

1

HOUSE BILL NO. 243

2

INTRODUCED BY Menahan

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING LICENSED ELECTRICIANS TO RENEW A LAPSED  
5 STATE LICENSE WITHOUT EXAMINATION WITHIN 1 YEAR OF THE LICENSE EXPIRATION DATE UPON  
6 PAYMENT OF RENEWAL AND DELINQUENCY FEES; PROVIDING FOR NONAPPLICABILITY TO CERTAIN  
7 LAPSED LICENSES; AMENDING SECTION 37-68-310, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE  
8 DATE."

9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11

12 **Section 1.** Section 37-68-310, MCA, is amended to read:

13 **"37-68-310. License renewal every three years —renewal of lapsed licenses.** Licenses of residential  
14 electricians, journeyman electricians, or master electricians, unless they have been suspended or revoked  
15 by the board, must be renewed for a period of 3 years by the department on application for renewal made  
16 to the department prior to July 15 of the year in which the prior license expired and on the payment of a  
17 renewal fee. If application for renewal is not made prior to July 15, an additional fee prescribed by the  
18 board must be paid because of the delinquency in renewal. ~~All applications for renewal must be made prior~~  
19 ~~to August 15 of the year in which the prior license expired, otherwise the license is forfeited and the~~  
20 ~~applicant is required to pass the examination and pay the fees required of applicants for original licenses.~~  
21 A person with a lapsed license may be issued a renewal license without examination if the applicant pays  
22 the original renewal fee and any delinquency fee within 1 year of the license expiration date. A lapsed  
23 license that is not renewed within 1 year following its expiration date may not be renewed unless the  
24 applicant passes the examination and pays the fee required for an original license."

25

26 **NEW SECTION. Section 2. Grandfather clause.** An electrician's license that has lapsed during the  
27 3 years prior to [the effective date of this act] may be renewed as provided in 37-68-310.

28

29 **NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

30

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0243, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act allowing licensed electricians to renew a lapsed state license without examination within 1 year of the license expiration date upon payment of renewal and delinquency fees.

ASSUMPTIONS:

1. There are approximately 492 lapsed master and journeymen electrician licenses that could be reinstated. It is projected that 20 lapsed licensees will request reinstatement.
2. A delinquency fee will be established by administrative rule.
3. Operating expenses will be minimal in FY96 and can be covered by the authority included in the Executive Budget present law base recommendation.
4. State special revenue is projected to increase by \$1,700 in FY96 only.

FISCAL IMPACT:

Revenues:

	<u>FY96</u>	<u>FY97</u>
	<u>Difference</u>	<u>Difference</u>
Delinquency Fees		
POL SSR (02)	1,700	0

TECHNICAL NOTES:

The removal of Section 2, Grandfather clause, would mean no fiscal impact during the 1997 biennium.

*Dave Lewis* 1-24-95

DAVID LEWIS, BUDGET DIRECTOR DATE  
Office of Budget and Program Planning

*Menahan*

RED MENAHAN, PRIMARY SPONSOR DATE

Fiscal Note for HB0243, as introduced

*HB 243*

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING LICENSED ELECTRICIANS TO RENEW A LAPSED  
5 STATE LICENSE WITHOUT EXAMINATION WITHIN 1 YEAR OF THE LICENSE EXPIRATION DATE UPON  
6 PAYMENT OF RENEWAL AND DELINQUENCY FEES; ~~PROVIDING FOR NONAPPLICABILITY TO CERTAIN~~  
7 ~~LAPSED LICENSES~~; AMENDING SECTION 37-68-310, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE  
8 DATE."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 37-68-310, MCA, is amended to read:

13        "37-68-310. License renewal every three years -- renewal of lapsed licenses. Licenses of residential  
14      electricians, journeyman electricians, or master electricians, unless they have been suspended or revoked  
15      by the board, must be renewed for a period of 3 years by the department on application for renewal made  
16      to the department prior to July 15 of the year in which the prior license expired and on the payment of a  
17      renewal fee. If application for renewal is not made prior to July 15, an additional fee prescribed by the  
18      board must be paid because of the delinquency in renewal. ~~All applications for renewal must be made prior~~  
19      ~~to August 15 of the year in which the prior license expired, otherwise the license is forfeited and the~~  
20      ~~applicant is required to pass the examination and pay the fees required of applicants for original licenses.~~

21 IT IS UNLAWFUL FOR A PERSON WHO REFUSES OR FAILS TO PAY THE RENEWAL FEE TO PRACTICE  
22 ELECTRICAL WORK IN THIS STATE. A person with a lapsed license may be issued a renewal license  
23 without examination if the applicant pays the original renewal fee and any delinquency fee within 1 year  
24 of the license expiration date. A lapsed license that is not renewed within 1 year following its expiration  
25 date may not be renewed unless the applicant passes the examination and pays the fee required for an  
26 original license."

