

As Introduced

**125th General Assembly
Regular Session
2003-2004**

S. B. No. 179

Senator Nein

A BILL

To amend sections 715.27, 3781.102, 4740.01, 4740.02, 1
4740.03, 4740.04, 4740.05, 4740.06, 4740.07, 2
4740.08, 4740.09, 4740.10, 4740.101, 4740.11, 3
4740.12, and 4740.13 and to enact sections 307.382 4
and 4740.99 of the Revised Code to provide for the 5
licensure of backflow contractors and 6
prefabricated fireplace contractors, to change the 7
name of the Ohio Construction Industry Examining 8
Board to the Ohio Construction Industry Licensing 9
Board, and to make other changes related to that 10
board. 11

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 715.27, 3781.102, 4740.01, 4740.02, 12
4740.03, 4740.04, 4740.05, 4740.06, 4740.07, 4740.08, 4740.09, 13
4740.10, 4740.101, 4740.11, 4740.12, and 4740.13 be amended and 14
sections 307.382 and 4740.99 of the Revised Code be enacted to 15
read as follows: 16

Sec. 307.382. (A) A board of county commissioners may adopt, 17
by resolution, rules establishing standards and providing for the 18
licensing of contractors who are not required to hold a valid 19
license pursuant to Chapter 4740. of the Revised Code. The rules 20

apply within the unincorporated area of the county and within any 21
municipal corporation where the legislative authority has 22
contracted with the board pursuant to section 307.15 of the 23
Revised Code to enforce the county rules within the municipal 24
corporation. 25

(B)(1) A board of county commissioners may require any 26
contractor who is not required to hold a valid license issued 27
pursuant to Chapter 4740. of the Revised Code to successfully 28
complete an examination, test, or demonstration of technical 29
skills and may impose a fee and additional requirements for a 30
license to engage in the contractor's respective trade within the 31
board's jurisdiction. 32

(2) No board of county commissioners shall require any 33
contractor who holds a valid license issued pursuant to Chapter 34
4740. of the Revised Code to complete an examination, test, or 35
demonstration of technical skills to engage in the type of 36
contracting for which the license is held within the 37
unincorporated area of the county and within any municipal 38
corporation in which the county enforces county regulations 39
pursuant to a contract. 40

(C)(1) A board may impose a fee to register a contractor who 41
holds a valid license issued pursuant to Chapter 4740. of the 42
Revised Code before that contractor may engage, within the board's 43
jurisdiction, in the type of contracting for which the license is 44
held. Any fee shall be the same for all contractors who engage in 45
the same type of contracting. 46

(2) Any board that imposes a fee immediately shall permit a 47
contractor who presents proof of a valid license and pays the fee 48
to engage in the type of contracting for which the license is held 49
within the unincorporated area of the county and within any 50
municipal corporation in which the board enforces county 51

regulations pursuant to a contract. 52

(D) A board of county commissioners that requires contractors 53
to register with the board shall not register a contractor whose 54
trade is licensed pursuant to Chapter 4740. of the Revised Code 55
unless that contractor holds a valid license issued pursuant to 56
that chapter. 57

(E) A board of county commissioners that adopts rules for 58
licensing contractors pursuant to this section may accept, in 59
satisfaction of its rules, a valid and unexpired license issued 60
pursuant to Chapter 4740. of the Revised Code for the practice of 61
the licensed trade as it relates to the construction, replacement, 62
maintenance, or repair of one-family, two-family, or three-family 63
dwelling houses or accessory structures incidental to those 64
dwelling houses. 65

Sec. 715.27. (A) Any municipal corporation may: 66

(1) Regulate the erection of fences, billboards, signs, and 67
other structures, within the municipal corporation, and provide 68
for the removal and repair of insecure billboards, signs, and 69
other structures; 70

(2) Regulate the construction and repair of wires, poles, 71
plants, and all equipment to be used for the generation and 72
application of electricity; 73

(3) Provide for the licensing of house movers; plumbers; 74
sewer tappers; vault cleaners; and ~~specialty~~ contractors who are 75
not required to hold a valid ~~and unexpired~~ license issued pursuant 76
to Chapter 4740. of the Revised Code. 77

~~A municipal corporation may, pursuant to division (A)(3) of~~ 78
~~this section, require;~~ 79

(4) Require all ~~specialty~~ contractors other than those who 80
hold a valid ~~and unexpired~~ license issued pursuant to Chapter 81

4740. of the Revised Code, to successfully complete an 82
examination, test, or demonstration of technical skills, and may 83
impose a fee and additional requirements for a license or 84
registration to engage in their respective occupations within the 85
jurisdiction of the municipal corporation. 86

(B)(1) A municipal corporation that requires contractors to 87
register and pay a registration or license fee shall require any 88
contractor who performs a trade licensed under Chapter 4740. of 89
the Revised Code to hold a valid license issued pursuant to 90
Chapter 4740. as a condition for registration with the municipal 91
corporation. 92

(2) No municipal corporation shall require any ~~specialty~~ 93
contractor who holds a valid ~~and unexpired~~ license issued pursuant 94
to Chapter 4740. of the Revised Code to ~~successfully~~ complete an 95
examination, test, or demonstration of technical skills ~~in order~~ 96
to engage in the type of contracting for which the license is 97
held, within the municipal corporation. 98

(C) ~~For a specialty~~ A municipal corporation may require a 99
contractor who holds a valid ~~and unexpired~~ license issued pursuant 100
to Chapter 4740. of the Revised Code, ~~to register with the~~ 101
municipal corporation and pay any fee the municipal corporation 102
imposes before that ~~specialty~~ contractor may engage ~~within the~~ 103
municipal corporation in the type of contracting for which the 104
license is held ~~within the municipal corporation, a municipal~~ 105
corporation may require the contractor to register with the 106
municipal corporation and may impose a fee, provided that the. Any 107
fee ~~is~~ shall be the same for all ~~specialty~~ contractors who wish to 108
engage in ~~that~~ the same type of contracting, ~~and~~. A municipal 109
corporation may require a bond and proof of all of the following: 110

(1) Insurance pursuant to division (B)(4) of section 4740.06 111
of the Revised Code; 112

