



# SENATE BILL 156: Plumbing & Heating Contractors Changes.

2017-2018 General Assembly

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<b>Committee:</b>		<b>Date:</b>	August 24, 2017
<b>Introduced by:</b>		<b>Prepared by:</b>	Greg Roney Staff Attorney
<b>Analysis of:</b>	S.L. 2017-15		

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**OVERVIEW:** *S.L. 2017-15 authorizes the State Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors to regulate the inspection, evaluation, and testing of heating, plumbing, and fire sprinkler systems as well as their installation and would reauthorize the Board to issue licenses for certain restricted classifications. S.L. 2017-15 became effective May 23, 2017.*

**CURRENT LAW:** Article 2 of Chapter 87 of the North Carolina General Statutes governs plumbing, heating, and fire sprinkler contractors and provides authority for the State Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors (Board) to regulate the industry. A person who engages in the business of plumbing, heating, or fire sprinkler contracting, or any combination thereof, must be licensed by the Board.

**BILL ANALYSIS:** S.L. 2017-15 makes three changes to the authority of the Board to regulate the plumbing, heating, and fire sprinkler contracting industry:

- Add the activities of verifying, inspecting, evaluating, and testing plumbing, heating, and fire sprinkler systems to the definition of "being engaged in the business of plumbing, heating, or fire sprinkler contracting." This change arises out of a North Carolina Court of Appeals case, Winkler v. State Board of Examiners of Plumbing, Heating, and Fire Sprinklers Contractors (September, 2016) that involved three carbon monoxide deaths at a hotel in Boone. The Court held that "inspections and evaluations are simply not covered by North Carolina General Statute [Chapter 87,] Article 2." The Court determined that the Board did not have the authority to impose disciplinary action for an inspection, evaluation, or equipment check.
- Restore language that was inadvertently repealed by S.L. 2016-105 (HB 742), which authorized the Board to issue licenses for certain restricted classifications. This language provides the Board with statutory authority to issue limited licenses for fire sprinkler contractors, fire sprinkler inspection contractors, fire sprinkler technicians, propane gas dealers, and plumbing and heating technicians.
- Clarify that home inspectors and Code-enforcement officials are not subject to the licensing provisions of the Board to the extent they do not hold themselves out as being engaged in the heating or plumbing business.

**EFFECTIVE DATE:** S.L. 2017-15 became effective May 23, 2017.

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