

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

1

HOUSE BILL 1532*

Short Title: Require License for Fire Alarm Contracting. (Public)

Sponsors: Representatives Barnhart; and Faison.

Referred to: Commerce, Small Business, and Entrepreneurship, if favorable, State Government/State Personnel, if favorable, Finance.

April 23, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THAT FIRE ALARM CONTRACTORS BE LICENSED IN THIS
3 STATE; AND TO EXPAND THE ROLE OF THE STATE BOARD OF EXAMINERS OF
4 ELECTRICAL CONTRACTS TO ENCOMPASS THE LICENSURE OF FIRE ALARM
5 CONTRACTORS.

6 Whereas, the General Assembly finds that the licensure of persons who install fire
7 alarms is necessary in order to protect the life, health, and property of the general public by
8 ensuring that the installation of fire alarm systems is performed by persons who have the
9 necessary experience, training, and qualifications to install, test, and maintain those systems;
10 Now, therefore,

11 The General Assembly of North Carolina enacts:

12 SECTION 1. The title of Article 4 of Chapter 87 of the General Statutes reads as
13 rewritten:

14 "Article 4.

15 Electrical and Fire Alarm Contractors."

16 SECTION 2.(a) G.S. 87-39 reads as rewritten:

17 "§ 87-39. Board of Examiners; appointment; terms; chairman; meetings; quorum;
18 principal office; compensation; oath.

19 (a) The State Board of Examiners of Electrical and Fire Alarm Contractors shall
20 continue as the State agency responsible for the licensing of persons engaging in electrical and
21 fire alarm contracting within this State, and shall consist of ~~one member from the North~~
22 ~~Carolina Department of Insurance to be designated by the Commissioner of Insurance; one~~
23 ~~member who has satisfied the requirements for an unlimited license as defined in G.S. 87-43.3~~
24 ~~and who is a representative of the North Carolina Association of Electrical Contractors to be~~
25 ~~designated by the governing body of that organization; and five members to be appointed by~~
26 ~~the Governor: one from the faculty of The Greater University of North Carolina who teaches or~~
27 ~~does research in the field of electrical engineering, one who is serving as a chief electrical~~
28 ~~inspector of a municipality or county in North Carolina, one who has satisfied the requirements~~
29 ~~for an unlimited license as defined in G.S. 87-43.3 and who is a representative of the Carolinas~~
30 ~~Electrical Contractors Association operating a sole proprietorship, partnership or corporation~~
31 ~~located in North Carolina which is actively engaged in the business of electrical contracting,~~
32 ~~and two who have no ties with the construction industry and who represent the interest of the~~
33 ~~public at large.~~the following members:

34 (1) One member from the North Carolina Department of Insurance to be
35 designated by the Commissioner of Insurance.



- 1 (2) One member who has satisfied the requirements for an unlimited license as
2 defined in G.S. 87-43.3 and who is a representative of the North Carolina
3 Association of Electrical Contractors to be designated by the governing body
4 of that organization.
- 5 (3) Nine members to be appointed by the Governor as follows:
- 6 a. One member from the faculty of The Greater University of North
7 Carolina who teaches or does research in the field of electrical
8 engineering.
- 9 b. One member who is serving as a chief electrical inspector of a
10 municipality or county in North Carolina.
- 11 c. One member who has satisfied the requirements for an unlimited
12 license as defined in G.S. 87-43.3 and who is a representative of the
13 Carolinas Electrical Contractors Association operating a sole
14 proprietorship, partnership, or corporation located in North Carolina
15 which is actively engaged in the business of electrical contracting.
- 16 d. Two members who have no ties with the construction industry and
17 who represent the interest of the public at large.
- 18 e. Four members operating a sole proprietorship, partnership, or
19 corporation located in North Carolina which is actively engaged in
20 the business of turnkey installation, testing, and maintenance of fire
21 alarm systems.
- 22 (4) Three members who are representatives of the North Carolina Fire Marshal's
23 Association to be designated by the governing body of that organization.

