

SENATE FILE 427
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO SSB 1190)

(COMPANION TO 1690HV BY
COMMITTEE ON STATE GOVERNMENT)

(As Amended and Passed by the Senate March 25, 2013)

A BILL FOR

1 An Act relating to the licensing of plumbing, mechanical,
2 HVAC-refrigeration, sheet metal, or hydronic professionals,
3 including transition provisions, including effective date
4 provisions, and making penalties applicable.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 91C.1, Code 2013, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3. The labor services division of the Iowa
4 department of workforce development and the Iowa department of
5 public health will work with stakeholders to develop a plan to
6 combine the contractor registration and contractor licensing
7 application process for contractors licensed under chapter 105,
8 to be implemented in time for licensing renewals due July 1,
9 2017. The department of public health shall transfer to the
10 labor services division a portion of each contractor license
11 fee equal to three times the current contractor registration
12 fee. Effective July 1, 2017, a contractor licensed under
13 chapter 105 shall register as a contractor under this chapter
14 in conjunction with the contractor licensing process. At no
15 cost to the labor services division, the department of public
16 health shall collect both the registration and licensing
17 applications as part of one combined application. The
18 labor commissioner shall design the contractor registration
19 application form to exclude from the division of labor's
20 contractor registration application process those contractors
21 who are also covered by chapter 105. The labor commissioner
22 is authorized to adopt rules as needed to accomplish a merger
23 of the application systems including transitional registration
24 periods and fees.

25 Sec. 2. Section 105.2, subsections 1, 3, 6, 9, 10, 11, 12,
26 and 17, Code 2013, are amended to read as follows:

27 1. "*Apprentice*" means any person, other than a helper,
28 journeyperson, or master, who, as a principal occupation,
29 is engaged in working as an employee of a plumbing, HVAC,
30 ~~refrigeration,~~ mechanical, HVAC-refrigeration, sheet metal, or
31 hydronic systems contractor under the direct supervision of
32 either a master or a journeyperson and is progressing toward
33 completion of an apprenticeship training program registered by
34 the office of apprenticeship of the United States department of
35 labor while learning and assisting in the design, installation,

1 and repair of plumbing, HVAC, refrigeration, sheet metal, or
2 hydronic systems, as applicable.

3 3. "*Contractor*" means a person or entity that provides
4 plumbing, mechanical, HVAC, refrigeration, sheet metal, or
5 hydronic systems services on a contractual basis and who is
6 paid a predetermined amount under that contract for rendering
7 those services.

8 6. "*Helper*" means a person engaged in general manual
9 labor activities who provides assistance to an apprentice,
10 journeyman, or master while under the direct supervision of
11 a journeyman or master.

12 9. "*Journeyman*" means any person, other than a master,
13 who, as a principal occupation, is engaged as an employee of,
14 or otherwise working under the direction of, a master in the
15 design, installation, and repair of plumbing, mechanical, HVAC,
16 refrigeration, sheet metal, or hydronic systems, as applicable.

17 10. "*Master*" means any person who works in the planning
18 or superintending of the design, installation, or repair of
19 plumbing, mechanical, HVAC, refrigeration, sheet metal, or
20 hydronic systems and is otherwise lawfully qualified to conduct
21 the business of plumbing, mechanical, HVAC, refrigeration,
22 sheet metal, or hydronic systems, and who is familiar with the
23 laws and rules governing the same.

24 11. "*Mechanical professional*" means a person engaged in the
25 HVAC, refrigeration, sheet metal, or hydronic industry.

26 12. "*Mechanical systems*" means HVAC, refrigeration, sheet
27 metal, and hydronic systems.

28 17. "*Routine maintenance*" means the maintenance, repair,
29 or replacement of existing fixtures or parts of plumbing,
30 mechanical, HVAC, refrigeration, sheet metal, or hydronic
31 systems in which no changes in original design are made.
32 Fixtures or parts do not include smoke and fire dampers, or
33 water, gas, or steam piping permanent repairs except for traps
34 or strainers. "*Routine maintenance*" shall include emergency
35 repairs, and the board shall define the term "*emergency repairs*"

1 to include the repair of water pipes to prevent imminent
2 damage to property. "Routine maintenance" does not include the
3 replacement of furnaces, boilers, cooling appliances, or water
4 heaters more than one hundred gallons in size.

