

## LEGISLATIVE BILL 716

Approved by the Governor March 11, 2024

Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the State Electrical Act; to amend section 81-2135, Reissue Revised Statutes of Nebraska, and sections 81-2104 and 81-2118, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to rules and regulations; to change provisions relating to license and registration fees and state inspection fees; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 81-2104, Revised Statutes Cumulative Supplement, 2022, is amended to read:

81-2104 The board shall have power to:

- (1) Elect its own officers;
- (2) Engage and fix the compensation of such officers, inspectors, and employees as may be required in the performance of its duties;
- (3) Pay such other expenses as may be necessary in the performance of its duties;
- (4) Provide upon request such additional voluntary inspections and reviews as it deems appropriate;
- (5) Adopt, promulgate, and revise rules and regulations necessary to enable it to carry into effect the State Electrical Act. In adopting and promulgating such rules and regulations, the board shall be governed by the minimum standards set forth in the National Electrical Code issued and adopted by the National Fire Protection Association beginning in the 2023 edition of the National Electrical Code, Publication Number 70-2023, except that the minimum standards set forth in the 2017 edition of the National Electrical Code shall apply for sections 210.8(A), 210.8(A)(3), 210.8(A)(5), 230.67(A), and 230.85. Each edition of the National Electrical Code mentioned in this subdivision in 2017, Publication Number 70-2017, which code shall be filed in the offices of the Secretary of State and the board during the time the edition is in use under this subdivision and shall be a public record. The board shall adopt and promulgate rules and regulations establishing wiring standards that protect public safety and health and property and that apply to all electrical wiring which is installed subject to the State Electrical Act;
- (6) Revoke, suspend, or refuse to renew any license or registration granted pursuant to the State Electrical Act when the licensee or registrant (a) violates any provision of the National Electrical Code as adopted pursuant to subdivision (5) of this section, the act, or any rule or regulation adopted and promulgated pursuant to the act, (b) fails or refuses to pay any examination, registration, or license renewal fee required by law, (c) is an electrical contractor or master electrician and fails or refuses to provide and keep in force a public liability insurance policy as required by the board, or (d) violates any political subdivision's approved inspection ordinances;
- (7) Order disconnection of power to any electrical installation that is proximately dangerous to health and property;
- (8) Order removal of electrical wiring and apparatus from premises when such wiring and apparatus is proximately dangerous to health and property;
- (9) Investigate, for the purpose of identifying dangerous electrical wiring or violations of the National Electrical Code as adopted pursuant to subdivision (5) of this section, any death by electrocution that occurs within the State of Nebraska;
- (10) Refuse to renew any license granted pursuant to the act when the licensee fails to submit evidence of completing the continuing education requirements under section 81-2117.01;
- (11) Provide for the amount and collection of fees for inspection and other services;
- (12) Adopt a seal, and the executive secretary shall have the care and custody thereof; and
- (13) Enforce the provisions of the National Electrical Code as adopted pursuant to subdivision (5) of this section.

Sec. 2. Section 81-2118, Revised Statutes Cumulative Supplement, 2022, is amended to read:

81-2118 All licenses or registrations issued under the State Electrical Act shall expire on December 31 of each even-numbered year. All license or registration applications shall include the applicant's social security number.

The board shall, by a unanimous vote of the board, set reasonable fees for examination, issuance, and renewal of licenses and registrations issued under the State Electrical Act in amounts necessary to cover the costs incurred by the State Electrical Division and the board in administering and carrying out the purposes of the State Electrical Act and in a manner that unnecessary surpluses are avoided. The board shall annually file a report with the Attorney General and the Legislative Fiscal Analyst stating the amount of the fees set by the board. Such reports shall be submitted on or before July 1 of each year. The report submitted to the Legislative Fiscal Analyst shall be submitted

~~electronically. The board shall establish the following fees to be payable for examination, issuance, and renewal in amounts not to exceed:~~