24 (b) Members of the Board shall serve staggered seven-year terms. Each member shall
25 serve until his or her successor is designated or appointed, and is duly qualified. Vacancies
26 occurring during a term shall be filled for the remainder of that term by the authority that
27 designated or appointed the departing member.

28 (c) Members of the Board shall not serve consecutive, complete terms. For purposes of
29 this subsection, only a term of less than seven years that results from the filling of a vacancy is
30 an incomplete term; a term of less than seven years that results from the successor's late
31 designation or appointment is not an incomplete term.

32 (d) All members shall be residents of North Carolina during their tenure on the Board.
33 Any member of the Board may be removed by the authority that designated or appointed that
34 member for misconduct, incompetency, or neglect of duty.

35 (e) The Board shall hold regular meetings quarterly and may hold meetings on call of
36 the chair. The chair shall be required to call a special meeting upon written request by two
37 members of the Board. At its regular first quarter meeting, the Board shall elect from its
38 membership a chair and a vice-chair, each to serve for one year. ~~Four~~ Eight members of the
39 Board shall constitute a quorum. The principal office of the Board shall be at such place as
40 shall be designated by a majority of the members thereof. Payment of compensation and
41 reimbursement of expenses of Board members shall be governed by G.S. 93B-5.

42 (f) Before entering upon the performance of his or her duties hereunder, each member
43 of the Board shall take and file with the Secretary of State an oath in writing to properly
44 perform the duties of his or her office as a member of the Board, and to uphold the Constitution
45 of North Carolina and the Constitution of the United States."

46 **SECTION 2.(b)** G.S. 87-41 reads as rewritten:

47 "**§ 87-41. Seal of Board.**

48 The Board shall adopt a seal for its own use, and the secretary-treasurer shall have charge
49 and custody thereof. The seal shall have inscribed thereon the words "Board of Examiners of
50 Electrical and Fire Alarm Contractors, State of North Carolina."

51 **SECTION 2.(c)** G.S. 87-41.1 reads as rewritten:

"§ 87-41.1. Definitions.

As used in this Article, unless the context requires otherwise:

- (1) A "qualified individual" is an individual who is qualified in a specific license classification as a result of having taken and passed the qualifying examination required by this Article for such a classification and who has been certified as such by the Board pursuant to G.S. 87-42.
- (2) A "listed qualified individual" is a qualified individual whose name is listed on a license issued by the Board. A listed qualified individual has the specific duty and authority to supervise and direct electrical or fire alarm contracting done by or in the name of a licensee of the Board on whose license the qualified individual is so listed.
- (3) A licensee of the Board is a person listed pursuant to subsection (2), or a partnership, firm or corporation that regularly employs at least one listed qualified individual and which has been issued a license by the Board."

SECTION 2.(d) G.S. 87-42 reads as rewritten:

"§ 87-42. Duties and powers of Board.

