

# AN ACT

To amend sections 715.27, 3781.102, 4104.04, 4740.01 to 4740.10, and 4740.12, to enact new section 4740.13 and section 4740.14, and to repeal sections 4740.13 and 4740.99 of the Revised Code to require statewide licensing of specified contractors and make additional modifications to the Construction Industry Certification Law.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 715.27, 3781.102, 4104.04, 4740.01, 4740.02, 4740.03, 4740.04, 4740.05, 4740.06, 4740.07, 4740.08, 4740.09, 4740.10, and 4740.12 be amended and new section 4740.13 and section 4740.14 of the Revised Code be enacted to read as follows:

Sec. 715.27. (A) Any municipal corporation may:

(1) Regulate the erection of fences, billboards, signs, and other structures, within the municipal corporation, and provide for the removal and repair of insecure billboards, signs, and other structures;

(2) Regulate the construction and repair of wires, poles, plants, and all equipment to be used for the generation and application of electricity;

(3) ~~Except as limited by division (B) of this section, provide~~ Provide for the licensing of house movers, ~~heating, ventilating, and air conditioning contractors, refrigeration contractors, electrical contractors,~~ plumbers, ~~plumbing contractors, hydronics contractors,~~ sewer tappers, ~~and,~~ vault cleaners; and specialty contractors who are not required to hold a valid and unexpired license issued pursuant to Chapter 4740. of the Revised Code.

~~(B)(1) Except as provided in division (B)(2) of this section, a~~ A municipal corporation may, pursuant to division (A)(3) of this section, require all ~~heating, ventilating, and air conditioning contractors, refrigeration contractors, electrical contractors, plumbing contractors, and hydronics~~ specialty contractors other than those who hold a valid and unexpired license issued pursuant to Chapter 4740. of the Revised Code, to successfully complete an examination, test, or demonstration of technical

skills, and may impose a fee and additional requirements for a license or registration to engage in their respective occupations within the jurisdiction of the municipal corporation.

~~(2)(B) No municipal corporation shall require any heating, ventilating, and air conditioning contractor, refrigeration contractor, electrical contractor, plumbing contractor, or hydronics specialty contractor who has holds a valid and unexpired qualification certificate license issued pursuant to Chapter 4740. of the Revised Code to successfully complete an examination, test, or demonstration of technical skills in order to receive a license or registration to engage in his respective business, except that a the type of contracting for which the license is held, within the municipal corporation that has adopted, on or before the effective date of this amendment, a heating, ventilating, and air conditioning, or refrigeration, electrical, hydronics, or plumbing code which is not in conflict with Chapter 3781. or 3791. of the Revised Code or rules adopted thereunder, may require a contractor who holds a valid and unexpired qualification certificate to successfully complete an examination or test only in those areas that differ from requirements established under Chapters 3781. and 3791. of the Revised Code and rules adopted thereunder.~~

~~(3) A municipal corporation may impose a fee and additional requirements for licensure or registration of an individual~~

~~(C) For a specialty contractor who holds a valid and unexpired qualification certificate in order for license issued pursuant to Chapter 4740. of the Revised Code, before that individual to specialty contractor may engage in his respective business the type of contracting for which the license is held within the municipal corporation, a municipal corporation may require the contractor to register with the municipal corporation and may impose a fee, provided that the fee and additional requirements are is the same for all individuals specialty contractors who wish to engage in that business type of contracting, and may require a bond and proof of all of the following:~~

~~(1) Insurance pursuant to division (B)(4) of section 4740.06 of the Revised Code;~~

~~(2) Compliance with Chapters 4121. and 4123. of the Revised Code;~~

~~(3) Registration with the tax department of the municipal corporation. If~~

~~If a municipal corporation requires registration, imposes such a fee, or additional requirements requires a bond or proof of the items listed in divisions (C)(1), (2), and (3) of this section, the municipal corporation immediately shall permit an individual a contractor who presents proof of holding a valid and unexpired qualification certificate and who license~~

issued pursuant to Chapter 4740. of the Revised Code, who registers, pays the required fee and satisfies all additional requirements imposed by the municipal corporation, obtains a bond, and submits the proof described under divisions (C)(1), (2), and (3) of this section, as required, to engage in his respective business the type of contracting for which the license is held, within the municipal corporation.

~~(C)~~(D) A municipal corporation may revoke the registration of a contractor registered with that municipal corporation for good cause shown. Good Cause shown includes the failure of a contractor to maintain a bond or the items listed in divisions (C)(1), (2), and (3) of this section, if the municipal corporation requires those.

(E) A municipal corporation that licenses specialty contractors pursuant to division (A)(3) of this section may accept, for purposes of satisfying the requirements of that division, a valid and unexpired license issued pursuant to Chapter 4740. of the Revised Code that is held by a specialty contractor, for the construction, replacement, maintenance, or repair of one-family, two-family, or three-family dwelling houses or accessory structures incidental to those dwelling houses.

(F) As used in this section, "specialty contractor" means a heating, ventilating, and air conditioning contractor,"—"refrigeration contractor,"—"electrical contractor,"—"plumbing contractor,"—" or hydronics contractor," and "qualification certificate" have the same meanings as those terms are defined in section 4740.01 of the Revised Code.

Sec. 3781.102. (A) Any county or municipal building department certified pursuant to division (E) of section 3781.10 of the Revised Code as of September 14, 1970, and ~~which was that~~, as of ~~such~~ that date, ~~was~~ inspecting single-family, two-family, and three-family residences, and any township building department certified pursuant to division (E) of section 3781.10 of the Revised Code, is hereby declared to be certified to inspect single-family, two-family, and three-family residences containing industrialized units, and such building department shall inspect ~~such~~ the buildings or classes of buildings subject to the provisions of division (E) of section 3781.10 of the Revised Code.

(B) ~~Except as limited by division (C) of this section, each~~ Each board of county commissioners may adopt, by resolution, rules establishing standards and providing for the licensing of electrical and heating, ventilating, and air conditioning contractors who are not required to hold a valid and unexpired license pursuant to Chapter 4740. of the Revised Code.

Rules adopted by a board of county commissioners pursuant to this division may be enforced within the unincorporated areas of the county and

within any municipal corporation where the legislative authority of the municipal corporation has contracted with the board for the enforcement of the county rules within the municipal corporation pursuant to section 307.15 of the Revised Code. The rules shall not conflict with rules adopted by the board of building standards pursuant to section 3781.10 of the Revised Code or by the department of commerce pursuant to Chapter 3703. of the Revised Code. This division does not impair or restrict the power of municipal corporations under Section 3 Article XVIII, Ohio Constitution, to adopt rules concerning the erection, construction, repair, alteration, and maintenance of buildings and structures or of establishing standards and providing for the licensing of ~~electrical and heating, ventilating, and air conditioning~~ specialty contractors pursuant to section 715.27 of the Revised Code.