5 Sec. 3. Section 105.2, Code 2013, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 18. "Sheet metal" means heating,
8 ventilation, air conditioning, pollution control, fume hood
9 systems and related ducted systems or installation of equipment
10 associated with any component of a sheet metal system. "Sheet
11 metal" excludes refrigeration and electrical lines and all
12 natural gas, propane, liquid propane, or other gas lines
13 associated with any component of a sheet metal system.

14 Sec. 4. Section 105.3, subsection 7, Code 2013, is amended
15 to read as follows:

16 7. The board may maintain a membership in any national
17 organization of state boards for the professions of plumbing,
18 mechanical, HVAC, refrigeration, sheet metal, or hydronic
19 professionals, with all membership fees to be paid from funds
20 appropriated to the board.

21 Sec. 5. Section 105.4, subsection 1, Code 2013, is amended
22 to read as follows:

23 1. a. The board shall establish by rule a plumbing
24 installation code governing the installation of plumbing in
25 this state. The board shall adopt the most current version of
26 the uniform plumbing code and the international mechanical
27 code, as the state plumbing code and the state mechanical code,
28 to govern the installation of plumbing and mechanical systems
29 in this state. The board shall adopt the current version of
30 each code within six months of its being released. The board
31 may adopt amendments to each code by rule. The state plumbing
32 code and the state mechanical code shall be applicable to all
33 buildings and structures owned by the state or an agency of the
34 state and in each local jurisdiction.

35 b. Except as provided in paragraph "c", a local jurisdiction

1 is not required to adopt by ordinance the state plumbing code
2 or the state mechanical code. However, a local jurisdiction
3 that adopts by ordinance the state plumbing code or the
4 state mechanical code may adopt standards that are more
5 restrictive. Local jurisdictions shall not be required to
6 conduct inspections or take any other enforcement action under
7 the state plumbing code and state mechanical code regardless
8 of whether the local jurisdiction has adopted by ordinance the
9 state plumbing code or the state mechanical code.

10 c. A local jurisdiction with a population of more than
11 fifteen thousand that has not adopted by ordinance the state
12 plumbing code and state mechanical code shall have until
13 December 31, 2016, to do so. Cities that have adopted a
14 plumbing code or mechanical code as of the effective date of
15 this Act shall have until December 31, 2016, to adopt the state
16 plumbing code or the state mechanical code in lieu thereof.

17 Sec. 6. Section 105.5, Code 2013, is amended by adding the
18 following new subsection:

19 NEW SUBSECTION. 4. The board shall adopt an industry
20 standardized examination for each license type. If a
21 standardized examination is not available for a specified
22 license type, the board shall work with the appropriate testing
23 vendor to create an examination for the specified license type.

24 Sec. 7. Section 105.9, subsections 6, 7, 8, and 10, Code
25 2013, are amended by striking the subsections.

26 Sec. 8. Section 105.9, Code 2013, is amended by adding the
27 following new subsection:

28 NEW SUBSECTION. 11. a. Licenses issued under this chapter
29 on or after July 1, 2014, shall expire on the same renewal date
30 every three years, beginning with June 30, 2017.

31 b. New licenses issued after the July 1 beginning of each
32 three-year renewal cycle shall be prorated using a one-sixth
33 deduction for each six-month period of the renewal cycle.

34 Sec. 9. Section 105.10, subsections 1 and 2, Code 2013, are
35 amended to read as follows:

1 1. Except as provided in section 105.11, a person shall
2 not operate as a contractor or install or repair plumbing,
3 mechanical, HVAC, refrigeration, sheet metal, or hydronic
4 systems without obtaining a license issued by the board, or
5 install or repair medical gas piping systems without obtaining
6 a valid certification approved by the board.

7 2. Except as provided in section 105.11, a person shall not
8 engage in the business of designing, installing, or repairing
9 plumbing, mechanical, HVAC, refrigeration, sheet metal, or
10 hydronic systems unless at all times a licensed master, who
11 shall be responsible for the proper designing, installing, and
12 repairing of the HVAC, refrigeration, sheet metal, or hydronic
13 system, is employed by the person and is actively in charge of
14 the plumbing, mechanical, HVAC, refrigeration, sheet metal, or
15 hydronic work of the person. An individual who performs such
16 work pursuant to a business operated as a sole proprietorship
17 shall be a licensed master in the applicable discipline.