(2) Compliance with Chapters 4121. and 4123. of the Revised Code; 113
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(3) Registration with the tax department of the municipal corporation. 115
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~~If a (D)~~ A municipal corporation that requires registration, 117
imposes such a fee, or requires a bond or proof of the items 118
listed in divisions (C)(1), (2), and (3) of this section, ~~the~~ 119
~~municipal corporation~~ immediately shall permit a contractor who 120
presents proof of holding a valid ~~and unexpired~~ license issued 121
pursuant to Chapter 4740. of the Revised Code, who registers, pays 122
the fee, obtains a bond, and submits the proof described under 123
divisions (C)(1), (2), and (3) of this section, as required, to 124
engage in the type of contracting for which the license is held, 125
within the municipal corporation. 126

~~(D)~~(E) A municipal corporation may revoke the registration of 127
a contractor registered with that municipal corporation for good 128
cause shown. Good cause shown includes the failure of a contractor 129
to maintain a bond or the items listed in divisions (C)(1), (2), 130
and (3) of this section, if the municipal corporation requires 131
those. 132

~~(E)~~(F) A municipal corporation that licenses ~~specialty~~ 133
contractors pursuant to division (A)(3) of this section may 134
accept, for purposes of satisfying ~~the requirements of that~~ 135
~~division its licensing requirements~~, a valid ~~and unexpired~~ license 136
issued pursuant to Chapter 4740. of the Revised Code that ~~is held~~ 137
~~by a specialty~~ a contractor holds, for the construction, 138
replacement, maintenance, or repair of one-family, two-family, or 139
three-family dwelling houses or accessory structures incidental to 140
those dwelling houses. 141

~~(F)~~ As used in this section, ~~"specialty contractor" means a~~ 142
~~heating, ventilating, and air conditioning contractor,~~ 143

~~refrigeration contractor, electrical contractor, plumbing
contractor, or hydronics contractor, as those terms are defined in
section 4740.01 of the Revised Code.~~ 144
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Sec. 3781.102. (A) Any county or municipal building 147
department certified pursuant to ~~division (E)~~ of section 3781.10 148
of the Revised Code as of September 14, 1970, and that, as of that 149
date, was inspecting single-family, two-family, and three-family 150
residences, and any township building department certified 151
pursuant to ~~division (E)~~ of section 3781.10 of the Revised Code, 152
is hereby declared to be certified to inspect single-family, 153
two-family, and three-family residences containing industrialized 154
units, and ~~such building department~~ shall inspect the buildings or 155
classes of buildings subject to ~~the provisions of~~ division (E) of 156
section 3781.10 of the Revised Code. 157

(B) ~~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.~~ 158
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~~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,~~ 163
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~~construction, repair, alteration, and maintenance of buildings and 175
structures or of establishing standards and providing for the 176
licensing of specialty contractors pursuant to section 715.27 of 177
the Revised Code. 178~~

~~A board of county commissioners, pursuant to this division, 179
may require all electrical contractors and heating, ventilating, 180
and air conditioning contractors, other than those who hold a 181
valid and unexpired license issued pursuant to Chapter 4740. of 182
the Revised Code, to successfully complete an examination, test, 183
or demonstration of technical skills, and may impose a fee and 184
additional requirements for a license to engage in their 185
respective occupations within the jurisdiction of the board's 186
rules under this division. 187~~

~~(C) No board of county commissioners shall require any 188
specialty who holds a valid and unexpired license issued pursuant 189
to Chapter 4740. of the Revised Code to successfully complete an 190
examination, test, or demonstration of technical skills in order 191
to engage in the type of contracting for which the license is 192
held, within the unincorporated areas of the county and within any 193
municipal corporation whose legislative authority has contracted 194
with the board for the enforcement of county regulations within 195
the municipal corporation, pursuant to section 307.15 of the 196
Revised Code. 197~~

~~(D) A board may impose a fee for registration of a specialty 198
contractor who holds a valid and unexpired license issued pursuant 199
to Chapter 4740. of the Revised Code before that specialty 200
contractor may engage in the type of contracting for which the 201
license is held within the unincorporated areas of the county and 202
within any municipal corporation whose legislative authority has 203
contracted with the board for the enforcement of county 204
regulations within the municipal corporation, pursuant to section 205
307.15 of the Revised Code, provided that the fee is the same for 206~~

~~all specialty contractors who wish to engage in that type of
contracting. If a board imposes such a fee, the board immediately
shall permit a specialty contractor who presents proof of holding
a valid and unexpired license and pays the required fee to engage
in the 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.~~

~~(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)~~(C) Each political subdivision that prescribes fees
pursuant to division ~~(E)~~(B) of this section shall collect, on
behalf of the board of building standards, a fee equal to three
per cent of ~~such~~ those 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;	238
(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.	239 240 241
(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.	242 243 244 245 246 247 248 249 250 251 252
(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.	253 254 255 256 257
Sec. 4740.01. As used in this chapter:	258
(A) "License" means a license issued by the Ohio construction industry examining <u>licensing</u> board <u>issues</u> to an individual as a heating, ventilating, and air conditioning contractor, refrigeration contractor, electrical contractor, plumbing contractor, or hydronics contractor, <u>backflow contractor, or prefabricated fireplace contractor.</u>	259 260 261 262 263 264
(B) "Heating, ventilating, and air conditioning contractor <u>Contractor</u> " means any individual or business entity who <u>that</u> satisfies both of the following:	265 266 267

(1) For compensation, directs, supervises, or has 268
responsibility for the means, method, and manner of ~~heating,~~ 269
~~ventilating, and air conditioning~~ construction, improvement, 270
renovation, repair, testing, or maintenance on a construction 271
project with respect to one or more trades and who offers, 272
identifies, advertises, or otherwise holds out or represents that 273
the individual or business entity is permitted or qualified to 274
perform, direct, supervise, or have responsibility for the means, 275
method, and manner of ~~heating, ventilating, and air conditioning~~ 276
construction, improvement, renovation, repair, or maintenance with 277
respect to one or more trades on a construction project; 278

(2) ~~Is a tradesperson~~ Performs or employs tradespersons who 279
perform and ~~who are trained to perform heating, ventilating, and~~ 280
~~air conditioning~~ construction, improvement, renovation, repair, or 281
maintenance on a construction project with respect to the 282
contractor's trades. 283