~~(C)(1) Except as provided in division (C)(2) of this section, a~~ A board of county commissioners, pursuant to this division ~~(B) of this section~~, may require all electrical contractors and heating, ventilating, and air conditioning contractors, other than those who hold a valid and unexpired license issued pursuant to Chapter 4740. of the Revised Code, to successfully complete an examination, test, or demonstration of technical skills, and may impose a fee and additional requirements for a license to engage in their respective occupations within the jurisdiction of the board's rules under this division ~~(B) of this section~~.

~~(2)(C)~~ (C) No board of county commissioners shall require any ~~electrical contractor or heating, ventilating, and air conditioning specialty~~ specialty contractor who has holds a valid and unexpired qualification certificate license issued pursuant to Chapter 4740. of the Revised Code to successfully complete an examination, test, or demonstration of technical skills in order ~~to receive a license to engage in the contractor's respective business, except that a board that has adopted, on or before July 31, 1992, a heating, ventilating, and air conditioning, or refrigeration, electrical, hydronics, or plumbing code which is not in conflict with Chapter 3781. or 3791. of the Revised Code or rules adopted thereunder, may require a contractor who holds a valid and unexpired qualification certificate to successfully complete an examination or test only in those areas that differ from requirements established under Chapters 3781. and 3791. of the Revised Code and rules adopted thereunder~~ type of contracting for which the license is held, within the unincorporated areas of the county and within any municipal corporation whose legislative authority has contracted with the board for the enforcement of county regulations within the municipal corporation, pursuant to section 307.15 of the Revised Code.

~~(3)(D)~~ A board may impose a fee ~~and additional requirements~~ for ~~license~~ registration of an individual a specialty contractor who holds a valid and unexpired ~~qualification certificate, in order for~~ license issued pursuant to Chapter 4740. of the Revised Code before that individual to specialty contractor may engage in the individual's respective business type of contracting for which the license is held within the jurisdiction of the board's rules under division (B) of this section unincorporated areas of the county and within any municipal corporation whose legislative authority has contracted with the board for the enforcement of county regulations within the municipal corporation, pursuant to section 307.15 of the Revised Code, provided that the fee ~~and additional requirements are~~ is the same for all ~~individuals~~ specialty contractors who wish to engage in ~~the business that type of contracting~~. If ~~the~~ a board imposes such a fee ~~or additional requirements~~, the board immediately shall permit ~~an individual a specialty contractor~~ who presents proof of holding a valid and unexpired ~~qualification certificate~~ license and ~~who~~ pays the required fee ~~and satisfies all additional requirements imposed by the board to engage in the individual's respective business type of contracting for which the license is held within the jurisdiction of the board's rules under division (B) of this section unincorporated areas of the county and within any municipal corporation whose legislative authority has contracted with the board for the enforcement of county regulations within the municipal corporation, pursuant to section 307.15 of the Revised Code.~~

~~(D) As used in this section, "electrical contractor," "heating, ventilating, and air conditioning contractor," and "qualification certificate" have the same meanings as in section 4740.01 of the Revised Code.~~

(E) The political subdivision associated with each municipal, township, and county building department certified by the board of building standards pursuant to division (E) of section 3781.10 of the Revised Code may prescribe fees to be paid by persons, political subdivisions, or any department, agency, board, commission, or institution of the state, for the acceptance and approval of plans and specifications, and for the making of inspections, pursuant to sections 3781.03 and 3791.04 of the Revised Code.

(F) Each political subdivision that prescribes fees pursuant to division (E) of this section shall collect, on behalf of the board of building standards, a fee equal to three per cent of such fees. The board shall adopt rules, in accordance with Chapter 119, of the Revised Code, specifying the manner in which the fee assessed pursuant to this division shall be collected and remitted monthly to the board. The board shall pay the fee assessed pursuant to this division into the state treasury to the credit of the industrial

compliance operating fund created in section 121.084 of the Revised Code.

All money credited to the fund under this division shall be used exclusively for both of the following:

(1) Operating costs of the board;

(2) Providing services, including educational programs, for the building departments that are certified by the board pursuant to division (E) of section 3781.10 of the Revised Code.

(G) A board of county commissioners that adopts rules providing for the licensing of electrical and heating, ventilating, and air conditioning contractors, pursuant to division (B) of this section, may accept, for purposes of satisfying the requirements of rules adopted under that division, a valid and unexpired license issued pursuant to Chapter 4740. of the Revised Code that is held by an electrical or heating, ventilating, and air conditioning contractor, for the construction, replacement, maintenance, or repair of one-family, two-family, or three-family dwelling houses or accessory structures incidental to those dwelling houses.

(H) As used in this section, "specialty contractor" means a heating, ventilating, and air conditioning contractor, refrigeration contractor, electrical contractor, plumbing contractor, or hydronics contractor, as those terms are defined in section 4740.01 of the Revised Code.

Sec. 4104.04. (A) Sections 4104.01 to 4104.20, and section 4104.99 of the Revised Code do not apply to the following boilers and unfired pressure vessels:

(1) Boilers and unfired pressure vessels under federal control or subject to inspection under federal laws;

(2) Air tanks located on vehicles operating under the rules of other state authorities and used for carrying passengers, or freight;

(3) Air tanks installed on the right of way of railroads and used directly in the operation of trains;

(4) Unfired pressure vessels which are under the regulation and control of the state fire marshal under Chapter 3737. of the Revised Code.

(B) The following boilers and unfired pressure vessels are exempt from the requirements of sections 4104.10, 4104.101, 4104.11, 4104.12, and 4104.13 of the Revised Code, but shall be equipped with such appliances, to insure safety of operation, as are prescribed by the board:

(1) Portable boilers or unfired pressure vessels when located on farms and used solely for agricultural purposes;

(2) Steam or vapor boilers carrying a pressure of not more than fifteen psig, which are located in private residences or in apartment houses of less than six family units;

(3) Hot water boilers operated at pressures not exceeding one hundred sixty psig, or temperatures not exceeding two hundred fifty degrees Fahrenheit, which are located in private residences or in apartment houses of less than six family units;

(4) Unfired pressure vessels containing only water under pressure for domestic supply purposes, including those containing air, the compression of which serves only as a cushion or airlift pumping system, when located in private residences or in apartment houses of less than six family units;

(5) Portable boilers used in pumping, heating, steaming, and drilling, in the open field, for water, gas, and oil;

(6) Portable boilers used in the construction of and repair to public roads, railroads, and bridges;

(7) Historical steam boilers of riveted construction, preserved, restored, or maintained for hobby or demonstration use.