18 Sec. 10. Section 105.10, subsection 3, Code 2013, is amended
19 by striking the subsection and inserting in lieu thereof the
20 following:

21 3. An individual holding a master mechanical license shall
22 not be required to get an HVAC-refrigeration, sheet metal, or
23 hydronic license in order to design, install, or repair the
24 work defined in this chapter as mechanical, HVAC-refrigeration,
25 sheet metal, or hydronic work. An individual holding a
26 journey mechanical license shall not be required to get an
27 HVAC-refrigeration, sheet metal, or hydronic license in order
28 to install and repair the work defined in this chapter as
29 mechanical, HVAC-refrigeration, sheet metal, or hydronic work.
30 An individual holding a master or journey mechanical license
31 shall also not be required to obtain a special, restricted
32 license that is designated as a sublicense of the mechanical,
33 HVAC-refrigeration, sheet metal, or hydronic licenses.

34 Sec. 11. Section 105.10, subsection 5, Code 2013, is amended
35 by striking the subsection.

1 Sec. 12. Section 105.11, subsections 1, 7, and 10, Code
2 2013, are amended to read as follows:

3 1. Apply to a person licensed as an engineer pursuant to
4 chapter 542B, licensed as a manufactured home retailer or
5 certified as a manufactured home installer pursuant to chapter
6 103A, registered as an architect pursuant to chapter 544A, or
7 licensed as a landscape architect pursuant to chapter 544B
8 who provides consultations or develops plans or other work
9 concerning plumbing, HVAC, refrigeration, sheet metal, or
10 hydronic work and who is exclusively engaged in the practice of
11 the person's profession.

12 7. Require a helper engaged in general manual labor
13 activities while providing assistance to an apprentice,
14 journeyman, or master to obtain a plumbing, HVAC,
15 ~~refrigeration~~, mechanical, HVAC-refrigeration, sheet metal,
16 or hydronic license. Experience as a helper shall not be
17 considered as practical experience for a journeyman license.

18 10. Apply to the employees of manufacturers, manufacturer
19 representatives, or wholesale suppliers who provide
20 consultation or develop plans concerning plumbing, HVAC,
21 refrigeration, sheet metal, or hydronic work, or who assist
22 a person licensed under this chapter in the installation of
23 mechanical or plumbing systems.

24 Sec. 13. Section 105.12, subsection 1, Code 2013, is amended
25 to read as follows:

26 1. A contracting, plumbing, HVAC, ~~refrigeration~~,
27 mechanical, HVAC-refrigeration, sheet metal, or hydronic
28 license shall be in the form of a certificate under the seal of
29 the department, signed by the director of public health, and
30 shall be issued in the name of the board. The license number
31 shall be noted on the face of the license.

32 Sec. 14. Section 105.15, Code 2013, is amended to read as
33 follows:

34 **105.15 Registry of licenses.**

35 The name, location, license number, and date of issuance of

1 the license of each person to whom a license has been issued
2 shall be entered in a registry kept in the office of the
3 department to be known as the plumbing, ~~HVAC, refrigeration,~~
4 mechanical, HVAC-refrigeration, sheet metal, or hydronic
5 registry. The registry may be electronic and shall be open
6 to public inspection; ~~however.~~ However, the licensee's home
7 address, home telephone number, and other personal information
8 as determined by rule shall be confidential.

9 Sec. 15. Section 105.16, Code 2013, is amended to read as
10 follows:

11 **105.16 Change of residence.**

12 If a person licensed to practice as a contractor or a
13 plumbing, ~~HVAC, refrigeration,~~ mechanical, HVAC-refrigeration,
14 sheet metal, or hydronic professional under this chapter
15 changes the person's residence or place of practice, the person
16 shall so notify the board.