In order to protect the life, health and property of the public, the State Board of Examiners of Electrical and Fire Alarm Contractors shall provide for the written examination of all applicants for certification as a qualified individual, as defined in G.S. 87-41.1. The Board shall receive all applications for certification as a qualified individual and all applications for licenses to be issued under this Article, shall examine all applicants to determine that each has met the requirements for certification and shall discharge all duties enumerated in this Article. Applicants for certification as a qualified individual must be at least 18 years of age and shall be required to demonstrate to the satisfaction of the Board their good character and adequate technical and practical knowledge concerning the safe and proper installation of electrical work and ~~equipment~~ equipment or fire alarms. The examination to be given for this purpose shall include, but not be limited ~~to, to, either~~ (i) the appropriate provisions of the National Electrical Code as incorporated in the North Carolina State Building Code, the analysis of electrical plans and specifications, estimating of electrical installations, and the fundamentals of the installation of electrical work and equipment; or (ii) the appropriate provisions of the North Carolina Fire Prevention Code, and the chapters of the National Electrical Code related to fire alarm installation, testing, and maintenance, as adopted by the North Carolina Department of Insurance. Certification of qualified individuals shall be issued in the same classifications as provided in this Article for license classifications. The Board shall prescribe the standards of knowledge, experience and proficiency to be required of qualified individuals, which may vary for the various license classifications. The Board shall issue certifications and licenses to all applicants meeting the requirements of this Article and of the Board upon the receipt of the fees prescribed by G.S. 87-44. The Board shall have power to make rules and regulations necessary to the performance of its duties and for the effective implementation of the provisions of this Article. The Board shall have the power to administer oaths and issue subpoenas requiring the attendance of persons and the production of papers and records before the Board in any hearing, investigation, or proceeding conducted by it. Members of the Board's staff or the sheriff or other appropriate official of any county of this State shall serve all notices, subpoenas, and other papers given to them by the Chairman for service in the same manner as process issued by any court of record. Any person who neglects or refuses to obey a subpoena issued by the Board shall be guilty of a Class 1 misdemeanor. The Board shall have the power to acquire, rent, encumber, alienate, and otherwise deal with real property in the same manner as a private person or corporation, subject only to approval of the Governor and the Council of State. Collateral pledged by the Board for an encumbrance is limited to the assets, income, and revenues of the Board. The Board shall keep minutes of all its proceedings and shall keep an accurate record of receipts and disbursements which shall be audited at the close of each fiscal

1 year by a certified public accountant, and the audit report shall be filed with the State of North
2 Carolina in accordance with Chapter 93B of the General Statutes. ~~Statutes.~~ The Board shall
3 consult with the Office of State Fire Marshal of the North Carolina Department of Insurance
4 from time to time regarding its oversight of fire alarm contractors."

5 **SECTION 2.(e)** G.S. 87-43 reads as rewritten:

6 "**§ 87-43. Electrical and fire alarm contracting defined; licenses.**

7 (a) Electrical contracting shall be defined as engaging or offering to engage in the
8 business of installing, maintaining, altering or repairing any electric work, wiring, devices,
9 appliances or equipment. No person, partnership, firm or corporation shall engage, or offer to
10 engage, in the business of electrical contracting within the State of North Carolina without
11 having received a license in the applicable classification described in G.S. 87-43.3 from the
12 State Board of Examiners of Electrical and Fire Alarm Contractors in compliance with the
13 provisions of this Article, regardless of whether the offer was made or the work was performed
14 by a qualified individual as defined in G.S. 87-41.1. In each separate place of business operated
15 by an electrical contractor at least one listed qualified individual shall be regularly on active
16 duty and shall have the specific duty and authority to supervise and direct all electrical wiring
17 or electrical installation work done or made by such separate place of business. Every person,
18 partnership, firm or corporation engaging in the business of electrical contracting shall display
19 a current certificate of license in ~~his~~-its principal place of business and in each branch place of
20 business which ~~he~~-it operates. Licenses issued hereunder shall be signed by the chairman and
21 the secretary-treasurer of the Board, under the seal of the Board. A registry of all licenses
22 issued to electrical contractors shall be kept by the secretary-treasurer of the Board, and said
23 registry shall be open for public inspection during ordinary business hours.

24 (b) Fire alarm contracting shall be defined as engaging or offering to engage in the
25 business of installing, maintaining, altering, or repairing any fire alarm. As used in this
26 subsection, the term "fire alarm" means a system or portion of a combination system that
27 consists of components and circuits arranged to monitor and annunciate the status of fire alarm
28 or supervisory signal initiating devices and to initiate the proper response to those signals.
29 Beginning October 1, 2009, no person, partnership, firm, or corporation shall engage in, or
30 offer to engage in, the business of fire alarm contracting within the State of North Carolina
31 without having received a license from the State Board of Examiners of Electrical and Fire
32 Alarm Contractors in compliance with the provisions of this Article, regardless of whether the
33 offer was made or the work was performed by a qualified individual as defined in G.S. 87-41.1.
34 In each separate place of business operated by a fire alarm contractor at least one listed
35 qualified individual shall be regularly on active duty and shall have the specific duty and
36 authority to supervise and direct all fire alarm work done or made by such separate place of
37 business. Every person, partnership, firm, or corporation engaging in the business of fire alarm
38 contracting shall display a current certificate of licenses in its principal place of business and in
39 each branch place of business which it operates. Licenses issued hereunder shall be signed by
40 the chairman and the secretary-treasurer of the Board under the seal of the Board. A registry of
41 all licenses issued to fire alarm contractors shall be kept by the secretary-treasurer of the Board,
42 and said registry shall be open for public inspection during ordinary business hours."