Sec. 4740.01. As used in this chapter:

(A) "~~Qualification certificate~~ License" means a ~~certificate~~ license issued by the Ohio construction industry examining board to an individual ~~or business entity~~ as a heating, ventilating, and air conditioning contractor, refrigeration contractor, electrical contractor, plumbing contractor, or hydronics contractor.

(B) "Heating, ventilating, and air conditioning contractor" means any individual ~~or business entity~~ who ~~assumes responsible charge, supervision, or direction of persons engaged in~~ satisfies both of the following:

(1) For compensation, directs, supervises, or has responsibility for the means, method, and manner of heating, ventilating, and air conditioning contracting, or construction, improvement, renovation, repair, or maintenance on a construction project and who engages in, offers to engage in, identifies, advertises, or otherwise holds out or represents that he the individual or business entity is permitted or qualified to engage in the design of, planning of, superintending of, contracting for, or responsible charge perform, direct, supervise, or have responsibility for the means, method, and manner of heating, ventilating, and air conditioning contracting construction, improvement, renovation, repair, or maintenance on a construction project;

(2) Is a tradesperson or employs tradespersons who perform and who are trained to perform heating, ventilating, and air conditioning construction, improvement, renovation, repair, or maintenance on a construction project.

(C) "Refrigeration contractor" means any individual ~~or business entity~~ who ~~assumes responsible charge, supervision, or direction of persons engaged in~~ satisfies both of the following:

(1) For compensation, directs, supervises, or has responsibility for the means, method, and manner of refrigeration contracting, or construction, improvement, renovation, repair, or maintenance on a construction project and who engages in, offers to engage in, identifies, advertises, or otherwise holds out or represents that he the individual or business entity is permitted or qualified to engage in the design of, planning of, superintending of, contracting for, or responsible charge direct, supervise, or have responsibility for the means, method, and manner of refrigeration contracting construction, improvement, renovation, repair, or maintenance on a construction project;

(2) Is a tradesperson or employs tradespersons who perform and who are trained to perform refrigeration construction, improvement, renovation, repair, or maintenance on a construction project.

(D) "Electrical contractor" means any individual or business entity who assumes responsible charge, supervision, or direction of persons engaged in satisfies both of the following:

(1) For compensation, directs, supervises, or has responsibility for the means, method, and manner of electrical contracting, or construction, improvement, renovation, repair, or maintenance on a construction project and who engages in, offers to engage in, identifies, advertises, or otherwise holds out or represents that he the individual or business entity is permitted or qualified to engage in the design of, planning of, superintending of, contracting for, or responsible charge direct, supervise, or have responsibility for the means, method, and manner of electrical contracting construction, improvement, renovation, repair, or maintenance on a construction project;

(2) Is a tradesperson or employs tradespersons who perform and who are trained to perform electrical construction, improvement, renovation, repair, or maintenance on a construction project. As

As used in this division chapter, "electrical contracting" does not include the construction, installation, alteration improvement, renovation, repair, or maintenance, or service of any fire of the following systems using less than fifty volts:

- (a) Fire alarm or burglar alarm;
- (b) Tele-data;
- (c) Cabling;
- (d) Sound;
- (e) Communication;
- (f) Landscape lighting and irrigation.

(E) "Plumbing contractor" means any individual or business entity who



~~assumes responsible charge, supervision, or direction of persons engaged in~~  
satisfies both of the following:

(1) ~~For compensation, directs, supervises, or has responsibility for the means, method, and manner of plumbing contracting, or construction, improvement, renovation, repair, or maintenance on a construction project and who engages in, offers to engage in, identifies, advertises, or otherwise holds out or represents that he the individual or business entity is permitted or qualified to engage in the design of, planning of, superintending of, contracting for, or responsible charge~~ direct, supervise, or have responsibility for the means, method, and manner of plumbing construction, improvement, renovation, repair, or maintenance on a construction project;

(2) ~~Is a tradesperson or employs tradespersons who perform and who are trained to perform plumbing construction, improvement, renovation, repair, or maintenance on a construction project.~~

(F) ~~"Hydronics contractor" means any individual or business entity who assumes responsible charge, supervision, or direction of persons engaged in~~  
satisfies both of the following:

(1) ~~For compensation, directs, supervises, or has responsibility for the means, method, and manner of hydronics contracting, or construction, improvement, renovation, repair, or maintenance on a construction project and who engages in, offers to engage in, identifies, advertises, or otherwise holds out or represents that he the individual or business entity is permitted or qualified to engage in the design of, planning of, superintending of, contracting for, or responsible charge~~ direct, supervise, or have responsibility for the means, method, and manner of hydronics contracting construction, improvement, renovation, repair, or maintenance on a construction project;

(2) ~~Is a tradesperson or employs tradespersons who perform and who are trained to perform hydronics construction, improvement, renovation, repair, or maintenance on a construction project.~~

(G) ~~As used in this section, "contracting" means the engagement of a person under any written or verbal contract, agreement, or understanding, whereby such person provides services or materials which are subject to examination under this chapter~~ "Contractor" means a heating, ventilating, and air conditioning contractor, a refrigeration contractor, an electrical contractor, a plumbing contractor, or a hydronics contractor.

(H) "Tradesperson" means an individual who, for compensation, engages in construction, improvement, renovation, repair, or maintenance of buildings or structures without assuming responsibility for the means, method, or manner of that construction, improvement, renovation, repair, or

maintenance.

(I) "Construction project" means a construction project involving a building or structure that is subject to Chapter 3781. of the Revised Code and the rules adopted under that chapter, but not involving THE FOLLOWING buildings or structures:

(1) an Industrialized unit as defined in division (C)(3) of section 3781.06 of the revised Code;

(2) A BUILDING OR STRUCTURE constructed pursuant to rules adopted under section 3781.181 or 3781.21 of the Revised Code.

Sec. 4740.02. (A) There is hereby created within the department of commerce, the Ohio construction industry examining board, consisting of seventeen residents of this state. The board shall consist of an administrative section, a plumbing section, an electrical section, and a heating, ventilating, air conditioning, and refrigeration section. The director of commerce shall appoint all members of the board. The director or ~~his~~ the director's designee shall serve as a member of the administrative section and the director shall appoint to the administrative section, one member who is a representative of the public who is not a member of any group certified by any section of the board. The plumbing, electrical, and heating, ventilating, air conditioning, and refrigeration sections each shall annually elect a member of ~~each~~ their own respective section to serve a one-year term on the administrative section.