(C) ~~"Refrigeration contractor" means any individual or~~ 284
~~business entity who satisfies both of the following:~~ 285

~~(1) For compensation, directs, supervises, or has~~ 286
~~responsibility for the means, method, and manner of refrigeration~~ 287
~~construction, improvement, renovation, repair, or maintenance on a~~ 288
~~construction project and who offers, identifies, advertises, or~~ 289
~~otherwise holds out or represents that the individual or business~~ 290
~~entity is permitted or qualified to direct, supervise, or have~~ 291
~~responsibility for the means, method, and manner of refrigeration~~ 292
~~construction, improvement, renovation, repair, or maintenance on a~~ 293
~~construction project;~~ 294

~~(2) Is a tradesperson or employs tradespersons who perform~~ 295
~~and who are trained to perform refrigeration construction,~~ 296
~~improvement, renovation, repair, or maintenance on a construction~~ 297
~~project.~~ 298

(D) "Electrical contractor" means any individual or business entity who satisfies both of the following:	299
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(1) For compensation, directs, supervises, or has responsibility for the means, method, and manner of electrical construction, improvement, renovation, repair, or maintenance on a construction project and who offers, identifies, advertises, or otherwise holds out or represents that the individual or business entity is permitted or qualified to direct, supervise, or have responsibility for the means, method, and manner of electrical construction, improvement, renovation, repair, or maintenance on a construction project;	301
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(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.	310
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As used in this chapter, "electrical contracting" does not include the construction, improvement, renovation, repair, or maintenance of any of the following systems using less than fifty volts:	314
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(a) Fire alarm or burglar alarm;	318
(b) Tele data;	319
(c) Cabling;	320
(d) Sound;	321
(e) Communication;	322
(f) Landscape lighting and irrigation.	323
(E) "Plumbing contractor" means any individual or business entity who satisfies both of the following:	324
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(1) For compensation, directs, supervises, or has responsibility for the means, method, and manner of plumbing	326
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~~construction, improvement, renovation, repair, or maintenance on a 328
construction project and who offers, identifies, advertises, or 329
otherwise holds out or represents that the individual or business 330
entity is permitted or qualified to direct, supervise, or have 331
responsibility for the means, method, and manner of plumbing 332
construction, improvement, renovation, repair, or maintenance on a 333
construction project;~~ 334

~~(2) Is a tradesperson or employs tradespersons who perform 335
and who are trained to perform plumbing construction, improvement, 336
renovation, repair, or maintenance on a construction project. 337~~

~~(F) "Hydronics contractor" means any individual or business 338
entity who satisfies both of the following: 339~~

~~(1) For compensation, directs, supervises, or has 340
responsibility for the means, method, and manner of hydronics 341
construction, improvement, renovation, repair, or maintenance on a 342
construction project and who offers, identifies, advertises, or 343
otherwise holds out or represents that the individual or business 344
entity is permitted or qualified to direct, supervise, or have 345
responsibility for the means, method, and manner of hydronics 346
construction, improvement, renovation, repair, or maintenance on a 347
construction project;~~ 348

~~(2) Is a tradesperson or employs tradespersons who perform 349
and who are trained to perform hydronics construction, 350
improvement, renovation, repair, or maintenance on a construction 351
project. 352~~

~~(G) "Contractor" "Backflow contractor" means a contractor 353
responsible for backflow prevention devices on a construction 354
project. 355~~

~~(D) "Backflow prevention device" means a device that prevents 356
the backward flow of liquids, solids, or gases into a potable 357
water system. "Backflow prevention device" does not include any 358~~

device or fixture installed by, or as a requirement of, any public 359
water system as defined in division (A) of section 6109.01 of the 360
Revised Code. 361

(E) "Prefabricated fireplace contractor" means a contractor 362
who is responsible on a construction project for prefabricated 363
fireplaces or a combustion chamber that burns solid fuels or gas. 364

(F) "Prefabricated fireplace" includes, but is not limited 365
to, a fireplace that is factory built and any chimney, pellet fuel 366
appliances, and free-standing masonry or wood burning stove 367
inserts that may be composed of solid masonry, brick, stone, and 368
concrete units, and may have a steel combustion chamber surrounded 369
by solid masonry units. 370

(G) "Licensed trade" means a trade performed by a heating, 371
ventilating, and air conditioning contractor, a refrigeration 372
contractor, an electrical contractor, a plumbing contractor, or a 373
hydronics contractor, a backflow contractor, or a prefabricated 374
fireplace contractor. 375

(H) "Tradesperson" means an individual who, for compensation, 376
engages in construction, improvement, renovation, repair, or 377
maintenance of buildings or structures without assuming 378
responsibility for the means, method, or manner of that 379
construction, improvement, renovation, repair, or maintenance. 380

(I) "Construction project" means a construction project 381
involving a building or structure ~~that is~~ subject to Chapter 3781. 382
of the Revised Code and the rules adopted under that chapter, but 383
not involving the following buildings or structures: 384

~~(1) An an industrialized unit as defined in division (C)(3)~~ 385
~~of section 3781.06 of the Revised Code;~~ 386

~~(2) A or a building or structure constructed pursuant to~~ 387
~~rules adopted under section 3781.181 or 3781.21 of the Revised~~ 388

Code. 389

Sec. 4740.02. (A) There is hereby created within the 390
department of commerce, the Ohio construction industry ~~examining~~ 391
licensing board, consisting of seventeen residents of this state. 392
The board shall ~~consist of~~ have an administrative section, a 393
plumbing section, an electrical section, and a heating, 394
ventilating, air conditioning, and refrigeration section. The 395
director of commerce shall appoint all members of the board. The 396
director or the director's designee shall serve as a member of the 397
administrative section and the director shall appoint to the 398
~~administrative section to represent the public, one member who is~~ 399
~~a representative of the public~~ who is not a member of any group 400
certified by any section of the board. ~~The plumbing, electrical,~~ 401
~~and heating, ventilating, air conditioning, and refrigeration~~ 402
~~sections each~~ Each section, other than the administrative section, 403
shall annually elect a member ~~of their own respective section~~ to 404
serve a one-year term on the administrative section. 405