- ~~(1) For examination for the following licenses:
  - ~~(a) Electrical contractor, one hundred twenty-five dollars;~~
  - ~~(b) Journeyman electrician, sixty dollars;~~
  - ~~(c) Residential journeyman electrician, sixty dollars; and~~
  - ~~(d) Fire alarm installer, sixty dollars;~~~~
- ~~(2) For each year of the two-year license period for issuance and renewal of the following licenses:
  - ~~(a) Electrical contractor, one hundred twenty-five dollars; and~~
  - ~~(b) Journeyman electrician, residential journeyman electrician, fire alarm installer, or special electrician, twenty-five dollars;~~~~
- ~~(3) For each year of the two-year registration period for issuance and renewal as an apprentice electrician, twenty dollars; and~~
- ~~(4) For renewal on or after September 9, 1993, of the following licenses issued prior to such date for each year of the two-year license period:
  - ~~(a) Class B electrical contractor, one hundred twenty-five dollars;~~
  - ~~(b) Class A master electrician, one hundred twenty-five dollars;~~
  - ~~(c) Class B master electrician, one hundred twenty-five dollars; and~~
  - ~~(d) Class B journeyman electrician, installer, or special electrician, twenty-five dollars.~~~~

The holder of an expired license or registration may renew the license or registration for a period of three months from the date of expiration upon payment of the license or registration fee plus ten percent of the renewal fee for each month or portion thereof past the expiration date. All holders of licenses or registrations expired for more than three months shall apply for a new license or registration.

Sec. 3. Section 81-2135, Reissue Revised Statutes of Nebraska, is amended to read:

81-2135 (1) The board shall, by a unanimous vote of the board, set reasonable fees for state electrical inspections under the State Electrical Act in amounts necessary to cover the costs incurred by the State Electrical Division and the board in administering and carrying out the purposes of the State Electrical Act and in a manner that unnecessary surpluses are avoided. The board shall annually file a report with the Attorney General and the Legislative Fiscal Analyst stating the amount of the fees set by the board. Such reports shall be submitted on or before July 1 of each year. The report submitted to the Legislative Fiscal Analyst shall be submitted electronically.

(2) All state electrical inspection fees shall be due and payable to the board at or before commencement of the installation and shall be forwarded with the request for inspection. Inspection fees set by the board in accordance with provided in this section shall not apply within the jurisdiction of any county, city, or village if the county, city, or village has adopted an ordinance or resolution as set forth in the State Electrical Act.

~~(3) (2) The board shall establish the following fees for inspections in amounts not to exceed:~~

- ~~(a) Minimum fee for each separate inspection of an installation, replacement, alteration, or repair, twenty-five dollars;~~
- ~~(b) Services, change of services, temporary services, additions, alterations, or repairs on either primary or secondary services; as follows:
  - ~~(i) Zero to one hundred ampere capacity, twenty-five dollars plus five dollars per branch circuit or feeder;~~
  - ~~(ii) One hundred one to two hundred ampere capacity, thirty-five dollars plus five dollars per branch circuit or feeder; and~~
  - ~~(iii) For each additional one hundred ampere capacity or fraction thereof, twenty dollars plus five dollars per branch circuit or feeder;~~~~
- ~~(c) Field For field irrigation system inspections, sixty dollars for each unit inspected; and~~
- ~~(d) The first reinspection required as a result of a correction order, fifty dollars; a second reinspection required as a result of noncompliance with the same correction order, seventy-five dollars; and subsequent reinspections associated with the same correction order; and , one hundred dollars for each reinspection.~~
- ~~(e) An (3) When an inspection is requested by an owner, the minimum fee shall be thirty dollars plus five dollars per branch circuit or feeder.~~

(3) The fee for fire and accident inspections shall be computed at the rate set by the board of forty-seven dollars per hour, and mileage and other expenses shall be reimbursed as provided in section 81-1176.

Sec. 4. Original section 81-2135, Reissue Revised Statutes of Nebraska, and sections 81-2104 and 81-2118, Revised Statutes Cumulative Supplement, 2022, are repealed.