17 Sec. 16. Section 105.17, Code 2013, is amended to read as
18 follows:

19 **105.17 Preemption of local licensing requirements.**

20 1. The provisions of this chapter regarding the licensing of
21 plumbing, ~~HVAC, refrigeration,~~ mechanical, HVAC-refrigeration,
22 sheet metal, and hydronic professionals and contractors shall
23 supersede and preempt all plumbing, ~~HVAC, refrigeration,~~
24 mechanical, HVAC-refrigeration, sheet metal, hydronic,
25 and contracting licensing provisions of all governmental
26 subdivisions.

27 *a.* ~~A governmental subdivision that issues licenses on~~
28 ~~July 1, 2008, shall continue to issue licenses until June 30,~~
29 ~~2009.~~ On July 1, 2009, all plumbing and mechanical licensing
30 provisions promulgated by any governmental subdivision shall
31 be null and void, except reciprocal licenses as provided in
32 section 105.21, and of no further force and effect.

33 *b.* On and after July 1, 2008, a governmental subdivision
34 shall not prohibit a contractor or a plumbing, ~~HVAC,~~
35 refrigeration, mechanical, HVAC-refrigeration, sheet metal,

1 or hydronic professional licensed pursuant to this chapter
2 from performing services for which that person is licensed
3 pursuant to this chapter or enforce any plumbing and
4 mechanical licensing provisions promulgated by the governmental
5 subdivision against a person licensed pursuant to this chapter.

6 2. Nothing in this chapter shall prohibit a governmental
7 subdivision from assessing and collecting permit fees or
8 inspection fees related to work performed by ~~plumbers and~~
9 mechanical plumbing, mechanical, HVAC-refrigeration, sheet
10 metal, or hydronic professionals.

11 Sec. 17. Section 105.18, subsection 2, unnumbered paragraph
12 1, Code 2013, is amended to read as follows:

13 The board shall issue ~~separate master~~ licenses for plumbing,
14 ~~HVAC, refrigeration~~ mechanical, HVAC-refrigeration, sheet
15 metal, and hydronic professionals and for contractors. The
16 board shall issue journey person licenses for plumbing,
17 mechanical, HVAC-refrigeration, sheet metal, and hydronic
18 professionals. A plumbing license shall allow an individual
19 to perform work defined as plumbing. A mechanical license
20 shall allow an individual to perform work defined as
21 HVAC, refrigeration, sheet metal, and hydronic. An
22 HVAC-refrigeration license shall allow an individual to perform
23 work defined as HVAC and refrigeration. A hydronic license
24 shall allow an individual to perform work defined as hydronic.
25 A sheet metal license shall allow an individual to perform work
26 defined as sheet metal. The board shall issue the separate
27 licenses as follows:

28 Sec. 18. Section 105.18, subsection 2, paragraph a,
29 subparagraph (2), Code 2013, is amended to read as follows:

30 (2) Certify that the person will work under the direct
31 supervision of a licensed journey person or master in the
32 applicable discipline who is licensed to do the type of
33 work that the apprentice is performing. For the purposes of
34 this chapter, direct supervision means that the supervising
35 journey person or master is on the same job site as the

1 apprentice.

2 Sec. 19. Section 105.18, subsection 2, paragraph b, Code
3 2013, is amended by adding the following new subparagraph:

4 NEW SUBPARAGRAPH. (3) An individual who has passed
5 both the journeyperson HVAC-refrigeration examination and
6 the journeyperson hydronic examination separately shall
7 be qualified to be issued a journeyperson mechanical
8 license without having to pass the journeyperson mechanical
9 examination.

10 Sec. 20. Section 105.18, subsection 2, paragraph c, Code
11 2013, is amended to read as follows:

12 *c. Master license.* (1) In order to be licensed by the
13 board as a master, a person shall do all of the following:

14 ~~(1)~~ (a) File an application and pay application fees as
15 established by the board, which application shall establish
16 that the person meets the minimum educational and experience
17 requirements adopted by the board.

18 ~~(2)~~ (b) Pass the state master licensing examination for the
19 applicable discipline.

20 ~~(3)~~ (c) Provide evidence to the board that the person
21 has previously been a licensed journeyperson or master in the
22 applicable discipline.

23 (2) An individual who has passed both the master
24 HVAC-refrigeration examination and the master hydronic
25 examination separately shall be qualified to be issued a master
26 mechanical license without having to pass the master mechanical
27 examination.

