Agency Name: Residential Builders Commission - Labor, Licensing and Regulation

Statutory Authority: 40-1-70 and 40-59-70

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Subject: Residential Specialty Contractors License

History: 4630

By Date Action Description Jt. Res. No. Expiration Date

- 11/27/2015 Proposed Reg Published in SR

- 01/14/2016 Received by Lt. Gov & Speaker 05/13/2016

H 01/19/2016 Referred to Committee

S 01/19/2016 Referred to Committee

- 05/13/2016 Approved by: Expiration Date

S 05/18/2016 Resolution Introduced to Approve 1324

- 05/27/2016 Effective Date unless otherwise

provided for in the Regulation

Document No. 4630

**DEPARTMENT OF LABOR, LICENSING AND REGULATION**

**RESIDENTIAL BUILDERS COMMISSION**

CHAPTER 106

Statutory Authority: 1976 Code Sections 40-1-70 and 40-59-70

106-2. Residential Specialty Contractors License.

**Synopsis:**

The South Carolina Residential Builders Commission proposes to amend its regulations to require examination for the relicensure of plumbers, electricians and heating and air conditioning installers and repairers if: their license was issued prior to the examination requirement; they were grandfathered into compliance; and they allow their license to lapse or expire.

A Notice of Drafting was published in the *State Register* on August 28, 2015.

**Instructions:**

Sections (a), (b) and (c) of Regulation 106-2 are amended as shown below.

**Text:**

106-2. Residential Specialty Contractors License.

As provided by Section 40‑59‑220, the Commission finds that the following residential specialty classifications must be licensed after examination satisfactorily demonstrating that an applicant is qualified to engage in a residential specialty contractor classification. When the cost of an undertaking to be performed by a licensed residential specialty contractor exceeds five thousand dollars, the licensee must obtain an executed surety bond in an amount approved by the Commission not less than ten thousand dollars.

a. Heating and Air Conditioning Installer and Repairers, effective July 1, 2004, except that applicants who have lawfully engaged in this classification in good standing for not less than two years prior to July 1, 2004, shall be issued a license without examination upon surrender of the proper registration card and compliance with all other requirements for licensure. In the event that such license, issued without examination, is allowed to lapse or expire or is suspended or revoked, examination shall be required for the license to be re-issued.

b. Plumbers, effective July 1, 2004, except that applicants who have lawfully engaged in this classification in good standing for not less than two years prior to July 1, 2004, shall be issued a license without examination upon surrender of the proper registration card and compliance with all other requirements for licensure. In the event that such license, issued without examination, is allowed to lapse or expire or is suspended or revoked, examination shall be required for the license to be re-issued.

c. Electricians, effective July 1, 2004, except that applicants who have lawfully engaged in this classification in good standing for not less than two years prior to July 1, 2004, shall be issued a license without examination upon surrender of the proper registration card and compliance with all other requirements for licensure. In the event that such license, issued without examination, is allowed to lapse or expire or is suspended or revoked, examination shall be required for the license to be re-issued.

**Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions for this regulation.

**Statement of Rationale:**

The updated regulation will require examination for relicensure of plumbers, electricians and heating and air conditioning installers and repairers if: their license was issued prior to the examination requirement; they were grandfathered into compliance; and they allow their license to lapse or expire.