(B) The plumbing section shall consist of five members, ~~four of whom are plumbing contractors, and one of whom is an employee of a plumbing inspector employed by the department of commerce other than the director or his designee who serves as a member of the administrative section. Of the four plumbing members, two shall be engaged in plumbing contracting and shall represent unions representing plumbers and, a municipal corporation, or a health district, two shall of whom are plumbing contractors who have no affiliation with any union representing plumbers, and two of whom are plumbing contractors who are signatories to agreements with unions representing plumbers.~~

(C) The electrical section shall consist of five members, one of whom is ~~a municipal building~~ an electrical inspector employed by the department of commerce, a municipal corporation, or a county, two of whom are electrical contractors ~~and~~ who have no affiliation with any union representing electricians, and two of whom are electrical contractors ~~and~~ who ~~represent~~ are signatories to agreements with unions representing electricians.

(D) The heating, ventilating, air conditioning, and refrigeration section shall consist of five members, one of whom is a ~~municipal~~ heating,

ventilating, air conditioning, and refrigeration inspector employed by either the department of commerce or a municipal corporation; two of whom are heating, ventilating, and air conditioning contractors or refrigeration contractors ~~and~~ who have no affiliation with any union representing ~~persons engaged in~~ heating, ventilating, and air conditioning tradespersons or refrigeration ~~contracting~~ tradespersons; and two of whom are heating, ventilating, and air conditioning contractors or refrigeration contractors ~~and~~ who ~~represent~~ are signatories to agreements with unions representing heating, ventilating, and air conditioning tradespersons or refrigeration ~~contractors~~ tradespersons.

(E) Within ninety days after July 31, 1992, initial appointments shall be made to the board. Of the initial appointments to the board, two appointments in each section, other than the administrative section, are for terms ending one year after July 31, 1992, and two are for terms ending two years after July 31, 1992. All other appointments to the board are for terms ending three years after July 31, 1992. Thereafter, terms of office are for three years, each term ending on the same day of the same month of the year as did the term that it succeeds. Each member shall hold office from the date of ~~his~~ appointment until the end of the term for which ~~he~~ the member was appointed. Members may be reappointed. Vacancies shall be filled in the manner provided for original appointments. Any member appointed to fill a vacancy occurring prior to the expiration date of the term for which ~~his~~ the member's predecessor was appointed shall hold office as a member for the remainder of that term. A member shall continue in office subsequent to the expiration date of ~~his~~ the member's term until ~~his~~ the member's successor takes office or until a period of sixty days has elapsed, whichever occurs first.

(F) Before entering upon the discharge of ~~his~~ official duties, each member shall take, and file with the secretary of state, the oath of office required by Section 7 of Article XV, Ohio Constitution.

(G) Each member of the board, except for the director or the designee the director appoints under division (A) of this section, ~~and the employee of the department of commerce the director appoints under division (B) of this section,~~ shall receive a per diem amount fixed pursuant to section 124.15 of the Revised Code when actually attending to matters of the board and for the time spent in necessary travel, and all actual and necessary expenses incurred in the discharge of ~~his~~ official duties.

(H) The director of commerce may remove any member of the board ~~he~~ the director appoints for malfeasance, misfeasance, or nonfeasance.

(I) Membership on the board and holding ~~an~~ any office of the board

s not constitute the holding of a public office or employment within the meaning of any section of the Revised Code, or an interest, either direct or indirect, in a contract or expenditure of money by the state or any municipal corporation, township, special district, school district, county, or other political subdivision. No member or officer of the board is disqualified from holding any public office or employment nor shall the officer or member forfeit any public office or employment by reason of ~~his~~ holding a position as an officer or member of the board.

(J) ~~The board is part of the department of commerce for administrative purposes, and each section of the board, shall meet only after adequate advance notice of the meeting has been given to each member of the board or section, as appropriate.~~

Sec. 4740.03. (A) The administrative section of the Ohio construction industry examining board annually shall elect from among its members a chairperson and other officers as the board, by rule, designates. The chairperson shall preside over meetings of the administrative section or designate another member to preside in the chairperson's absence. The administrative section shall hold at least two regular meetings each year, but may meet at additional times as specified by rule, at the call of the chairperson, or upon the request of two or more members. A majority of the members of the administrative section constitutes a quorum for the transaction of all business. The administrative section may not take any action without the concurrence of at least three of its members.

(B)(1) The administrative section shall employ a secretary, who is not a member of the board, to serve at the pleasure of the administrative section, and shall fix the compensation of the secretary. The secretary shall be in the unclassified civil service of the state.

(2) The secretary shall do all of the following:

(a) Keep or set standards for and delegate to another person the keeping of the minutes, books, and other records and files of the board and each section of the board;

(b) Issue all ~~qualification certificates~~ licenses in the name of the board;

(c) Send out all notices, including advance notices of meetings of the board and each section of the board, and attend to all correspondence of the board and each section of the board, under the direction of the administrative section;

(d) Receive and deposit all fees payable pursuant to this chapter into the construction industry examining fund created pursuant to section 4740.11 of the Revised Code;

(e) Perform all other duties incidental to the office of the secretary or

properly assigned to the secretary by the administrative section of the board.

(3) Before entering upon the discharge of the duties of the secretary, the secretary shall file with the treasurer of state a bond in the sum of five thousand dollars, payable to the state, to ensure the faithful performance of the secretary's duties. The board shall pay the premium of the bond in the same manner as it pays other expenditures of the board.

(C) Upon the request of the administrative section of the board, the director of commerce shall supply the board and its sections with personnel, office space, and supplies, as the director determines appropriate. The administrative section of the board shall employ any additional staff it considers necessary and appropriate.

(D) The chairperson of the board or the secretary, or both, as authorized by the board, shall approve all vouchers of the board.

Sec. 4740.04. The administrative section of the Ohio construction industry examining board is responsible for the administration of this chapter and shall do all of the following:

(A) ~~Schedule, administer, and supervise the examinations for qualification certificates for heating, ventilating, and air conditioning contractors, refrigeration contractors, electrical contractors, plumbing contractors, and hydronics contractors, as directed by the heating, ventilating, air conditioning, and refrigeration section, the electrical section, and the plumbing applicable section of the board.~~ The administrative section shall ~~conduct the~~ schedule examinations to be held at least four times per year.