(B)(1) The plumbing section ~~shall consist~~ consists of five 406
members, one of whom is a plumbing inspector employed by the 407
department of commerce, a municipal corporation, or a health 408
district, two of whom are plumbing contractors who have no 409
affiliation with any union representing plumbers, and two of whom 410
are plumbing contractors who are signatories to agreements with 411
unions representing plumbers. 412

(2) The plumbing section has primary responsibility for the 413
licensure of plumbing contractors, hydronics contractors, and 414
backflow contractors. 415

(C)(1) The electrical section ~~shall consist~~ consists of five 416
members, one of whom is an electrical inspector employed by the 417
department of commerce, a municipal corporation, or a county, two 418
of whom are electrical contractors who have no affiliation with 419

any union representing electricians, and two of whom are 420
electrical contractors who are signatories to agreements with 421
unions representing electricians. 422

(2) The electrical section has primary responsibility for the 423
licensure of electrical contractors. 424

(3) A person is not an electrical contractor subject to 425
licensure by the electrical section for work that is limited to 426
the construction, improvement, renovation, repair, testing, or 427
maintenance of the following systems using less than fifty volts 428
of electricity: fire alarm or burglar alarm, cabling, sound, 429
communication, and landscape lighting and irrigation. 430

(D)(1) The heating, ventilating, air conditioning, and 431
refrigeration section ~~shall consist~~ consists of five members, one 432
of whom is a heating, ventilating, air conditioning, and 433
refrigeration inspector employed by either the department of 434
commerce or a municipal corporation; two of whom are heating, 435
ventilating, and air conditioning contractors or refrigeration 436
contractors who have no affiliation with any union representing 437
heating, ventilating, and air conditioning tradespersons or 438
refrigeration tradespersons; and two of whom are heating, 439
ventilating, and air conditioning contractors or refrigeration 440
contractors who are signatories to agreements with unions 441
representing heating, ventilating, and air conditioning 442
tradespersons or refrigeration tradespersons. 443

(2) The heating, ventilating, air conditioning, and 444
refrigeration section has primary responsibility for the licensure 445
of heating, ventilating, and air conditioning contractors, 446
refrigeration contractors, and prefabricated fireplace 447
contractors. 448

(3) The heating, ventilating, and air conditioning section 449
shall not require a person who is licensed as a heating, 450

ventilating, and air conditioning contractor to hold a license as 451
a prefabricated fireplace contractor in order to act as a 452
prefabricated fireplace contractor and to be responsible for 453
prefabricated fireplaces on a construction project. 454

(E) Within ninety days after July 31, 1992, initial 455
appointments shall be made to the board. Of the initial 456
appointments to the board, two appointments in each section, other 457
than the administrative section, are for terms ending one year 458
after July 31, 1992, and two are for terms ending two years after 459
July 31, 1992. All other appointments to the board are for terms 460
ending three years after July 31, 1992. Thereafter, terms of 461
office are for three years, each term ending on the same day of 462
the same month of the year as did the term that it succeeds. Each 463
member shall hold office from the date of appointment until the 464
end of the term for which the member was appointed. Members may be 465
reappointed. Vacancies shall be filled in the manner provided for 466
original appointments. Any member appointed to fill a vacancy 467
occurring prior to the expiration ~~date~~ of the term for which the 468
member's predecessor was appointed shall hold office as a member 469
for the remainder of that term. A member shall continue in office 470
subsequent to the expiration ~~date~~ of ~~the member's~~ a term until ~~the~~ 471
~~member's~~ a successor takes office or until a period of sixty days 472
has elapsed, whichever occurs first. 473

(F) Before entering upon the discharge of official duties, 474
each member shall take, and file with the secretary of state, the 475
oath of office required by Section 7 of Article XV, Ohio 476
Constitution. 477

(G) Each member ~~of the board~~, except for the director or the 478
director's designee ~~the director appoints under division (A) of~~ 479
~~this section~~, shall receive a per diem amount fixed pursuant to 480
section 124.15 of the Revised Code when actually attending to 481
matters of the board and for the time spent in necessary travel, 482

and all actual and necessary expenses incurred in the discharge of 483
official duties. 484

(H) The director of commerce may remove any appointed member 485
of the board ~~the director appoints~~ for malfeasance, misfeasance, 486
or nonfeasance. 487

(I) Membership on the board and holding any office of the 488
board does not constitute ~~the~~ holding ~~of~~ a public office or 489
employment within the meaning of any section of the Revised Code, 490
or an interest, either direct or indirect, in a contract or 491
expenditure of money by the state or any municipal corporation, 492
township, special district, school district, county, or other 493
political subdivision. No member or officer of the board is 494
disqualified from holding any public office or employment nor 495
shall the officer or member forfeit any public office or 496
employment by reason of holding a position as an officer or member 497
of the board. 498

(J) The board, and each section of the board, shall meet only 499
after adequate advance notice of the meeting has been given to 500
each member of the board or section, ~~as appropriate.~~ 501

Sec. 4740.03. (A) The administrative section of the Ohio 502
construction industry ~~examining~~ licensing board annually shall 503
elect from among its members a chairperson and other officers as 504
the board, by rule, designates. The chairperson shall preside over 505
meetings of the administrative section or designate another member 506
to preside in the chairperson's absence. The administrative 507
section shall hold at least two regular meetings each year, but 508
may meet at additional times as specified by rule, at the call of 509
the chairperson, or upon the request of two or more members. A 510
majority of the members of the administrative section constitutes 511
a quorum for the transaction of all business. The administrative 512
section may not take any action without the concurrence of at 513

least three of its members. 514

(B)(1) The administrative section shall employ a secretary, 515
who is not a member of the board, to serve at the pleasure of the 516
administrative section, and shall fix the compensation of the 517
secretary. The secretary shall be in the unclassified civil 518
service of the state. 519

(2) The secretary shall do all of the following: 520

(a) Keep or set standards for and delegate to another person 521
the keeping of the minutes, books, and other records and files of 522
the board and each section of the board; 523

(b) Issue all licenses in the name of the board; 524

(c) Send out all notices, including advance notices of 525
meetings of the board and each section of the board, and attend to 526
all correspondence of the board and each section of the board, 527
under the direction of the administrative section; 528

(d) Receive and deposit all fees payable pursuant to this 529
chapter into the construction industry ~~examining~~ licensing fund 530
created pursuant to section 4740.11 of the Revised Code; 531

