

# House File 897

HOUSE FILE  
BY COMMITTEE ON WAYS and MEANS

(SUCCESSOR TO HF 795)  
(SUCCESSOR TO HF 236)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

## A BILL FOR

1 An Act establishing statewide licensure and certification of  
2 electricians and installers, providing for inspections,  
3 establishing fees, and providing penalties.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1601HZ 82  
6 rn/cf/24

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1 1 Section 1. Section 100.1, subsection 7, Code 2007, is  
1 2 amended to read as follows:  
1 3 7. To administer the fire extinguishing system contractor,  
1 4 alarm system contractor, and alarm system installer  
1 5 certification program established in chapter 100C.  
1 6 Sec. 2. Section 100C.1, Code 2007, is amended by adding  
1 7 the following new subsections:  
1 8 NEW SUBSECTION. 0A. "Alarm system" means a system or  
1 9 portion of a combination system that consists of components  
1 10 and circuits arranged to monitor and annunciate the status of  
1 11 a fire alarm, security alarm, or medical alarm or supervisory  
1 12 signal=initiating devices and to initiate the appropriate  
1 13 response to those signals.  
1 14 NEW SUBSECTION. 0B. "Alarm system contractor" means a  
1 15 person engaging in or representing oneself as engaging in the  
1 16 activity or business of layout, installation, repair,  
1 17 alteration, addition, maintenance, or maintenance inspection  
1 18 of alarm systems in this state.  
1 19 NEW SUBSECTION. 0C. "Alarm system installer" means an  
1 20 employee of an alarm system contractor who is engaged in the  
1 21 layout, installation, repair, alteration, addition,  
1 22 maintenance, or maintenance inspection of alarm systems.  
1 23 Sec. 3. Section 100C.1, subsection 10, Code 2007, is  
1 24 amended by striking the subsection and inserting in lieu  
1 25 thereof the following:  
1 26 10. "Responsible managing employee" means one of the  
1 27 following:  
1 28 a. An owner, partner, officer, or manager employed  
1 29 full-time by a fire extinguishing system contractor who is  
1 30 certified by the national institute for certification in

1 31 engineering technologies at a level three in fire protection  
1 32 technology, automatic sprinkler system layout, or another  
1 33 certification in automatic sprinkler system layout recognized  
1 34 by rules adopted by the fire marshal pursuant to section  
1 35 100C.7 or who meets any other criteria established by rule.

2 1 b. An owner, partner, officer, or manager employed  
2 2 full-time by an alarm system contractor who is certified by  
2 3 the national institute for certification in engineering  
2 4 technologies in fire alarm systems or security systems at a  
2 5 level established by the fire marshal by rule or who meets any  
2 6 other criteria established by rule under this chapter. The  
2 7 rules may provide for separate endorsements for fire,  
2 8 security, and medical alarm systems and may require separate  
2 9 qualifications for each.

2 10 Sec. 4. Section 100C.2, Code 2007, is amended to read as  
2 11 follows:

2 12 100C.2 CERTIFICATION == EMPLOYEES.

2 13 1. A person shall not act as a fire extinguishing system  
2 14 contractor without first obtaining a fire extinguishing system  
2 15 contractor's certificate pursuant to this chapter.

2 16 2. A person shall not act as an alarm system contractor  
2 17 without first obtaining an alarm system contractor's  
2 18 certificate pursuant to this chapter. A person shall not act  
2 19 as an alarm system installer without first obtaining an alarm  
2 20 system contractor's or alarm system installer's certificate  
2 21 pursuant to this chapter.

2 22 ~~2.~~ 3. a. A responsible managing employee may act as a  
2 23 responsible managing employee for only one fire extinguishing  
2 24 system contractor at a time. The responsible managing  
2 25 employee shall not be designated as the responsible managing  
2 26 employee for more than two fire extinguishing system  
2 27 contractors in any twelve-month period.

2 28 b. A responsible managing employee may act as a  
2 29 responsible managing employee for only one alarm system  
2 30 contractor at a time. The responsible managing employee shall  
2 31 not be designated as the responsible managing employee for  
2 32 more than two alarm system contractors in any twelve-month  
2 33 period.