(B) Select and contract with one or more persons to do all of the following relative to the examinations described in division (A) of this section:

(1) Prepare, administer, score, and maintain the confidentiality of the examinations;

(2) Be responsible for all the expenses required to fulfill division (B)(1) of this section;

(3) Charge an applicant a fee, in an amount authorized by the administrative section of the board, for administering the examination;

(4) design the examination for each type of contractor to determine an applicant's competence to perform the type of contracting for which the applicant is seeking licensure.

(C) Issue ~~qualification certificates~~ and renew licenses to individuals who have attained at least the minimum score on an examination ~~prepared~~ authorized by the plumbing section for plumbing contractors, the electrical section for electrical contractors, the heating, ventilating, air conditioning,

and refrigeration section for heating, ventilating, and air conditioning contractors and refrigeration contractors, and both the heating, ventilating, air conditioning, and refrigeration and plumbing sections for hydronics contractors, on the condition that the appropriate section of the board determines that the individual also is qualified as required by section 4740.06 of the Revised Code to hold a license;

~~(C) Suspend, revoke, or refuse to issue or renew qualification certificates as directed by the plumbing section for plumbing contractors; the electrical section for electrical contractors; the heating, ventilating, air conditioning, and refrigeration section for heating, ventilating, and air conditioning contractors and refrigeration contractors; and both the heating, ventilating, air conditioning, and refrigeration and plumbing sections for hydronics contractors;~~

(D) Make an annual written report to the director of commerce on proceedings had by or before the board for the previous year and make an annual statement of all money received and expended by the board during the year;

(E) Keep a record containing the name, address, the date on which the board issues or renews a ~~qualification certificate~~ license to, and the ~~qualification certificate~~ license number of, every heating, ventilating, and air conditioning contractor, refrigeration contractor, electrical contractor, plumbing contractor, and hydronics contractor issued a ~~qualification certificate~~ license pursuant to this chapter;

(F) Regulate a contractor's use and display of a license issued pursuant to this chapter and of any information contained in that license;

(G) Adopt rules in accordance with Chapter 119. of the Revised Code as necessary to properly discharge the administrative section's duties under this chapter;

(H) Keep a record of its proceedings and do all things necessary to carry out this chapter.

Sec. 4740.05. The heating, ventilating, air conditioning, and refrigeration section of the Ohio construction industry examining board for heating, ventilating, and air conditioning contractors and refrigeration contractors; the plumbing section of the board for plumbing contractors; the electrical section for electrical contractors; and both the heating, ventilating, air conditioning, and refrigeration and the plumbing sections for hydronics contractors, shall do all of the following:

(A) Adopt rules in accordance with Chapter 119. of the Revised Code as this chapter relates to their respective sections. The rules shall be limited to the following:

(1) Application procedures for examinations;

~~(2) Approval of a third party to prepare, administer, and score the examination. The approved third party shall be responsible for all expenses associated with the preparation, administration, and scoring of the examination and may charge the applicant for a qualification certificate a fee for such expenses. The examination for each type of contractor certified pursuant to this chapter shall be substantially uniform and designed so as to establish the competence and qualifications of the applicant in the subjects pertinent to the particular business for which the applicant seeks a qualification certificate.~~

~~(3) Selection and approval of courses to meet the continuing education requirements for renewal of a qualification certificate, which requirements shall be no more than thirty course hours over a three year period for an individual who holds one or more qualification certificates issued pursuant to section 4740.06 or 4740.08 of the Revised Code;~~

~~(4) Issuance of or refusal to issue qualification certificates to qualified individuals and suspension or revocation of qualification certificates of unqualified individuals~~ Specifications concerning continuing education requirements for license renewal that address all of the following:

(a) Criteria for selecting and approving courses and persons to provide those courses;

(b) A specification that individuals holding a valid and unexpired license be required to accrue no more than thirty hours of continuing education courses over a period of three years;

(c) A requirement that persons seeking approval to provide continuing education courses submit information regarding the courses to the appropriate section of the board for approval not less than ninety days nor more than one year prior to the date on which the courses are offered, unless a section of the board permits submission at a different time;

(d) A prohibition against any person providing a course for the purpose of meeting continuing education requirements unless, not more than one year prior to the date the course is offered, the person has been approved by the appropriate section of the board to provide that course;

(e) A provision limiting approval of continuing education courses to one year;

(f) A provision establishing the following annual fees, to be paid to the board by persons approved to provide continuing education courses:

(i) For the approval of each continuing education course, not more than ten dollars plus one dollar per credit hour;

(ii) For the approval of each person providing continuing education

courses, twenty-five dollars.

(3) Criteria the section of the board shall use in evaluating the qualifications of an individual;

(4) Criteria the section of the board shall use in deciding whether to issue, renew, suspend, revoke, or refuse to issue or renew a license;

(5) Determinations and approvals made under the reciprocity provision of section 4740.08 of the Revised Code.

(B) Investigate ~~all~~ allegations in reference to violations of this chapter and the rules adopted pursuant thereto pertaining to the section and determine by rule a procedure for investigations and hearings on these allegations;

(C) ~~Keep~~ Maintain a record of its proceedings ~~and;~~

(D) Grant approval to persons to offer continuing education courses pursuant to rules adopted under division (A)(2) of this section;

(E) As required, do all things necessary to carry out this chapter.

Sec. 4740.06. (A) Any ~~person~~ individual who applies for a ~~qualification certificate license~~ shall file a written application with the appropriate section of the Ohio construction industry examining board, accompanied with the application fee set forth in as determined pursuant to section 4740.09 of the Revised Code. The ~~person~~ individual shall file the application with the appropriate section not more than sixty days nor less than thirty days prior to the date of the examination. The application shall be on the form prescribed by the appropriate section of the board and verified by the applicant's oath. It shall contain information satisfactory to the appropriate section showing that the applicant meets the requirements of division (B) of this section.