43 **SECTION 2.(f)** G.S. 87-43.1 reads as rewritten:

44 "**§ 87-43.1. Exceptions.**

45 The provisions of this Article shall not apply:

- 46 (1) To the installation, construction or maintenance of facilities for providing
47 electric or fire alarm service to the public ahead of the point of delivery of
48 electric service to the customer;
- 49 (2) To the installation, construction, maintenance, or repair of telephone,
50 telegraph, fire alarm, or signal systems, by public utilities, or their corporate

- 1 affiliates, when said work pertains to the services furnished by said public
2 utilities;
- 3 (3) To any person in the course of his work as a bona fide employee of a
4 licensee of this Board;
- 5 (4) To the installation, construction or maintenance of electrical or fire alarm
6 equipment and wiring for temporary use by contractors in connection with
7 the work of construction;
- 8 (5) To the installation, construction, maintenance or repair of fire alarms or
9 electrical wiring, devices, appliances or equipment by persons, firms or
10 corporations, upon their own property when such property is not intended at
11 the time for rent, lease, sale or gift, who regularly employ one or more
12 electricians or mechanics for the purpose of installing, maintaining, altering
13 or repairing of electrical wiring, ~~devices or equipment~~ devices, equipment, or
14 fire alarms used for the conducting of the business of said persons, firms or
15 corporations;
- 16 (5a) To any person who is himself and for himself installing, maintaining,
17 altering or repairing fire alarms or electric work, wiring, devices, appliances
18 or equipment upon his own property when such property is not intended at
19 the time for rent, lease, or sale;
- 20 (6) To the installation, construction, maintenance or repair of fire alarms or
21 electrical wiring, devices, appliances or equipment by State institutions and
22 private educational institutions which maintain a private electrical
23 department;
- 24 (7) To the replacement of lamps and fuses and to the installation and servicing
25 of cord-connected appliances and equipment connected by means of
26 attachment plug-in devices to suitable receptacles which have been
27 permanently installed or to the servicing of appliances connected to a
28 permanently installed junction box. This exception does not apply to
29 permanently installed receptacles or to the installation of the junction box."

30 **SECTION 2.(g)** G.S. 87-43.2 reads as rewritten:

31 "**§ 87-43.2. Issuance of license.**

32 (a) A person, partnership, firm, or corporation shall be eligible to be licensed as an
33 electrical or fire alarm contractor and to have such license renewed, subject to the provisions of
34 this Article, provided:

- 35 (1) At least one listed qualified individual shall be regularly employed by the
36 applicant at each separate place of business to have the specific duty and
37 authority to supervise and direct fire alarm or electrical contracting
38 contracting, as applicable, done by or in the name of the licensee;
- 39 (2) An application is filed with the Board which contains a statement of
40 ownership, states the names and official positions of all employees who are
41 listed qualified individuals and provides such other information as the Board
42 may reasonably require;
- 43 (3) The applicant, through an authorized officer or owner, shall agree in writing
44 to report to the Board within five days any additions to or loss of the
45 employment of listed qualified individuals; and
- 46 (4) The applicant furnishes, upon the initial application for a license, a bonding
47 ability statement completed by a bonding company licensed to do business
48 in North Carolina, verifying the applicant's ability to furnish performance
49 bonds for fire alarm or electrical contracting projects ~~projects,~~ as applicable,
50 having a value in excess of the project value limit for a limited license
51 established pursuant to G.S. 87-43.3 for the intermediate license