(e) Perform all other duties incidental to the office of the 532
secretary or properly assigned to the secretary by the 533
administrative section of the board. 534

(3) Before entering upon the discharge of the duties of the 535
secretary, the secretary shall file with the treasurer of state a 536
bond in the sum of five thousand dollars, payable to the state, to 537
ensure the faithful performance of the secretary's duties. The 538
board shall pay the premium of the bond in the same manner as it 539
pays other expenditures of the board. 540

(C) Upon the request of the administrative section of the 541
board, the director of commerce shall supply the board and its 542
sections with personnel, office space, and supplies, as the 543

director determines appropriate. The administrative section of the 544
board shall employ any additional staff it considers necessary and 545
appropriate. 546

(D) The chairperson of the board or the secretary, or both, 547
as authorized by the board, shall approve all vouchers of the 548
board. 549

Sec. 4740.04. The administrative section of the Ohio 550
construction industry ~~examining~~ licensing board is responsible for 551
the administration of this chapter and shall do all of the 552
following: 553

(A) Schedule the contractor examinations ~~for heating,~~ 554
~~ventilating, and air conditioning contractors, refrigeration~~ 555
~~contractors, electrical contractors, plumbing contractors, and~~ 556
~~hydronics contractors,~~ as directed by the applicable each section 557
of the board directs. ~~The administrative section shall schedule~~ 558
~~examinations to~~ Each examination shall be held at least four times 559
per year. 560

(B) Select and contract with one or more persons to do all of 561
the following relative to the examinations ~~described in division~~ 562
~~(A) of this section:~~ 563

(1) Prepare, administer, score, and maintain the 564
confidentiality of the examinations; 565

(2) Be responsible for all the expenses required to fulfill 566
division (B)(1) of this section; 567

(3) Charge an applicant a fee, in an amount ~~authorized by the~~ 568
administrative section of the board, authorizes for administering 569
the examination; 570

(4) Design the examination for each type of contractor to 571
determine an applicant's competence to perform ~~the~~ that type of 572
contracting ~~for which the applicant is seeking licensure.~~ 573

(C) Issue and renew licenses to individuals who have attained 574
at least the minimum score on an examination ~~authorized by the~~ 575
~~plumbing section for plumbing contractors, the electrical section~~ 576
~~for electrical contractors, the heating, ventilating, air~~ 577
~~conditioning, and refrigeration section for heating, ventilating,~~ 578
~~and air conditioning contractors and refrigeration contractors,~~ 579
~~and both the heating, ventilating, air conditioning, and~~ 580
~~refrigeration and plumbing sections for hydronics contractors, on~~ 581
~~the condition that the appropriate section of the board determines~~ 582
~~that the appropriate section authorizes for the licensed trade.~~ 583
Hydronics contractors shall pass the examinations for both the 584
heating, ventilating, and air conditioning section and the 585
plumbing section. The appropriate section shall determine whether 586
the individual also is qualified as required by section 4740.06 of 587
the Revised Code to hold a license~~+~~. 588

(D) Make an annual written report to the director of commerce 589
on proceedings had by or before the board for the previous year 590
and make an annual statement of all money received and expended by 591
the board during the year; 592

(E) Keep a record containing the name, address, the date on 593
which the board issues or renews a license to, and the license 594
number of, every heating, ventilating, and air conditioning 595
contractor, refrigeration contractor, electrical contractor, 596
plumbing contractor, ~~and~~ hydronics contractor, backflow 597
contractor, and fireplace contractor issued a license pursuant to 598
this chapter; 599

(F) Regulate a contractor's use and display of a license 600
issued pursuant to this chapter and of any information contained 601
in that license; 602

(G) Adopt rules in accordance with Chapter 119. of the 603
Revised Code as necessary to properly discharge the administrative 604

section's duties under this chapter⁺. The rules shall include, but not be limited to, the following: 605
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(1) Application procedures for examinations; 607

(2) Specifications for continuing education requirements for license renewal that address all of the following: 608
609

(a) Criteria for continuing education courses conducted pursuant to this chapter; 610
611

(b) A requirement that individuals holding a valid and unexpired license accrue ten hours of continuing education courses per year; 612
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(c) A requirement that persons seeking approval to provide continuing education courses submit the required information to the appropriate section of the board at least thirty days, but not more than one year, prior to the date on which the course is proposed to be offered; 615
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(d) A prohibition against any person providing a continuing education course unless the administrative section of the board approved that person not more than one year prior to the date the course is offered; 620
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(e) Fees the board charges to persons who provide continuing education courses, in an amount of twenty-five dollars annually for each person approved to provide courses, not more than ten dollars plus one dollar per credit hour for each course offered, and one dollar per credit hour of instruction per attendee; 624
625
626
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(f) A provision limiting approval of continuing education courses to one year. 629
630

(H) Adopt any continuing education curriculum as the other sections of the board approve pursuant to division (C) of section 4740.05 of the Revised Code; 631
632
633

(I) Grant approval to any person or entity to offer 634

continuing education courses pursuant to rules the board adopts; 635

(J) Keep a record of its proceedings and do all things 636
necessary to carry out this chapter. 637

Sec. 4740.05. ~~The heating, ventilating, air conditioning, and 638
refrigeration (A) Each section of the Ohio construction industry 639
examining licensing board for heating, ventilating, and air 640
conditioning contractors and refrigeration contractors; the 641
plumbing section of the board for plumbing contractors; the 642
electrical section for electrical contractors; and both the 643
heating, ventilating, air conditioning, and refrigeration and the 644
plumbing sections for hydronics contractors, other than the 645
administrative section, shall do all of the following: 646~~

~~(A)(1) Adopt rules in accordance with Chapter 119. of the 647
Revised Code as this chapter relates to their respective sections. 648
The rules shall be that are limited to the following: 649~~

~~(1) Application procedures for examinations; 650~~

~~(2) Specifications concerning continuing education 651
requirements for license renewal that address all of the 652
following: 653~~

~~(a) Criteria for selecting and approving courses and persons 654
to provide those courses; 655~~

~~(b) A specification that individuals holding a valid and 656
unexpired license be required to accrue no more than thirty hours 657
of continuing education courses over a period of three years; 658~~