(B) ~~To receive a qualification certificate~~ qualify to take the examination required to obtain a license for a heating, ventilating, and air conditioning contractor, refrigeration contractor, electrical contractor, plumbing contractor, or hydronics contractor, an individual shall:

(1) Be at least eighteen years of age;

(2) Be a United States citizen;

(3) ~~Be of good moral character;~~

(4) ~~Pass the examination given by the board in his particular business and pay the required examination fee;~~

(5) ~~Have the following experience in his particular business:~~

~~(a) With respect to a heating, ventilating, and air conditioning contractor or a refrigeration contractor, for a continuous period of at least two years immediately preceding his application for examination, be engaged in heating, ventilating, and air conditioning contracting or refrigeration contracting, respectively;~~



~~(b) With respect to an electrical contractor, for a continuous period of at least two years immediately preceding his application for examination, be engaged in electrical contracting;~~

~~(c) With respect to a plumbing contractor, for a continuous period of at least two years immediately preceding his application for examination, be engaged in plumbing contracting;~~

~~(d) With respect to a hydronics contractor, for a continuous period of at least two years immediately preceding his application for examination, be engaged in hydronics contracting.~~

~~(6) Pay the applicable fee set forth in section 4740.09 of the Revised Code for the issuance of a qualification certificate Either have been a tradesperson for the type of contractor for which the application is filed for not less than five years immediately prior to the date the application is filed, be an engineer, have three years of business experience in the construction industry, or have other experience acceptable to the section of the board that authorizes issuance of the type of license sought;~~

~~(4) Maintain contractor's liability insurance, including without limitation, complete operations coverage, in an amount determined by the appropriate section of the board;~~

~~(5) Not have done any of the following:~~

~~(a) Been convicted of or pleaded guilty to a misdemeanor involving moral turpitude or of any felony;~~

~~(b) Violated this chapter or any rule adopted pursuant to this chapter;~~

~~(c) Obtained or renewed a license issued pursuant to this chapter, or any order, ruling, or authorization of the board or a section of the board by fraud, misrepresentation, or deception;~~

~~(d) Engaged in fraud, misrepresentation, or deception in the conduct of business.~~

~~(C) If the applicant for licensure as a heating, ventilating, and air conditioning ~~contractor's~~ contractor, refrigeration ~~contractor's~~ contractor, electrical ~~contractor's~~ contractor, plumbing ~~contractor's~~ contractor, or hydronics ~~contractor's~~ qualification certificate contractor meets the qualifications set forth in division (B) of this section and passes the required examination, the appropriate section of the board, within ninety days after the applicant filed the application, shall direct authorize the administrative section of the board to issue him a qualification certificate in license the applicant for the business type of contractor's license for which he the applicant qualifies. A section of the board may withdraw its authorization to the administrative section for issuance of a license for good cause shown, on the condition that notice of that withdrawal is given prior to the~~

trative section's issuance of the license.

(D) Each ~~qualification certificate~~ license issued under this chapter expires one year after the date of issue, but each ~~person~~ individual holding a valid, unexpired ~~qualification certificate~~ license may renew ~~his certificate~~ the license, without reexamination, by applying to the appropriate section of the board ~~within~~ not more than ninety days ~~of~~ before the expiration of ~~his certificate~~ the license, and submitting with ~~his~~ the application the renewal fee ~~set forth in~~ as determined pursuant to section 4740.09 of the Revised Code and proof of compliance with the continuing education requirements ~~for his particular business~~ applicable to that contractor. The renewal application shall contain information satisfactory to the appropriate section of the board showing that the applicant continues to meet the requirements of division (B) of this section.

The appropriate section of the board may waive any of the requirements for renewal of a license upon finding that the applicant substantially has met the renewal requirements or that failure to timely apply for renewal is due to excusable neglect. If, in renewing a license, a section of the board waives requirements for renewal, that section may impose conditions upon that licensee and assess a late filing fee of not more than double the usual renewal fee.

(E) An individual holding a valid and unexpired license may request the section of the board that authorized the issuance of that license to place the license in inactive status under conditions and for a period of time as determined by that section of the board.

(F) Except for the ninety-day extension provided for under division (D) of section 4740.07 of the Revised Code, a license held by an individual immediately terminates upon the death of the individual.

(G) Nothing in any license issued by the Ohio construction industry examining board shall be construed to limit or eliminate any requirement of or any license issued by the Ohio fire marshal.

Sec. 4740.07. (A) Except as provided in this section, the administrative section of the Ohio construction industry examining board shall issue and renew all ~~qualification certificates~~ licenses under ~~section 4740.06 of the Revised Code~~ this chapter in the name of the ~~person~~ individual who meets the ~~qualifications~~ requirements of ~~and who takes the examination required by that section~~ 4740.06 of the Revised Code.

(B) Any ~~person~~ individual may request, at the time of applying for a ~~qualification certificate~~ license or at any time thereafter, that ~~his rights in the qualification certificate~~ individual's license be assigned to a business entity with whom ~~he~~ the individual is associated as a full-time officer, proprietor,

partner, or employee. If the ~~person~~ individual is issued or holds a ~~qualification certificate~~ license and meets the requirements of this section for the assignment of ~~his rights in the qualification certificate~~ license to a business entity, the administrative section shall assign the ~~certificate holder's rights~~ license to and issue the ~~qualification certificate~~ a license in the name of the business entity. The ~~qualification certificate~~ license assigned and issued to a business entity under this division shall state the name and position of the ~~person~~ individual who assigned ~~his right in the qualification certificate~~ license to the business entity.

(C) During the period ~~the~~ a business entity holds ~~the qualification certificate~~ a license issued under division ~~(A)~~(B) of this section, the administrative section shall not issue a ~~qualification certificate~~ to the ~~person~~ individual who assigned ~~his rights in the qualification certificate~~ license to the business entity another license for the same type of contracting for which the assigned license is utilized by the business entity.

(D)(1) If the ~~person~~ an individual who assigned his rights in a qualification certificate license to a business entity becomes disassociated ceases to be associated with the business entity for any reason, including, without limitation, death of the individual, the person individual or business entity immediately shall notify the appropriate section of the board of his disassociation the date on which the individual ceased to be associated with the business entity A qualification certificate license assigned to a business entity is invalid ninety days after the disassociation date on which the individual who assigned the license ceases to be associated with the business entity.

(2) If a license assigned to a business entity becomes invalid pursuant to division (D)(1) of this section and another individual has assigned a license to the business entity for the same type of contracting for which the invalidated license had been assigned, the business entity may continue to operate under the other assigned license.

(E) Any work conducted by a business entity under a ~~qualification certificate~~ license assigned under this section is deemed to be conducted under the personal supervision of the ~~person~~ individual named in the ~~qualification certificate~~ license and all violations of any terms of the ~~qualification certificate~~ license are ~~imputed~~ deemed to have been committed by the person individual named in the ~~qualification certificate~~ license.

For the period of time during which more than one license for the same type of contracting is assigned under this section to a business entity, any work conducted by the business entity under any of those licenses is deemed to be conducted under the personal supervision of the individuals named in

each of the licenses and all violations of any terms of any of the licenses are deemed to have been committed by the individuals named in each of the licenses.