28 Sec. 21. Section 105.18, subsection 2, paragraph d,
29 subparagraph (1), Code 2013, is amended by striking the
30 subparagraph and inserting in lieu thereof the following:

31 (1) File an application and pay application fees as
32 established by the board and establish that the person meets
33 the minimum requirements adopted by the board. Through
34 June 30, 2017, the application shall include the person's
35 state contractor registration number. After July 1, 2017,

1 the application shall include proof of workers compensation
2 insurance coverage, proof of unemployment insurance compliance,
3 and, for out-of-state contractors, a bond as described in
4 chapter 91C.

5 Sec. 22. Section 105.18, subsection 3, paragraph b, Code
6 2013, is amended to read as follows:

7 *b. Special, restricted license.* The board may by rule
8 provide for the issuance of special plumbing and mechanical
9 professional licenses authorizing the licensee to engage in a
10 limited class or classes of plumbing or mechanical professional
11 work, which class or classes shall be specified on the license.
12 Each licensee shall have experience, acceptable to the board,
13 in each such limited class for which the person is licensed.
14 The board shall designate each special, restricted license to
15 be a sublicense of either a plumbing, ~~HVAC, refrigeration,~~
16 mechanical, HVAC-refrigeration, sheet metal, or hydronic
17 license. A special, restricted license may be a sublicense of
18 multiple types of licenses. An individual holding a master
19 or journeyman, plumbing, ~~HVAC, refrigeration,~~ mechanical,
20 HVAC-refrigeration, sheet metal, or hydronic license shall not
21 be required to obtain any special, restricted license which is
22 a sublicense of the license that the individual holds. Special
23 plumbing and mechanical professional licenses shall be issued
24 to employees of a rate-regulated gas or electric public utility
25 who conduct the repair of appliances. "*Repair of appliances*"
26 means the repair or replacement of mechanical connections
27 between the appliance shutoff valve and the appliance and
28 repair of or replacement of parts to the appliance. Such
29 special, restricted license shall require certification
30 pursuant to industry-accredited certification standards.

31 Sec. 23. Section 105.18, subsection 3, paragraph d, Code
32 2013, is amended to read as follows:

33 *d.* An individual that holds either a master or
34 journeyman ~~HVAC license or a master or journeyman~~
35 refrigeration mechanical license or a master or journeyman

1 HVAC-refrigeration license shall be exempt from having to
2 obtain a special electrician's license pursuant to chapter 103
3 in order to perform disconnect and reconnect of existing air
4 conditioning and refrigeration systems.

5 Sec. 24. Section 105.18, subsection 4, Code 2013, is amended
6 by striking the subsection.

7 Sec. 25. Section 105.19, subsections 2 and 3, Code 2013, are
8 amended to read as follows:

9 2. If the applicant is engaged in plumbing, mechanical,
10 HVAC, refrigeration, sheet metal, or hydronic work individually
11 through a business conducted as a sole proprietorship, the
12 applicant shall personally obtain the insurance and surety
13 bond required by this section. If the applicant is engaged in
14 the plumbing, mechanical, HVAC, refrigeration, sheet metal, or
15 hydronic business as an employee or owner of a legal entity,
16 then the insurance and surety bond required by this section
17 shall be obtained by the entity and shall cover all plumbing or
18 mechanical work performed by the entity.

19 3. The insurance and surety bond shall be written by an
20 entity licensed to do business in this state and each licensed
21 contractor shall maintain on file with the board a certificate
22 evidencing the insurance providing that the insurance or surety
23 bond shall not be canceled without the entity first giving
24 ~~fifteen~~ ten days' written notice to the board.

25 Sec. 26. Section 105.20, subsection 3, Code 2013, is amended
26 to read as follows:

27 3. a. The board shall notify each licensee by mail at least
28 sixty days prior to the expiration of a license.

29 b. This subsection is repealed effective December 31, 2016.