~~(c) A requirement that persons seeking approval to provide 659
continuing education courses submit information regarding the 660
courses to the appropriate section of the board for approval not 661
less than ninety days nor more than one year prior to the date on 662
which the courses are offered, unless a section of the board 663
permits submission at a different time; 664~~

~~(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)(a) Criteria for the section of the board shall to use in evaluating the qualifications of an individual;~~

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

~~(5) Determinations (c) The determinations and approvals made the section makes under the reciprocity provision of section 4740.08 of the Revised Code.~~

~~(B)(2) Investigate allegations in reference to violations of this chapter and the rules adopted pursuant thereto it that pertain to the section and determine by rule a procedure for to conduct investigations and hearings on these allegations;~~

~~(C)(3) Maintain a record of its proceedings;~~

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

~~(E)~~(4) As required, do all things necessary to carry out this chapter. 695
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(B) In accordance with rules they establish, the sections of the Ohio construction industry licensing board shall issue, renew, suspend, revoke, or refuse to issue or renew licenses for the classes of contractors for which each has primary responsibility as set forth in section 4740.02 of the Revised Code. 697
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(C) Each section of the Ohio construction industry licensing board shall establish a continuing education curriculum for license renewal for each class of contractors for which the section has primary responsibility. No curriculum may require more than five hours per year of specific course requirements. 702
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Sec. 4740.06. (A) Any individual who applies for a license shall file a written application with the appropriate section of the Ohio construction industry ~~examining~~ licensing board, accompanied with the application fee as determined pursuant to section 4740.09 of the Revised Code. The 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~~ the section of the board prescribes and verified by the applicant's oath. ~~It shall contain~~ The applicant shall provide information satisfactory to the ~~appropriate~~ section showing that the applicant meets the requirements of division (B) of this section. 707
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(B) To qualify to take ~~the an~~ an 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: 720
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(1) Be at least eighteen years of age; 724

(2) Be a United States citizen or legal alien who produces 725
valid documentation to demonstrate the individual is a legal 726
resident of the United States; 727

(3) Either have been a tradesperson ~~for~~ in the type of 728
~~contractor~~ licensed trade for which the application is filed for 729
not less than five years immediately prior to the date the 730
application is filed, be an engineer, have three years of business 731
experience in the construction industry, or have other experience 732
acceptable to the appropriate section of the board ~~that authorizes~~ 733
~~issuance of the type of license sought;~~ 734

(4) Maintain contractor's liability insurance, including 735
without limitation, complete operations coverage, in an amount 736
~~determined by~~ the appropriate section of the board determines; 737

(5) Not have done any of the following: 738

(a) Been convicted of or pleaded guilty to a misdemeanor 739
involving moral turpitude or of any felony; 740

(b) Violated this chapter or any rule adopted pursuant to 741
~~this chapter~~ it; 742

(c) Obtained or renewed a license issued pursuant to this 743
chapter, or any order, ruling, or authorization of the board or a 744
section of the board by fraud, misrepresentation, or deception; 745

(d) Engaged in fraud, misrepresentation, or deception in the 746
conduct of business. 747

(C) ~~If the~~ When an applicant for licensure as a ~~heating,~~ 748
~~ventilating, and air conditioning contractor, refrigeration~~ 749
~~contractor, electrical contractor, plumbing contractor, or~~ 750
~~hydronics~~ contractor in a licensed trade meets the qualifications 751
set forth in division (B) of this section and passes the required 752
examination, the appropriate section of the board, within ninety 753
days after ~~the applicant filed~~ the application was filed, shall 754

authorize the administrative section of the board to license the 755
applicant for the type of contractor's license for which the 756
applicant qualifies. A section of the board may withdraw its 757
authorization to the administrative section for issuance of a 758
license for good cause shown, on the condition that notice of that 759
withdrawal is given prior to the administrative section's issuance 760
of the license. 761

(D) Each license ~~issued under this chapter~~ expires one year 762
after the date of issue, ~~but each.~~ An individual holding a valid, 763
unexpired license may renew the license, without reexamination, by 764
~~applying~~ submitting an application to the appropriate section of 765
the board not more than ninety calendar days before the expiration 766
of the license, ~~and submitting with the application along with the~~ 767
~~renewal fee as determined pursuant to section 4740.09 of the~~ 768
~~Revised Code~~ the section requires and proof of compliance with the 769
applicable continuing education requirements ~~applicable to that~~ 770
~~contractor.~~ The ~~renewal application~~ applicant shall ~~contain~~ 771
provide information in the renewal application satisfactory to 772
demonstrate to the appropriate section of ~~the board~~ ~~showing~~ that 773
the applicant continues to meet the requirements of division (B) 774
of this section. 775

~~The appropriate~~ Upon application and within one calendar year 776
after a license has expired, a section of ~~the board~~ may waive any 777
of the requirements for renewal of a license upon finding that ~~the~~ 778
an applicant substantially ~~has met~~ meets the renewal requirements 779
or that failure to timely apply for renewal is due to excusable 780
neglect. ~~If, in renewing a license, a~~ A section of ~~the board~~ that 781
waives requirements for renewal, ~~that section of a license~~ may 782
impose conditions upon ~~that~~ the licensee and assess a late filing 783
fee of not more than double the usual renewal fee. An applicant 784
shall satisfy any condition the section imposes before a license 785
is reissued. 786

(E) An individual holding a valid ~~and unexpired~~ license may 787
request the section of the board that authorized ~~the issuance of~~ 788
that license to place the license in inactive status under 789
conditions, and for a period of time, as ~~determined by~~ that 790
section ~~of the board~~ determines. 791

(F) Except for the ninety-day extension provided for a 792
license assigned to a business entity under division (D) of 793
section 4740.07 of the Revised Code, a license held by an 794
individual immediately terminates upon the death of the 795
individual. 796

(G) Nothing in any license issued by the Ohio construction 797
industry ~~examining~~ licensing board shall be construed to limit or 798
eliminate any requirement of or any license issued by the Ohio 799
fire marshal. 800

Sec. 4740.07. (A) Except as otherwise provided in this 801
section, the administrative section of the Ohio construction 802
industry ~~examining~~ licensing board shall issue and renew all 803
licenses under this chapter in the name of the individual who 804
meets the requirements of section 4740.06 of the Revised Code. 805