(F) No ~~person~~ individual who assigns ~~his rights in a qualification certificate license~~ to a business entity under division (B) of this section:

~~(1) Is eligible to receive a separate qualification certificate in his name during the time the business entity holds the certificate;~~

~~(2) Shall~~ shall assign ~~his rights in a qualification certificate license~~ for the same type of contracting to a another business entity, ~~if that assignment takes place within~~ until after ninety days after the ~~person becomes disassociated~~ individual ceases to be associated with a the business entity to whom the ~~person~~ individual had previously assigned ~~his rights to a qualification certificate license.~~

(G) Any ~~person~~ individual who assigns ~~his rights in a qualification certificate license~~ to a business entity under this section shall be actively engaged in ~~the business as the type of contractor~~ for which the ~~qualification certificate license~~ is issued and be readily available for consultation with the business entity to which the ~~qualification certificate license~~ is assigned.

(H) No ~~qualification certificate license~~ assigned under this section shall be ~~used by~~ assigned to more than one business entity at a time.

Sec. 4740.08. Upon application to the appropriate section of the Ohio construction industry examining board and payment of the fee ~~specified in~~ determined pursuant to section 4740.09 of the Revised Code for the issuance of a ~~qualification certificate license~~, the appropriate section of the board shall ~~direct~~ authorize the administrative section of the board to issue, without examination, a ~~qualification certificate license~~ to an individual registered, licensed, or certified in another state of the United States, provided that the appropriate section of the board determines pursuant to the rule adopted under division (A)(5) of section 4740.05 of the Revised Code that the requirements for registration, licensure, or certification under the laws of the other state of the United States are substantially equal to the requirements for ~~the issuance of a qualification certificate licensure~~ in this state and further provided that such other state extends similar reciprocity to ~~holders of qualification certificates~~ persons licensed under this chapter. The appropriate section of the board may withdraw its authorization to the administrative section for issuance of a license for good cause shown prior to the administrative section's issuance of the license.

Sec. 4740.09. ~~(A) The fees for the qualification certificates licenses and their renewal, and for applying to take the examinations required for the issuance of qualification certificates are as follows:~~

~~(1) Twenty five dollars for the application to take the required examination for each qualification certificate. This fee is in addition to the fee described in division (A)(2) of section 4740.05 of the Revised Code that may be charged to the applicant by a third party responsible for the preparation, administration, and scoring of the examination.~~

~~(2) Twenty five dollars for the issuance of each qualification certificate;~~

~~(3) Forty dollars for the annual renewal of each qualification certificate.~~

~~(B) Subject including late fees, subject to the approval of the controlling board, the administrative shall be determined by each respective section of the Ohio construction industry examining board. Each respective section of the Ohio construction industry examining board may increase the these fees specified in division (A) of this section, provided that no increase exceeds fifty per cent of the fees specified in that division lowest fee determined by that section of the board during the three-year period immediately preceding an increase, and further provided that no increase is made more than once a year.~~

Sec. 4740.10. (A) The heating, ventilating, air conditioning, and refrigeration section of the Ohio construction industry examining board for heating, ventilating, and air conditioning contractors and for refrigeration contractors; the electrical section of the board for electrical contractors; the plumbing section of the board for plumbing contractors; and both the plumbing section and the heating, ventilating, air conditioning, and refrigeration section for hydronics contractors may suspend or revoke a license and may direct the administrative section of the board to suspend, revoke, or refuse to issue or renew any qualification certificate a license if the section of the board finds that the applicant or ~~certificate holder~~ licensee has done any of the following:

(1) Been convicted of a misdemeanor involving moral turpitude or a felony;

(2) Violated any provision of this chapter or the rules adopted pursuant thereto;

(3) Obtained ~~his qualification certificate~~ a license or any ~~board or section~~ order, ruling, or authorization of the board by ~~means of fraud or, misrepresentation, or deception;~~

(4) ~~Been guilty of gross misconduct in pursuit of his profession~~ engaged in fraud, misrepresentation, or deception in the conduct of business.

(B) The appropriate section of the board shall determine the length of time that a ~~qualification certificate~~ license is to be suspended ~~or~~ and whether or when an individual whose ~~qualification certificate~~ license has been revoked may apply for reinstatement ~~and, if so, when.~~ The appropriate

section of the board may accept or refuse an application for reinstatement and may require an examination for reinstatement.

(C) The appropriate section of the board may investigate any alleged violation of this chapter or rules adopted pursuant thereto. If, after its investigation, a section of the board determines that any person has engaged or is engaging in any practice that violates this chapter or the rules adopted pursuant thereto, the administrative that section of the board may apply to the court of common pleas of the county in which the alleged section determined that the violation occurred or is occurring for an injunction or other appropriate relief to restrain the act enjoin or terminate the violation.

(D) Any person who wishes to make a complaint against a person who holds a qualification certificate license shall submit the complaint in writing to the appropriate section of the board within one year after the date of the action or event upon which the complaint is based.

Sec. 4740.12. ~~(A) Except as otherwise provided in this chapter, only a municipal corporation pursuant to section 715.27 of the Revised Code or a board of county commissioners pursuant to section 3781.102 of the Revised Code shall regulate the licensing of heating, ventilating, and air conditioning contractors, refrigeration contractors, electrical contractors, plumbing contractors, and hydronics contractors.~~

~~(B)~~ Nothing in this chapter shall be construed to limit the operation of any statute or rule of this state or any ordinance or rule of any political subdivision, district, or agency of the state that:

~~(1)~~(A) Regulates the installation, repair, maintenance, or alteration of plumbing systems, electrical systems, heating, ventilating, and air conditioning systems, or refrigeration systems;

~~(2)~~(B) Requires the registration and assessment of a registration or license fee of individuals who are engaged in the business of tradespersons who perform heating, ventilating, and air conditioning, refrigeration, electrical, plumbing, or hydronics contracting construction, improvement, renovation, repair, or maintenance.

Sec. 4740.13. No person shall act as or claim to be a heating, ventilating, and air conditioning contractor, refrigeration contractor, plumbing contractor, electrical contractor, or hydronics contractor unless that person holds or has been assigned a license issued pursuant to this chapter for the type of contractor that person is acting as or claiming to be.

Contractors licensed under this chapter may install, service, and maintain the related or interfaced control wiring for equipment and devices related to their specific license, on the condition that the control wiring is less than twenty-five volts.

Sec. 4740.14. (A) There is hereby created within the department of commerce the residential construction advisory committee consisting of eight persons appointed by the director of commerce. Of the advisory committee's members, three shall be contractors who have recognized ability and experience in the construction of residential buildings, two shall be building officials who have experience administering and enforcing a residential building code, one shall be from the fire service certified as a fire safety inspector who has at least ten years of experience enforcing fire or building codes, one shall be a contractor who has recognized ability and experience in the remodeling of residential buildings, and one shall be an architect registered pursuant to Chapter 4703. of the Revised Code.