27      NEW SECTION. Section 2. Grandfather clause. An electrician's license that has lapsed during the  
28      3 years prior to [the effective date of this act] may be renewed as provided in 37-68-310.

1                   **NEW SECTION.** **Section 2. Effective date.** [This act] is effective on passage and approval.

2 -END-

1

## HOUSE BILL NO. 243

2

INTRODUCED BY MENAHAN

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING LICENSED ELECTRICIANS TO RENEW A LAPSED  
5 STATE LICENSE WITHOUT EXAMINATION WITHIN 1 YEAR OF THE LICENSE EXPIRATION DATE UPON  
6 PAYMENT OF RENEWAL AND DELINQUENCY FEES; ~~PROVIDING FOR NONAPPLICABILITY TO CERTAIN~~  
7 ~~LAPSED LICENSES;~~ AMENDING SECTION 37-68-310, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE  
8 DATE."

9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11

12 Section 1. Section 37-68-310, MCA, is amended to read:

13 ~~"37-68-310. License renewal every three years -- renewal of lapsed licenses.~~ Licenses of residential  
14 electricians, journeyman electricians, or master electricians, unless they have been suspended or revoked  
15 by the board, must be renewed for a period of 3 years by the department on application for renewal made  
16 to the department prior to July 15 of the year in which the prior license expired and on the payment of a  
17 renewal fee. If application for renewal is not made prior to July 15, an additional fee prescribed by the  
18 board must be paid because of the delinquency in renewal. ~~All applications for renewal must be made prior~~  
19 ~~to August 15 of the year in which the prior license expired, otherwise the license is forfeited and the~~  
20 ~~applicant is required to pass the examination and pay the fees required of applicants for original licenses.~~  
21 IT IS UNLAWFUL FOR A PERSON WHO REFUSES OR FAILS TO PAY THE RENEWAL FEE TO PRACTICE  
22 ELECTRICAL WORK IN THIS STATE. A person with a lapsed license may be issued a renewal license  
23 without examination if the applicant pays the original renewal fee and any delinquency fee within 1 year  
24 of the license expiration date. A lapsed license that is not renewed within 1 year following its expiration  
25 date may not be renewed unless the applicant passes the examination and pays the fee required for an  
26 original license."

27 ~~NEW SECTION.~~ Section 2. Grandfather clause. An electrician's license that has lapsed during the  
28 3 years prior to {the effective date of this act} may be renewed as provided in 37-68-310.

29

30

1            **NEW SECTION.** **Section 2. Effective date.** [This act] is effective on passage and approval.

2

-END-

1

## HOUSE BILL NO. 243

2

INTRODUCED BY MENAHAN

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING LICENSED ELECTRICIANS TO RENEW A LAPSED  
5 STATE LICENSE WITHOUT EXAMINATION WITHIN 1 YEAR OF THE LICENSE EXPIRATION DATE UPON  
6 PAYMENT OF RENEWAL AND DELINQUENCY FEES; PROVIDING FOR NONAPPLICABILITY TO CERTAIN  
7 LAPSED LICENSES; AMENDING SECTION 37-68-310, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE  
8 DATE."

9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11

12 **Section 1.** Section 37-68-310, MCA, is amended to read:

13 **"37-68-310. License renewal every three years -- renewal of lapsed licenses.** Licenses of residential  
14 electricians, journeyman electricians, or master electricians, unless they have been suspended or revoked  
15 by the board, must be renewed for a period of 3 years by the department on application for renewal made  
16 to the department prior to July 15 of the year in which the prior license expired and on the payment of a  
17 renewal fee. If application for renewal is not made prior to July 15, an additional fee prescribed by the  
18 board must be paid because of the delinquency in renewal. ~~All applications for renewal must be made prior~~  
19 ~~to August 15 of the year in which the prior license expired, otherwise the license is forfeited and the~~  
20 ~~applicant is required to pass the examination and pay the fees required of applicants for original licenses.~~  
21 **IT IS UNLAWFUL FOR A PERSON WHO REFUSES OR FAILS TO PAY THE RENEWAL FEE TO PRACTICE**  
22 **ELECTRICAL WORK IN THIS STATE.** A person with a lapsed license may be issued a renewal license  
23 without examination if the applicant pays the original renewal fee and any delinquency fee within 1 year  
24 of the license expiration date. A lapsed license that is not renewed within 1 year following its expiration  
25 date may not be renewed unless the applicant passes the examination and pays the fee required for an  
26 original license."

27 **NEW SECTION. Section 2. Grandfather clause.** An electrician's license that has lapsed during the  
28 3 years prior to ~~(the effective date of this act)~~ may be renewed as provided in 37-68-310.

29

30

1            **NEW SECTION.** **Section 2. Effective date.** [This act] is effective on passage and approval.

2            -END-