(B) Any individual may request, at the time of applying for a 806
license or at any time thereafter, that the individual's license 807
be assigned to a business entity with whom the individual is 808
associated as a full-time officer, proprietor, partner, or 809
employee. If the individual is issued or holds a license and meets 810
the requirements of this section for the assignment of the license 811
to a business entity, the administrative section shall assign the 812
license to and issue a license in the name of the business entity. 813
The license assigned and issued to a business entity under this 814
division shall state the name and position of the individual who 815
assigned the license to the business entity. 816

(C) During the period a business entity holds a license 817
issued under division (B) of this section, the administrative 818
section shall not issue another license to the individual who 819
assigned the license to the business entity ~~another license~~ for 820
the same type of contracting for which the business entity 821
utilizes the assigned license ~~is utilized by the business entity.~~ 822

(D)(1) If an individual who assigned a license to a business 823
entity ceases to be associated with the business entity for any 824
reason, including, ~~without limitation,~~ the death of the 825
individual, the individual or business entity immediately shall 826
notify the appropriate section of the board of the date on which 827
the individual ceased to be associated with the business entity. A 828
license assigned to a business entity is invalid ninety calendar 829
days after the date on which the individual who assigned the 830
license ceases to be associated with the business entity. 831

(2) If a license assigned to a business entity becomes 832
invalid pursuant to division (D)(1) of this section and another 833
individual has assigned a license to the business entity for the 834
same type of contracting for which the invalidated license had 835
been assigned, the business entity may continue to operate under 836
the other assigned license. 837

(E) Any work ~~conducted by~~ a business entity conducts under a 838
license assigned under this section is deemed to be conducted 839
under the personal supervision of the individual named in the 840
license and ~~all violations~~ any violation of any ~~terms~~ term of the 841
license ~~are~~ is deemed to have been committed by the individual 842
named in the license. 843

For the period of time during which more than one license for 844
the same type of contracting is assigned ~~under this section~~ to a 845
business entity, any work ~~conducted by~~ the business entity 846
conducts under any of those licenses is deemed to be conducted 847

under the personal supervision of the individuals named in each of 848
the ~~those~~ licenses and ~~all violations~~ any violation of any ~~terms~~ 849
term of any ~~of the licenses are~~ license is deemed to have been 850
committed by the individuals named in each all of the licenses. 851

(F) No individual who assigns a license to a business entity 852
~~under division (B) of this section~~ shall assign a license for the 853
same type of contracting to another business entity until ~~after~~ 854
ninety days after the individual ceases to be associated with the 855
business entity to ~~whom~~ which the individual had ~~previously~~ 856
assigned a license. 857

(G) Any individual who assigns a license to a business entity 858
under this section shall be actively engaged in business as the 859
type of contractor for which the license is issued and be readily 860
available for consultation with the business entity to which the 861
license is assigned. 862

(H) No license assigned under this section shall be assigned 863
to more than one business entity at a time. 864

Sec. 4740.08. ~~Upon application~~ When an individual who is 865
registered, licensed, or certified in another state applies to the 866
appropriate section of the Ohio construction industry ~~examining~~ 867
licensing board and ~~payment of~~ pays the licensure fee determined 868
pursuant to section 4740.09 of the Revised Code ~~for the issuance~~ 869
~~of a license~~, the appropriate section of the board shall authorize 870
the administrative section ~~of the board~~ to issue, without 871
examination, a license to ~~an~~ that individual ~~registered, licensed,~~ 872
~~or certified in another state of the United States, provided that~~ 873
if the appropriate section of the board determines, pursuant to 874
~~the rule adopted under division (A)(5) of section 4740.05 of the~~ 875
~~Revised Code~~ rules it adopts, that the requirements for 876
registration, licensure, or certification under the laws of the 877
other state ~~of the United States~~ are substantially equal to the 878

requirements for licensure in this state and ~~further provided that~~ 879
~~such~~ the other state extends similar reciprocity to persons 880
licensed under this chapter. The appropriate section of the board 881
may withdraw its authorization to the administrative section for 882
issuance of a license for good cause ~~shown~~ prior to the 883
administrative section's issuance of the license. 884

Sec. 4740.09. The fees for licenses and their renewal, 885
~~including late fees, subject to the approval of the controlling~~ 886
~~board,~~ shall be determined annually by each ~~respective~~ the 887
administrative section of the Ohio construction industry ~~examining~~ 888
licensing board. ~~Each respective section of the board~~ The 889
administrative section shall establish the fees pursuant to rules 890
it adopts in accordance with Chapter 119. of the Revised Code. The 891
administrative section may increase ~~these~~ the fees, ~~provided that~~ 892
~~no increase exceeds fifty per cent of the lowest fee determined by~~ 893
~~that section of the board during the three year period immediately~~ 894
~~preceding an increase, and further provided that no increase is~~ 895
~~made~~ not more than once a year. 896

Sec. 4740.10. (A) The heating, ventilating, air conditioning, 897
~~and refrigeration~~ appropriate section of the Ohio construction 898
industry ~~examining~~ licensing board ~~for heating, ventilating, and~~ 899
~~air conditioning contractors and for refrigeration contractors;~~ 900
~~the electrical section of the board for electrical contractors;~~ 901
~~the plumbing section of the board for plumbing contractors; and~~ 902
~~both the plumbing section and the heating, ventilating, air~~ 903
~~conditioning, and refrigeration section for hydronics contractors~~ 904
~~may suspend or revoke a license and may direct~~ may take any of the 905
following actions against a licensee who violates Chapter 4740. of 906
the Revised Code: 907