30 Sec. 27. Section 105.21, Code 2013, is amended to read as
31 follows:

32 **105.21 Reciprocal licenses.**

33 The board may license without examination a nonresident
34 applicant who is licensed under plumbing, ~~HVAC, refrigeration,~~
35 mechanical, HVAC-refrigeration, sheet metal, or hydronic

1 professional licensing statutes of another state having similar
2 licensing requirements as those set forth in this chapter and
3 the rules adopted under this chapter if the other state grants
4 the same reciprocal licensing privileges to residents of Iowa
5 who have obtained Iowa plumbing or mechanical professional
6 licenses under this chapter. The board shall adopt the
7 necessary rules, not inconsistent with the law, for carrying
8 out the reciprocal relations with other states which are
9 authorized by this chapter.

10 Sec. 28. Section 105.22, unnumbered paragraph 1, Code 2013,
11 is amended to read as follows:

12 A license to practice as a contractor or as a plumbing, HVAC,
13 ~~refrigeration~~, mechanical, HVAC-refrigeration, sheet metal,
14 or hydronic professional may be revoked or suspended, or an
15 application for licensure may be denied pursuant to procedures
16 established pursuant to chapter 272C by the board, or the
17 licensee may be otherwise disciplined in accordance with that
18 chapter, when the licensee commits any of the following acts
19 or offenses:

20 Sec. 29. Section 105.22, subsection 8, Code 2013, is amended
21 to read as follows:

22 8. Aiding and abetting a person who is not licensed pursuant
23 to this chapter in that person's pursuit of an unauthorized and
24 unlicensed plumbing, mechanical, HVAC, refrigeration, sheet
25 metal, or hydronic professional practice.

26 Sec. 30. Section 105.25, Code 2013, is amended to read as
27 follows:

28 **105.25 Advertising — violations — penalties.**

29 1. Only a person who is duly licensed pursuant to this
30 chapter may advertise the fact that the person is licensed as a
31 contractor or as a plumbing, HVAC, ~~refrigeration~~, mechanical,
32 HVAC-refrigeration, sheet metal, or hydronic professional by
33 the state of Iowa.

34 2. All written advertisements distributed in this state by a
35 person who is engaged in the business of designing, installing,

1 or repairing plumbing, HVAC, refrigeration, sheet metal, or
2 hydronic systems shall include the listing of ~~at least one~~
3 ~~master~~ the contractor license number, as applicable. ~~A master~~
4 ~~plumbing, HVAC, refrigeration, or hydronic professional shall~~
5 ~~not allow the master's license number to be used in connection~~
6 ~~with the advertising for more than one person engaged in the~~
7 ~~business of designing, installing, or repairing plumbing, HVAC,~~
8 ~~refrigeration, or hydronic systems.~~

9 3. A person who fraudulently claims to be a licensed
10 contractor or a licensed plumbing, HVAC, ~~refrigeration,~~
11 mechanical, HVAC-refrigeration, sheet metal, or hydronic
12 professional pursuant to this chapter, either in writing,
13 cards, signs, circulars, advertisements, or other
14 communications, is guilty of a simple misdemeanor.

15 4. ~~A person who fraudulently lists a contractor or a master~~
16 ~~plumbing, HVAC, refrigeration, or hydronic license number in~~
17 ~~connection with that person's advertising or falsely displays~~
18 ~~a contractor or a master plumbing, HVAC, refrigeration, or~~
19 ~~hydronic professional license number is guilty of a simple~~
20 ~~misdemeanor. In order to be entitled to use a license number~~
21 ~~of a master plumbing, HVAC, refrigeration, or hydronic~~
22 ~~professional, the master plumbing, HVAC, refrigeration, or~~
23 ~~hydronic professional must be employed by the person in whose~~
24 ~~name the business of designing, installing, or repairing~~
25 ~~plumbing or mechanical systems is being conducted. A person~~
26 ~~who fraudulently lists a license number in connection with that~~
27 person's advertising or falsely displays a license number is
28 guilty of a simple misdemeanor.