1 classification and in excess of the project value limit for an intermediate
2 license established pursuant to G.S. 87-43.3 for the unlimited license
3 classification. In lieu of furnishing the bonding ability statement, the
4 applicant may submit for evaluation and specific approval of the Board other
5 information certifying the adequacy of the applicant's financial ability to
6 engage in projects of the license classification applied for. The bonding
7 ability statement or other financial information must be submitted in the
8 same name as the license to be issued. If the firm for which a license
9 application is filed is owned by a sole proprietor, the bonding ability
10 statement or other financial information may be furnished in either the firm
11 name or the name of the proprietor. However, if the application is submitted
12 in the name of a sole proprietor, the applicant shall submit information
13 verifying that the person in whose name the application is made is in fact the
14 sole proprietor of the firm.

15 (5) Repealed by Session Laws 1989, c. 709, s. 5.

16 (b) A license shall indicate the names and classifications of all listed qualified
17 individuals employed by the applicant. A license shall be cancelled if at any time no listed
18 qualified individual is regularly employed by the applicant; provided, that work begun prior to
19 such cancellation may be completed under such conditions as the Board shall direct; and
20 provided further that no work for which a license is required under this Article may be bid for,
21 contracted for or initiated subsequent to such cancellation until said license is reinstated by the
22 Board."

23 **SECTION 2.(h)** G.S. 87-43.3 reads as rewritten:

24 "**§ 87-43.3. Classification of licenses.**

25 An electrical contracting license shall be issued in one of the following classifications:
26 Limited, under which a licensee shall be permitted to engage in a single electrical contracting
27 project of a value, as established by the Board, not in excess of one hundred thousand dollars
28 (\$100,000) and on which the equipment or installation in the contract is rated at not more than
29 600 volts; Intermediate, under which a licensee shall be permitted to engage in a single
30 electrical contracting project of a value, as established by the Board, not in excess of two
31 hundred thousand dollars (\$200,000); Unlimited, under which a licensee shall be permitted to
32 engage in any electrical contracting project regardless of value; and such other special
33 Restricted classifications as the Board may establish from time to time to provide, (i) for the
34 licensing of persons, partnerships, firms or corporations wishing to engage in special restricted
35 electrical contracting, under which license a licensee shall be permitted to engage only in a
36 specific phase of electrical contracting of a special, limited nature, and (ii) for the licensing of
37 persons, partnerships, firms or corporations wishing to engage in electrical contracting work as
38 an incidental part of their primary business, which is a lawful business other than electrical
39 contracting, under which license a licensee shall be permitted to engage only in a specific phase
40 of electrical contracting of a special, limited nature directly in connection with said primary
41 business. The Board may establish appropriate standards for each classification, such standards
42 not to be inconsistent with the provisions of G.S. 87-42. The Board may, by rule, modify the
43 project value limitations up to the maximum amounts set forth in this section for limited and
44 intermediate licenses no more than once every three years based upon an increase or decrease
45 in the project cost index for electrical projects in this State. A licensed fire alarm contractor
46 shall be permitted to engage in any fire alarm contracting project regardless of value. No initial
47 or renewal fire alarm contracting license shall be issued unless the applicant first provides the
48 Board with a copy of a certificate of insurance for the rating of fire alarm installation."

49 **SECTION 2.(i)** G.S. 87-44 reads as rewritten:

50 "**§ 87-44. Fees; license term.**

1 The Board shall collect a fee from each applicant before granting or renewing a license
2 under the provisions of this Article; the annual license fee for the limited classification
3 electrical contracting license shall not exceed one hundred dollars (\$100.00) for each principal
4 and each branch place of business; the annual license fee for the intermediate classification
5 electrical contracting license shall not exceed one hundred fifty dollars (\$150.00) for each
6 principal and each branch place of business; the annual license fee for the unlimited
7 classification electrical contracting license shall not exceed two hundred dollars (\$200.00) for
8 each principal and each branch place of business; and the annual license fee for the special
9 restricted classifications and for the single-family detached residential dwelling electrical
10 contracting license shall not exceed one hundred dollars (\$100.00) for each principal and each
11 branch place of business. The annual license fee for the fire alarm contracting license shall not
12 exceed two hundred dollars (\$200.00) for each principal and each branch place of business.