(1) Impose a fine on the licensee, not exceeding one thousand 908

<u>dollars per violation per day;</u>	909
<u>(2) Suspend the licensee's license for a period of time the section establishes;</u>	910 911
<u>(3) Revoke the licensee's license;</u>	912
<u>(4) Require the licensee to complete additional continuing education course work. Any continuing education course work completed pursuant to this division may not count toward any other continuing education requirements this chapter establishes.</u>	913 914 915 916
<u>(5) Direct</u> the administrative section of the board to refuse to issue or renew a license if the section of the board finds that the applicant or licensee has done any of the following:	917 918 919
(1) <u>(a)</u> Been convicted of a misdemeanor involving moral turpitude or a felony;	920 921
(2) <u>(b)</u> Violated any provision of this chapter or the rules adopted pursuant thereto;	922 923
(3) <u>(c)</u> Obtained a license or any order, ruling, or authorization of the board by fraud, misrepresentation, or deception;	924 925 926
(4) <u>(d)</u> Engaged in fraud, misrepresentation, or deception in the conduct of business.	927 928
(B) The appropriate section of the board shall determine the length of time that a license is to be suspended and whether or when an individual whose license has been revoked may apply for reinstatement. The appropriate section of the board may accept or refuse an application for reinstatement and may require an examination for reinstatement.	929 930 931 932 933 934
(C) The appropriate section of the board may investigate any alleged violation of this chapter or <u>the</u> rules adopted pursuant thereto to it . If, after its <u>an</u> investigation, a section of the board determines that any person has engaged or is engaging in any	935 936 937 938

practice that violates this chapter or the rules adopted pursuant 939
~~thereto~~ to it, that section may apply to the court of common pleas 940
of the county in which the ~~section determined that the~~ violation 941
occurred or is occurring for an injunction or other appropriate 942
relief to enjoin or terminate the violation. 943

(D) Any person who wishes to make a complaint against a 944
person who holds a license shall submit the complaint in writing 945
to the appropriate section of the board within ~~one year~~ three 946
years after the date of the action or event upon which the 947
complaint is based. 948

Sec. 4740.101. On receipt of a notice pursuant to section 949
3123.43 of the Revised Code, the construction industry ~~examining~~ 950
licensing board shall comply with sections 3123.41 to 3123.50 of 951
the Revised Code and any applicable rules adopted under section 952
3123.63 of the Revised Code with respect to a certificate issued 953
pursuant to this chapter. 954

Sec. 4740.11. The Ohio construction industry ~~examining~~ 955
licensing board and its sections shall deposit all receipts and 956
finer collected under this chapter into the state treasury to the 957
credit of the industrial compliance operating fund created in 958
section 121.084 of the Revised Code. 959

Sec. 4740.12. (A) Nothing in this chapter shall be construed 960
to limit the operation of any statute or rule of this state or any 961
ordinance or rule of any political subdivision, district, or 962
agency of the state that does either of the following: 963

~~(A)~~(1) Regulates the installation, repair, maintenance, or 964
alteration of plumbing systems, hydronics systems, electrical 965
systems, heating, ventilating, and air conditioning systems, ~~or~~ 966
refrigeration systems, backflow systems, or prefabricated 967
fireplaces; 968

~~(B)(2)~~ Requires the registration and assessment of a 969
registration or license fee of tradespersons who perform heating, 970
ventilating, and air conditioning, refrigeration, electrical, 971
plumbing, or hydronics construction, improvement, renovation, 972
repair, or maintenance except that any political subdivision, 973
district, or state agency that requires contractors who perform a 974
trade licensed by this chapter to register and pay a registration, 975
permit, or license fee shall require that those contractors be 976
licensed pursuant to this chapter. 977

(B) Any person who holds a valid active license issued 978
pursuant to this chapter and whose license has been assigned to an 979
entity that employs the licensee may perform any work relating to 980
that license as it pertains to the job site of the employer that 981
was assigned the license. 982

Sec. 4740.13. (A) No person shall act as or claim to be a 983
heating, ventilating, and air conditioning contractor, 984
refrigeration contractor, plumbing contractor, electrical 985
contractor, or hydronics a type of contractor that this chapter 986
licenses unless that person holds or has been assigned a license 987
issued pursuant to this chapter for the type of contractor that 988
person is acting as or claiming to be. 989

~~Contractors~~ (B) Upon the request of the appropriate section 990
of the Ohio construction industry licensing board, the attorney 991
general may bring a civil action for appropriate relief, including 992
but not limited to a temporary restraining order or permanent 993
injunction in the court of common pleas of the county where the 994
unlicensed person resides or is acting as or claiming to be a 995
licensed contractor. 996

(C) A contractor licensed under this chapter may install, 997
service, and maintain the related or interfaced control wiring for 998
equipment and devices related to their specific license, on the 999

condition that the control wiring is less than twenty-five volts. 1000

Sec. 4740.99. Whoever violates division (A) of section 1001
4740.13 of the Revised Code is guilty of a misdemeanor of the 1002
second degree on the first violation and a misdemeanor of the 1003
first degree on subsequent violations. 1004

Section 2. That existing sections 715.27, 3781.102, 4740.01, 1005
4740.02, 4740.03, 4740.04, 4740.05, 4740.06, 4740.07, 4740.08, 1006
4740.09, 4740.10, 4740.101, 4740.11, 4740.12, and 4740.13 of the 1007
Revised Code are hereby repealed. 1008

Section 3. (A) The plumbing section of the Ohio Construction 1009
Industry Licensing Board shall issue a backflow license to any 1010
person who, on the effective date of this act, holds a valid 1011
backflow certificate in this state and who submits an application 1012
and pays the fees as the section prescribes. No person who does 1013
not hold a valid backflow certificate on the effective date of 1014
this act is eligible for licensure pursuant to this section. 1015

(B) The heating, ventilating, and air conditioning and 1016
refrigeration section of the Ohio Construction Industry Licensing 1017
Board shall issue a prefabricated fireplace contractor license to 1018
any individual who: 1019

(1) Applies to the section within one hundred eighty days 1020
after the effective date of this act; 1021

(2) Pays the fee the section establishes; 1022

(3) Has been actively engaged as a prefabricated fireplace 1023
contractor in this state for the three years immediately prior to 1024
the effective date of this act; 1025

(4) Furnishes business records that include contracts, 1026
permits, and inspections, or other evidence of experience 1027
satisfactory to the section; 1028

(5) Provides evidence of current contractor's liability	1029
insurance, including complete operations coverage, in the amount	1030
of five hundred thousand dollars, except that if more than one	1031
individual affiliated with a business entity is issued a license	1032
pursuant to this division, those individuals collectively shall	1033
provide evidence of current contractor's liability coverage,	1034
including complete operations coverage in the total amount of five	1035
hundred thousand dollars;	1036
(6) Provides evidence of compliance with Chapters 4121. and	1037
4123. of the Revised Code and compliance with any other applicable	1038
legal requirements to do business in this state, as the board	1039
requires.	1040