(B) The director shall make appointments to the advisory committee within ninety days after the effective date of this section. Terms of office shall be for three years, with each term ending on the date three years after the date of appointment. Each member shall hold office from the date of appointment until the end of the term for which the member was appointed. The director shall fill a vacancy in the manner provided for initial appointments. Any member appointed to fill a vacancy in an unexpired term shall hold office as a member for the remainder of that term.

(C) The advisory committee shall do all of the following:

(1) Within one hundred eighty days after the director has completed appointing all members of the advisory committee, recommend to the board of building standards a model building code for residential buildings;

(2) Advise the board regarding the establishment of standards for certification of building officials who enforce a building code for residential buildings;

(3) Assist the board in providing information and guidance to contractors of residential buildings and building officials who enforce a building code for residential buildings;

(4) Provide other assistance as it considers necessary.

(D) In making its recommendation to the board pursuant to division (C)(1) of this section, the advisory committee shall consider all of the following:

(1) The impact that the model building code may have upon the health, safety, and welfare of the public;

(2) The economic reasonableness of the model building code;

(3) The technical feasibility of the model building code;

(4) The financial impact that the model building code may have on the public's ability to purchase affordable housing.

(E) Members of the advisory committee shall receive no salary for the

performance of their duties as members, but shall receive their actual and necessary expenses incurred in the performance of their duties as members of the advisory committee.

(E) The advisory committee is not subject to divisions (A) and (B) of section 101.84 of the Revised Code.

(G) As used in this section, "residential building" means a one-family, two-family, or three-family dwelling house.

SECTION 2. That existing sections 715.27, 3781.102, 4104.04, 4740.01, 4740.02, 4740.03, 4740.04, 4740.05, 4740.06, 4740.07, 4740.08, 4740.09, 4740.10, and 4740.12, and sections 4740.13 and 4740.99 of the Revised Code are hereby repealed.

SECTION 3. (A) On or before one hundred twenty days after the effective date of this section, the Ohio Construction Industry Examining Board shall send notice by regular mail to the legislative authority of a municipal corporation and to the board of county commissioners of every county that, prior to the effective date of this section, provided for the licensing or registration of heating, ventilating, and air conditioning contractors, refrigeration contractors, plumbing contractors, electrical contractors, or hydronics contractors, informing the municipal corporation and board of county commissioners of the provisions of this act.

(B) Within ninety days after the effective date of this section, the Ohio Construction Industry Examining Board shall publish notice of the provisions of this act in appropriate trade publications and in a newspaper of general circulation in each of the nine most populous metropolitan areas of this state, once a week for three consecutive weeks.

SECTION 4. (A) The heating, ventilating, air conditioning, and refrigeration section of the Ohio Construction Industry Examining Board for heating, ventilating, and air conditioning contractors and refrigeration contractors; the plumbing section of the Board for plumbing contractors; the electrical section for electrical contractors; and both the heating, ventilating, air conditioning, and refrigeration section and the plumbing section for hydronics contractors shall issue a license for those types of contractors, as appropriate, to any individual who meets the criteria described in division (B) or (C) of this section.

(B) The individual does all of the following:



(1) Applies to the appropriate section of the Board within seven months after the effective date of this section;

(2) Pays the appropriate fee determined by each respective section of the Board;

(3) Has been actively engaged as a heating, ventilating, and air conditioning contractor, refrigeration contractor, plumbing contractor, electrical contractor, or hydronics contractor, as applicable, in this state for at least three years immediately prior to the effective date of this section;

(4) Furnishes business records or other evidence to verify the experience required under division (C)(1)(c) of this section to the satisfaction of the appropriate section of the Board;

(5) Provides evidence of all of the following:

(a) Current contractor's liability insurance, including without limitation, complete operations coverage, in the amount of three hundred thousand dollars;

(b) Compliance with Chapters 4121. and 4123. of the Revised Code;

(c) Compliance with any other applicable legal requirements to do business in this state, as determined by the Board.

(C) The individual applies to the appropriate section of the Board within one year after the effective date of this section, pays the appropriate fee determined by each respective section of the Board, and demonstrates that the individual satisfies qualification requirements as the Board determines, to the Board's satisfaction.

(D) Notwithstanding division (B)(5)(a) of this section, when more than one individual affiliated with a business entity is issued a license pursuant to division (B) or (C) of this section, those individuals collectively shall provide to the appropriate section of the Board evidence of current contractor's liability coverage, including complete operations coverage, in the total amount of three hundred thousand dollars.

(E) A person who holds a valid and unexpired qualification certificate issued prior to the effective date of this section under Chapter 4740. of the Revised Code and who provides evidence of current contractor's liability insurance, including, without limitation, complete operations coverage, in the amount of three hundred thousand dollars, shall be deemed by the Board as holding a license under this act until the expiration date of the qualification certificate. Thereafter, licensure renewal shall be in accordance with Sections 1 and 2 of this act.

SECTION 5. Sections 1 and 2 of this act shall take effect one hundred eighty days after the effective date of this section.

SECTION 6. In enacting this legislation, both of the following are the intent of the General Assembly:

(A) That the provisions of this act are general laws created in the exercise of the state's police power, arising out of matters of statewide concern, and are designed for the health, safety, and welfare of contractors, their employees, and the public;

(B) That the provisions of this act eliminate duplicative bureaucracies to create a system under which an affected contractor may obtain a single license to permit the contractor to do business in all parts of this state and to obtain authorization to do business in other states.

SECTION 7. In enacting this legislation, it is not the intent of the General Assembly to classify or reclassify construction activities to place them under the scope of this act, or to interfere with the right of a construction employer to assign employees to construction activities as enunciated by the Ohio Supreme Court in

Pipefitters Union Local 392 v. Kokosing Construction Co., Inc.

SECTION (1998) 81 Ohio St.3d 214, regardless of whether the construction activities are governed by the rules adopted by the Board of Building Standards pursuant to Chapter 3781. of the Revised Code.

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*Speaker \_\_\_\_\_ of the House of Representatives.*

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*President \_\_\_\_\_ of the Senate.*

Passed \_\_\_\_\_, 20\_\_\_\_

Approved \_\_\_\_\_, 20\_\_\_\_

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*Governor.*

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the  
\_\_\_\_ day of \_\_\_\_\_, A. D. 20\_\_\_\_.

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*Secretary of State.*

File No. \_\_\_\_\_ Effective Date \_\_\_\_\_