

SB0071S02 compared with SB0071

~~deleted text~~ shows text that was in SB0071 but was deleted in SB0071S02.

inserted text shows text that was not in SB0071 but was inserted into SB0071S02.

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Senator Jen Plumb proposes the following substitute bill:

CONTRACTOR CONTINUING EDUCATION AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jen Plumb

House Sponsor: ~~_____~~ Steve Eliason

LONG TITLE

General Description:

This bill addresses continuing education requirements for a licensed construction contractor.

Highlighted Provisions:

This bill:

- ▶ allows certain ~~nonprofit organizations~~ entities to provide continuing education to a licensed construction contractor; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

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Utah Code Sections Affected:

AMENDS:

58-55-302.5, as last amended by Laws of Utah 2021, First Special Session, Chapter 3

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **58-55-302.5** is amended to read:

58-55-302.5. Continuing education requirements for contractor licensees --

Continuing education courses.

(1) (a) Each contractor licensee under a license issued under this chapter shall complete six hours of approved continuing education during each two-year renewal cycle established by rule under Subsection 58-55-303(1).

(b) Each contractor licensee who has a renewal cycle that ends on or after January 1, 2020, shall complete one hour of approved continuing education on energy conservation as part of the six required hours.

(2) (a) The commission shall, with the concurrence of the division, establish by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, a program of approved continuing education for contractor licensees.

(b) Except as provided in [~~Subsection (2)(e), beginning on or after June 1, 2015]~~ Subsections (2)(c) and (e), only courses offered by any of the following may be included in the program of approved continuing education for contractor licensees:

- (i) the Associated General Contractors of Utah;
- (ii) Associated Builders and Contractors, Utah Chapter;
- (iii) the Utah Home Builders Association;
- (iv) the National Electrical Contractors Association Intermountain Chapter;
- (v) the Utah Plumbing & Heating Contractors Association;
- (vi) the Independent Electrical Contractors of Utah;
- (vii) the Rocky Mountain Gas Association;
- (viii) the Utah Mechanical Contractors Association;
- (ix) the Sheet Metal Contractors Association;
- (x) the Intermountain Electrical Association;
- (xi) the Builders Bid Service of Utah; **[or]**

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(xii) Utah Roofing Contractors Association~~[-];~~

~~(xiii) the Suazo Business Center; or~~

~~(xiv) the Salt Lake Home Builders Association.~~

(c) An approved continuing education program for a contractor licensee may include a course approved by an entity described in Subsections (2)(b)(i) through (2)(b)(iii).

(d) (i) Except as provided in Subsections (2)(d)(ii) and (iii), an entity listed in Subsections (2)(b)(iv) through (2)(b)(xii) may only offer and market continuing education courses to a licensee who is a member of the entity.

(ii) An entity described in Subsection (2)(b)(iv), (vi), or (x) may offer and market a continuing education course that the entity offers to satisfy the continuing education requirement described in Subsection 58-55-302.7(2)(a) to a contractor in the electrical trade.

(iii) An entity described in Subsection (2)(b)(v) or (viii) may offer and market a continuing education course that the entity offers to satisfy the continuing education requirement described in Subsection 58-55-302.7(2)(b) to a contractor in the plumbing trade.

(e) ~~[On or after June 1, 2015, an]~~ An approved continuing education program for a contractor licensee may include a course offered and taught by:

(i) a state executive branch agency;

(ii) the workers' compensation insurance carrier that provides workers' compensation insurance under Section 31A-22-1001; ~~{}~~or~~{}~~

(iii) a nationally or regionally accredited college or university that has a physical campus in the state~~{[-]; or~~

~~—— (iv) a nonprofit organization based in the state that offers business development resources and training to underserved communities.~~

~~{~~

(f) ~~[On or after June 1, 2017, for]~~ For a contractor licensee that is licensed in the specialty contractor classification of HVAC contractor, at least three of the six hours described in Subsection (1) shall include continuing education directly related to the installation, repair, or replacement of a heating, ventilation, or air conditioning system.

(3) The division may contract with a person to establish and maintain a continuing education registry to include:

(a) a list of courses that the division has approved for inclusion in the program of

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approved continuing education; and

(b) a list of courses that:

(i) a contractor licensee has completed under the program of approved continuing education; and

(ii) the licensee may access to monitor the licensee's compliance with the continuing education requirement established under Subsection (1).

(4) The division may charge a fee, as established by the division under Section 63J-1-504, to administer the requirements of this section.