13 The Board shall establish a system for the renewal of licenses with varying expiration dates.
14 However, all licenses issued by the Board shall expire one year after the date of issuance.
15 Licenses shall be renewed by the Board, subject to G.S. 87-44.1 and G.S. 87-47, after receipt
16 and evaluation of a renewal application from a licensee and the payment of the required fee.
17 The application shall be upon a form provided by the Board and shall require such information
18 as the Board may prescribe. Renewal applications and fees shall be due 30 days prior to the
19 license expiration date.

20 Upon failure to renew by the expiration date established by the Board, the license shall be
21 automatically revoked. This license may be reinstated by the Board, subject to G.S. 87-44.1 and
22 G.S. 87-47, upon payment of the license fee, an administrative fee of twenty-five dollars
23 (\$25.00), and all fees for the lapsed period during which the person, partnership, firm or
24 corporation engaged in fire alarm or electrical contracting, and, further, upon the satisfaction of
25 such experience requirements during the lapse as the Board may prescribe by rule.

26 The Board may collect fees from applicants for examinations in an amount not to exceed
27 one hundred twenty-five dollars (\$125.00), except the fee for a specially arranged examination
28 shall not exceed two hundred dollars (\$200.00). In addition, the Board may collect an
29 examination review fee, not to exceed twenty-five dollars (\$25.00), from failed examinees who
30 apply for a supervised review of their failed examinations."

31 **SECTION 2.(j)** G.S. 87-44.1 reads as rewritten:

32 "**§ 87-44.1. Continuing education courses required.**

33 Beginning July 1, 1991, the Board may require as prerequisite to the annual renewal of a
34 license that every listed qualified individual complete continuing education courses in subjects
35 relating to fire alarm or electrical contracting, as appropriate, to assure the safe and proper
36 installation of fire alarm and electrical work and equipment in order to protect the life, health,
37 and property of the public. The listed qualified individual shall complete, during the 12 months
38 immediately preceding license renewal, a specific number of hours of continuing education
39 courses approved by the Board prior to enrollment. The Board shall not require more than 10
40 hours of continuing education courses per 12 months and such continuing education courses
41 shall include those taught at a community college as approved by the Board. The listed
42 qualified individual may accumulate and carry forward not more than two additional years of
43 the annual continuing education requirement. Attendance at any course or courses of
44 continuing education shall be certified to the Board on a form provided by the Board and shall
45 be submitted at the time the licensee makes application to the Board for its license renewal and
46 payment of its license renewal fee. This continuing education requirement may be waived by
47 the Board in cases of certified illness or undue hardship as provided for in the Rules of the
48 Board."

49 **SECTION 2.(k)** G.S. 87-45 reads as rewritten:

50 "**§ 87-45. Funds.**

1 The fees collected for examinations and licenses under this Article shall be used for the
2 expenses of the State Board of Examiners of Electrical and Fire Alarm Contractors in carrying
3 out the provisions of this Article. No expenses of the Board or compensation of any member or
4 employee of the Board shall be payable out of the treasury of the State of North Carolina; and
5 neither the Board nor any member or employee thereof shall have any power or authority to
6 make or incur any expense, debt or other financial obligation binding upon the State of North
7 Carolina. Any funds remaining in the hands of the secretary-treasurer to the credit of the Board
8 after all expenses of the Board for the current fiscal year have been fully provided for shall be
9 paid over to the North Carolina Engineering Foundation, Inc., for the benefit of the electrical
10 engineering department of the Greater University of North Carolina. Provided, however, the
11 Board shall have the right to maintain an amount, the cumulative total of which shall not
12 exceed twenty percent (20%) of gross receipts for the previous fiscal year of its operation as a
13 maximum contingency or emergency fund."