29 Sec. 31. Section 105.29, Code 2013, is amended to read as
30 follows:

31 **105.29 Report of violators.**

32 Every licensee and every member of the board shall report
33 to the board the name of every person who is practicing
34 as a contractor or as a ~~plumber or~~ plumbing, mechanical,
35 HVAC-refrigeration, sheet metal, or hydronic professional

1 without a license issued pursuant to this chapter pursuant
2 to the knowledge or reasonable belief of the person making
3 the report. The opening of an office or place of business
4 for the purpose of providing any services for which a license
5 is required by this chapter, the announcing to the public in
6 any way the intention to provide any such service, the use of
7 any professional designation, or the use of any sign, card,
8 circular, device, vehicle, or advertisement, as a provider of
9 any such services shall be prima facie evidence of engaging
10 in the practice of a contractor or a ~~plumber or~~ plumbing,
11 mechanical, HVAC-refrigeration, sheet metal, or hydronic
12 professional.

13 Sec. 32. NEW SECTION. 105.31 Licenses.

14 1. *License expiration.*

15 a. All licenses that currently possess an expiration date
16 prior to June 30, 2014, shall be granted a one-time extension
17 of the expiration date to June 30, 2014, at no additional
18 charge or continuing education requirements. The licensees of
19 these licenses shall pay a full renewal fee upon renewal and
20 shall be issued a license with an expiration date of June 30,
21 2017. Applicable late renewal fees shall apply during this
22 period.

23 b. Licenses with an expiration date of July 1, 2014, or
24 later shall have the license renewal fee prorated using a
25 one-sixth deduction for each six-month period following July
26 1, 2014. Applicable late renewal fees shall apply during this
27 period. Licenses renewed through June 29, 2017, shall be
28 issued with an expiration date of June 30, 2017.

29 2. *License reissue.* A license reissued pursuant to this
30 subsection shall be for the same level of license held by the
31 licensee on the effective date of this Act, but may be for a
32 class described in paragraphs "a" through "e", if applicable. A
33 license shall be reissued at the date of the first renewal.

34 a. An individual with either an HVAC or a refrigeration
35 license will be issued an HVAC-refrigeration license.

1 *b.* An individual who holds an HVAC and a hydronic license
2 will be issued a mechanical license at the first renewal.

3 *c.* An individual who holds a refrigeration and a hydronic
4 license will be issued a mechanical license.

5 *d.* An individual who holds only a hydronic license will be
6 issued a hydronic license.

7 *e.* An individual who holds an HVAC or a refrigeration
8 license may take the hydronic test before June 30, 2014, in
9 order to be issued a mechanical license at the time of renewal.

10 Sec. 33. NEW SECTION. 105.32 **Transition provisions.**

11 A licensee whose license expires between June 30, 2014, and
12 July 1, 2017, may voluntarily renew their license early so they
13 may have an expiration date of June 30, 2017. This voluntary
14 early renewal may happen at any time on or after July 1, 2014.
15 The board shall promulgate rules that allow for this one-time
16 early renewal process, including fees and continuing education
17 requirements.

18 Sec. 34. Section 331.301, subsection 6, paragraph b, Code
19 2013, is amended to read as follows:

20 *b.* A county shall not impose any fee or charge on any
21 individual or business licensed by the board for the right to
22 perform plumbing, mechanical, HVAC, refrigeration, sheet metal
23 or hydronic systems work within the scope of the license. This
24 paragraph does not prohibit a county from charging fees for the
25 issuance of permits for, and inspections of, work performed in
26 its jurisdiction.

27 Sec. 35. Section 364.3, subsection 3, paragraph b, Code
28 2013, is amended to read as follows:

29 *b.* A city shall not impose any fee or charge on any
30 individual or business licensed by the board for the right to
31 perform plumbing, mechanical, HVAC, refrigeration, sheet metal
32 or hydronic systems work within the scope of the license. This
33 paragraph does not prohibit a city from charging fees for the
34 issuance of permits for, and inspections of, work performed in
35 its jurisdiction.

1 Sec. 36. EMERGENCY RULES. The plumbing and mechanical
2 systems board may adopt emergency rules under section 17A.4,
3 subsection 3, and section 17A.5, subsection 2, paragraph "b",
4 to implement the provisions of this Act and the rules shall
5 be effective immediately upon filing unless a later date is
6 specified in the rules. Any rules adopted in accordance with
7 this section shall also be published as a notice of intended
8 action as provided in section 17A.4.

9 Sec. 37. EFFECTIVE UPON ENACTMENT. This Act, being deemed
10 of immediate importance, takes effect upon enactment.