~subsidiaries and affiliates; or~~

39 (c) ~~a plumbing contractor, master plumber or journeyman plumber~~  
40 ~~licensed under the provisions of K.S.A. 12-1508 et seq., and amendments~~  
41 ~~thereto, while performing the work that such plumber is authorized to~~  
42 ~~perform pursuant to such license; or~~

43 (d) ~~an electrical contractor, master electrician, journeyman electrician~~

1 or residential electrician licensed under the provisions of K.S.A. 12-1525  
2 et seq., and amendments thereto, while performing the work such  
3 electrician is authorized to perform pursuant to such license.

4 (e) For purposes of this act, public officers and employees who,  
5 within the scope of their employment and in the discharge of their public  
6 duties, provide information pertinent to or review the sufficiency of  
7 technical submissions, or who inspect property or buildings for  
8 compliance with requirements safeguarding life, health or property, are not  
9 engaged in the practice of the technical professions.

10 Sec. 8. K.S.A. 74-7040 is hereby amended to read as follows: 74-  
11 7040. Any person licensed to practice the technical professions in the state  
12 of Kansas at the time *that* this act takes effect *or any person licensed to*  
13 *practice as an electrical contractor, master electrician, journeyman*  
14 *electrician or residential electrician on July 1, 2026,* shall thereafter  
15 continue to possess the same rights and privileges with respect to the  
16 practice of the technical profession for which such person is licensed, in  
17 accordance with the current definition of the practice of such technical  
18 profession, without being required to obtain a new license under the  
19 provisions of this act, subject to the power of the board as provided in this  
20 act to suspend or revoke the license of any such person for any of the  
21 causes set forth in K.S.A. 74-7026, and amendments thereto, and subject  
22 to the power of the board to require any such person to renew such license  
23 as provided in K.S.A. 74-7025, and amendments thereto.

24 Sec. 9. **15.** K.S.A. 12-1525, 12-1526; and 12-1527, 74-7003, 74-  
25 7004, 74-7005, 74-7035 and 74-7040 are hereby repealed.

26 Sec. 10. **16.** This act shall take effect and be in force from and after  
27 its publication in the statute book.