14 **SECTION 2.(l)** G.S. 87-46 reads as rewritten:

15 **"§ 87-46. Responsibility of licensee; nonliability of Board.**

16 Nothing in this Article shall relieve the holder or holders of licenses issued under the
17 provisions hereof from complying with the building or electrical codes or statutes or ordinances
18 of the State of North Carolina, or of any county or municipality thereof now in force or
19 hereafter enacted. Nothing in this Article shall be construed as relieving the holder of any
20 license issued hereunder from responsibility or liability for negligent acts on the part of such
21 holder in connection with electrical contracting work; nor shall the State Board of Examiners of
22 Electrical and Fire Alarm Contractors be accountable in damages, or otherwise for the
23 negligent act or acts of any holder of such license."

24 **SECTION 2.(m)** G.S. 87-47(a1) reads as rewritten:

25 "(a1) The following activities are prohibited:

- 26 (1) Offering to engage or engaging in electrical or fire alarm contracting without
27 being licensed.
- 28 (2) Selling, transferring, or assigning a license, regardless of whether for a fee.
- 29 (3) Aiding or abetting an unlicensed person, partnership, firm, or corporation to
30 offer to engage or to engage in electrical or fire alarm contracting.
- 31 (4) Being convicted of a crime involving fraud or moral turpitude.
- 32 (5) Engaging in fraud or misrepresentation to obtain a certification, obtain or
33 renew a license, or practice electrical or fire alarm contracting.
- 34 (6) Engaging in false or misleading advertising.
- 35 (7) Engaging in malpractice, unethical conduct, fraud, deceit, gross negligence,
36 gross incompetence, or gross misconduct in the practice of electrical or fire
37 alarm contracting."

38 **SECTION 2.(n)** G.S. 87-48 reads as rewritten:

39 **"§ 87-48. Penalty for violation of Article; powers of Board to enjoin violation.**

40 (a) Any person, partnership, firm or corporation who shall violate any of the provisions
41 of this Article or any rule of the Board adopted pursuant to this Article or who shall engage or
42 offer to engage in the business of installing, maintaining, altering or repairing within the State
43 of North Carolina any fire alarm or electric wiring, devices, appliances or equipment without
44 first having obtained a license under the provisions of this Article shall be guilty of a Class 2
45 misdemeanor.

46 (b) Whenever it shall appear to the State Board of Examiners of Electrical and Fire
47 Alarm Contractors that any person, partnership, firm or corporation has violated, is violating, or
48 threatens to violate any provisions of this Article, the Board may apply to the courts of the State
49 for a restraining order and injunction to restrain such practices. If upon such application the
50 court finds that any provision of this Article is being violated, or a violation thereof is
51 threatened, the court shall issue an order restraining and enjoining such violations, and such

1 relief may be granted regardless of whether criminal prosecution is instituted under the
2 provisions of this Article. The venue for actions brought under this subsection shall be the
3 superior court of any county in which such acts are alleged to have been committed or in the
4 county where the defendants in such action reside."

5 **SECTION 2.(o)** G.S. 87-50 reads as rewritten:

6 "**§ 87-50. Reciprocity.**

7 To the extent that other states which provide for the licensing of electrical or fire alarm
8 contractors provide for similar action, the Board may grant licenses of the same or equivalent
9 classification to electrical or fire alarm contractors licensed by other states without written
10 examination upon satisfactory proof furnished to the Board that the qualifications of such
11 applicants are equal to the qualifications of holders of similar licenses in North Carolina and
12 upon payment of the required fee."

13 **SECTION 3.** Notwithstanding G.S. 87-43(b), any person, partnership, firm, or
14 corporation licensed in this State pursuant to G.S. 87-43(a) when this act becomes effective
15 shall not be required to obtain a separate fire alarm contracting license before engaging in fire
16 alarm contracting. However, once that license expires, the person, partnership, firm, or
17 corporation must obtain a fire alarm contracting license as required by G.S. 87-43(b) before
18 engaging in further fire alarm contracting.

19 **SECTION 4.** This act is effective when it becomes law.