2 34 c. A responsible managing employee may serve as the  
2 35 responsible managing employee for a fire extinguishing system  
3 1 contractor and an alarm system contractor at the same time,  
3 2 provided that the fire extinguishing system contractor and the  
3 3 alarm system contractor are the same business, and that the  
3 4 person designated as the responsible managing employee meets  
3 5 the responsible managing employee criteria established for  
3 6 each certification.

3 7 ~~3.~~ 4. a. An employee of a certified fire extinguishing  
3 8 system contractor working under the direction of a responsible  
3 9 managing employee is not required to obtain and maintain an  
3 10 individual fire extinguishing system contractor's certificate.

3 11 b. An employee of a certified alarm system contractor who  
3 12 is an alarm system installer, and who is not licensed pursuant  
3 13 to chapter 103 shall obtain and maintain certification as an  
3 14 alarm system installer and shall meet and maintain  
3 15 qualifications established by the state fire marshal by rule.

3 16 Sec. 5. Section 100C.3, Code 2007, is amended to read as  
3 17 follows:

3 18 100C.3 APPLICATION == INFORMATION TO BE PROVIDED.

3 19 1. A fire extinguishing system contractor, an alarm system  
3 20 contractor, or an alarm system installer shall apply for a

3 21 certificate on a form prescribed by the state fire marshal.

3 22 The application shall be accompanied by a fee in an amount

3 23 prescribed by rule pursuant to section 100C.7 and shall

3 24 include all of the following information, as applicable:

3 25 a. The name, address, and telephone number of the

3 26 contractor or installer and, in the case of an installer, the

3 27 name and certification number of the contractor by whom the

3 28 installer is employed, including all legal and fictitious

3 29 names.

3 30 b. Proof of insurance coverage required by section 100C.4.

3 31 c. The name and qualifications of the person designated as

3 32 the contractor's responsible managing employee and of persons

3 33 designated as alternate responsible managing employees.

3 34 d. Any other information deemed necessary by the state

3 35 fire marshal.

4 1 2. Upon receipt of a completed application and prescribed

4 2 fees, if the contractor or installer meets all requirements

4 3 established by this chapter, the state fire marshal shall

4 4 issue a certificate to the ~~fire extinguishing system~~

4 5 contractor or installer within thirty days.

4 6 3. Certificates shall expire and be renewed as established

4 7 by rule pursuant to section 100C.7.

4 8 4. Any change in the information provided in the

4 9 application shall be promptly reported to the state fire

4 10 marshal. When the employment of a responsible managing

4 11 employee is terminated, the ~~fire extinguishing system~~

4 12 contractor shall notify the state fire marshal within thirty

4 13 days after termination.

4 14 Sec. 6. Section 100C.4, Code 2007, is amended to read as

4 15 follows:

4 16 100C.4 INSURANCE.

4 17 1. A fire extinguishing system contractor shall maintain

4 18 general and complete operations liability insurance for the

4 19 layout, installation, repair, alteration, addition,

4 20 maintenance, and inspection of automatic fire extinguishing

4 21 systems in an amount determined by the state fire marshal by

4 22 rule.

4 23 2. An alarm system contractor shall maintain general and

4 24 complete operations liability insurance for the layout,

4 25 installation, repair, alteration, addition, maintenance, and

4 26 inspection of alarm systems in an amount determined by the

4 27 state fire marshal by rule.

4 28 Sec. 7. Section 100C.5, subsection 1, Code 2007, is

4 29 amended to read as follows:

4 30 1. The state fire marshal shall suspend or revoke the

4 31 certificate of any ~~fire extinguishing system~~ contractor or

4 32 installer who fails to maintain compliance with the conditions

4 33 necessary to obtain a certificate. A certificate may also be

4 34 suspended or revoked if any of the following occur:

4 35 a. The employment or relationship of a responsible

5 1 managing employee with a ~~fire extinguishing system~~ contractor

5 2 is terminated, unless the ~~fire extinguishing system~~ contractor

5 3 has included a qualified alternate on the application or an

5 4 application designating a new responsible managing employee is

5 5 filed with the state fire marshal within six months after the  
5 6 termination.

5 7 b. The contractor or installer fails to comply with any  
5 8 provision of this chapter.

5 9 c. The contractor or installer fails to comply with any  
5 10 other applicable codes and ordinances.

5 11 Sec. 8. Section 100C.6, subsection 2, Code 2007, is  
5 12 amended to read as follows:

5 13 2. Limit the power of the state or a political subdivision  
5 14 of the state to regulate the quality and character of work  
5 15 performed by ~~fire extinguishing system~~ contractors or  
5 16 installers through a system of fees, permits, and inspections  
5 17 designed to ensure compliance with, and aid in the  
5 18 administration of, state and local building codes or to  
5 19 enforce other local laws for the protection of the public  
5 20 health and safety.

5 21 Sec. 9. Section 100C.7, Code 2007, is amended to read as  
5 22 follows:

5 23 100C.7 ADMINISTRATION == RULES.

5 24 The state fire marshal shall administer this chapter and,  
5 25 after consultation with the fire extinguishing system  
5 26 contractors and alarm systems advisory board, shall adopt  
5 27 rules pursuant to chapter 17A necessary for the administration  
5 28 and enforcement of this chapter.

5 29 Sec. 10. Section 100C.10, Code 2007, is amended to read as  
5 30 follows:

5 31 100C.10 FIRE EXTINGUISHING SYSTEM CONTRACTORS AND ALARM  
5 32 SYSTEMS ADVISORY BOARD.

5 33 1. A fire extinguishing system contractors and alarm  
5 34 systems advisory board is established in the division of state  
5 35 fire marshal of the department of public safety and shall  
6 1 advise the division on matters pertaining to the application  
6 2 and certification of ~~fire extinguishing system~~ contractors and  
6 3 installers pursuant to this chapter.

6 4 2. The board shall consist of ~~seven~~ eleven voting members  
6 5 appointed by the commissioner of public safety as follows:

6 6 a. Two full-time fire officials of incorporated  
6 7 municipalities or counties.

6 8 b. One full-time building official of an incorporated  
6 9 municipality or county.

6 10 c. ~~Two~~ Three fire extinguishing system contractors,  
6 11 certified pursuant to this chapter, of which at least one  
6 12 shall be a water-based fire sprinkler contractor.

6 13 d. Three alarm system contractors, certified pursuant to  
6 14 this chapter, at least one of whom shall have experience with  
6 15 fire alarm systems, at least one of whom shall have experience  
6 16 with security alarm systems, and at least one of whom shall  
6 17 have experience with medical alarm systems.

6 18 ~~d.~~ e. One professional engineer or architect licensed in  
6 19 the state.

6 20 ~~e.~~ f. One representative of the general public.

6 21 3. The state fire marshal, or the state fire marshal's  
6 22 designee, and the chairperson of the electrical examining  
6 23 board created in section 103.2 shall be ~~a~~ nonvoting ex officio  
6 24 ~~member~~ members of the board.

6 25 4. The commissioner shall initially appoint two members  
6 26 for two-year terms, two members for four-year terms, and three

6 27 members for six-year terms. Following the expiration of the  
6 28 terms of initially appointed members, each term thereafter  
6 29 shall be for a period of six years. No member shall serve  
6 30 more than two consecutive terms. Of the appointments to new  
6 31 positions on the board which take effect July 1, 2007, the  
6 32 commissioner shall make the initial appointments for two,  
6 33 four, or six years, at the commissioner's discretion, so that  
6 34 the terms of no more than four board members shall expire at  
6 35 the same time. If a position on the board becomes vacant  
7 1 prior to the expiration of a member's term, the member  
7 2 appointed to the vacancy shall serve the balance of the  
7 3 unexpired term.  
7 4 5. ~~Four~~ Six voting members of the advisory board shall  
7 5 constitute a quorum. A majority vote of the board shall be  
7 6 required to conduct business.