SYNOPSIS: Under existing law, the Electronic Security Board of Licensure licenses installers of alarm systems and electronic access control systems and traditional locksmiths.

This bill would further provide for definitions, including the definition of locksmiths, and would further provide for the regulation of electronic security systems and for the operation of the board.

Amendment 621 of the Constitution of Alabama of 1901, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, prohibits a general law whose purpose or effect would be to require a new or increased expenditure of local funds from becoming effective with regard to a local governmental entity without enactment by a 2/3 vote unless: it comes within one of a number of specified exceptions; it is approved by the affected entity; or the Legislature appropriates
funds, or provides a local source of revenue, to the entity for the purpose.

The purpose or effect of this bill would be to require a new or increased expenditure of local funds within the meaning of the amendment. However, the bill does not require approval of a local governmental entity or enactment by a 2/3 vote to become effective because it comes within one of the specified exceptions contained in the amendment.

A BILL
TO BE ENTITLED
AN ACT

Relating to the Electronic Security Board of Licensure; to amend Sections 34-1A-1, 34-1A-2, 34-1A-3, 34-1A-4, 34-1A-5, 34-1A-6, 34-1A-7 of the Code of Alabama 1975, to provide for definitions, including the definition of locksmiths, and to further provide for the regulation of electronic security systems and for the operation of the board; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Amendment 621 of the Constitution of Alabama of 1901, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
Section 1. Sections 34-1A-1, 34-1A-2, 34-1A-3, 34-1A-4, 34-1A-5, 34-1A-6, 34-1A-7 of the Code of Alabama 1975, are amended to read as follows:

"§34-1A-1.

"For the purpose of this chapter, the following terms shall have the following meanings unless the context clearly indicates otherwise:

"(1) ADMINISTRATIVE EMPLOYEE. A person who engages in clerical duties for a licensee who has access to sensitive client information and whose work is restricted to office duties. Sensitive client information includes, but is not limited to, Social Security numbers, customer passcodes, customer passwords, and similar information.

"(4) ALARM MONITORING COMPANY. Any person, company, corporation, partnership, or business, or a representative or agency thereof, authorized to provide alarm monitoring services for alarm systems or other similar electronic security systems whether the systems are maintained on commercial business property, public property, or individual residential property.

"(4) ALARM SYSTEM. Burglar alarms, security cameras, or other electrical or electronic device used to prevent or detect burglary, theft, shoplifting, pilferage, and other similar losses. The term does not include any fire detection, fire alarm, or fire communication system.

"(4) ALARM VERIFICATION. A reasonable attempt by an alarm monitoring company to contact the alarm site or alarm
user by telephone or other electronic means to determine
whether an alarm signal is valid prior to requesting law
enforcement to be dispatched to the location and, if the
initial attempted contact is not made, a second reasonable
attempt to make a contact utilizing a different telephone
number or electronic address or number.

"(5) BURGLAR ALARM. An assembly of equipment and
devices, or a single device such as a solid-state unit which
plugs directly into an AC line, designed to detect an
unauthorized intrusion or an attempted robbery at a protected
premises or signal public police or private guards to respond,
or both.

"(6) CLOSED CIRCUIT TELEVISION SYSTEM (CCTV). A
combination of electronic equipment and devices designed and
arranged for the viewing, monitoring, or recording of video
signals transmitted from transmitters, such as cameras, to
receivers, such as monitors, digital video recorders, and
network video recorders (NVR) through a closed cable or other
video signal transmission method.

"(7) ELECTRONIC ACCESS CONTROL SYSTEM. A system that
is powered by the building’s primary power source and is used
as a process to grant or deny an individual access to a
specific area or object based upon his or her possession of an
item, a code, or physical characteristic.

(8) HOME CONTROL. The use of one or more devices to
control basic functions and features automatically or remotely

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and in conjunction with an alarm system, CCTV, or access control system.

"(9) INSTALLATION. The initial placement of equipment or the extension, modification, or alteration of equipment after initial placement.

"(10) a. LOCKSMITH. A person or business entity that offers to undertake, represents itself as being able to undertake, or does undertake the installation or service of locks for motor vehicles or for residential or commercial use. The term does not include a person whose financial compensation from services as a locksmith for the installation or service of locks for residential use does not exceed five hundred dollars ($500) annually and who does not advertise for his or her services as a locksmith. A person or business entity in a commercial, residential, or automotive setting that does any of the following for compensation or other consideration:

"1. Repairs locks.

"2. Rebuilds locks.

"3. Rekeys locks.

"4. Services locks.

"5. Adjusts locks.

"6. Installs locks or mechanical locking devices.

"7. Installs or services egress controls devices.

"8. Services or installs vaults and safety deposit boxes, including those services performed by safe technicians.
9. Creates or copies transponder keys and any other automotive keys and electronic operating devices connected to motor vehicles.

10. Creates or copies key fobs, proximity keys, smart keys, door and ignition key devices, or successive electronic and other high security key technology.

11. Uses any method to bypass a locking mechanism of any kind in the commercial or residential or automotive setting, including, but not limited to, shimming a lock, picking and popping a lock, or any other method to bypass a locking mechanism.

b. The term locksmith does not include any of the following:

1. A person whose activities are limited to making a duplicate key of an existing key.

2. An individual or business entity that does not advertise services to the public as providing locksmith services.

3. Individuals or business entities that are currently licensed by the board to install or service electronic access control systems provided any lock being serviced or installed has electronic access control capabilities.

4. Police, fire, medical or other government or emergency personnel performing activities within the scope of their official duties.
"(10) (11) MONITORING STATION. A location where alarm
signals are received as a part of an alarm system and then
relayed via operator to law enforcement officials.

"(12) SALESPERSON. A person who sells goods or
services on behalf of any company, business, or any type of
entity that sells, services, or installs alarm systems, CCTV
systems, electronic access control systems, or mechanical
locks to the public for financial compensation or in exchange
for a thing of value.

"(11) (13) SERVICE. Necessary repair in order to
return the system to operational condition.

"(9) (14) ALARM SYSTEM INSTALLER. A person or
business entity that offers to undertake, represents itself as
being able to undertake, or does undertake the installation,
status, or monitoring, of alarm systems, CCTV systems,
electronic access control systems, and mechanical locking
systems for the public for any type of compensation or in
exchange for a thing of value.

"§34-1A-2.

"(a) The Alabama Electronic Security Board of
Licensure is created.

"(b) The board, which shall reflect the racial,
gender, geographic, urban and rural, and economic diversity of
the state, shall consist of the following members, who are
citizens of this state, appointed by the Governor, and subject
to confirmation by the Alabama Senate:
(1) Two members representing the alarm system industry selected from five nominees submitted by the Alabama Alarm Association.

(2) One member of the Alabama Consulting Engineers Association selected from three nominees submitted by that association.

(3) One member of the Alabama Sheriff's Association selected from three nominees submitted by that association.

(4) One member who is a locksmith selected from three nominees submitted by the Alabama Locksmith Association.

(5) A person who is a representative of the consumers of the state.

(c)(1) The terms of the board members shall be four years.

(2) Of these members first appointed, two shall be appointed to four-year terms, two for three-year terms, and one for a two-year term.

(3) Any vacancy occurring other than by expiration of terms shall be filled for the remainder of the unexpired term by appointment by the Governor, subject to the nominating process specified in subsection (b).

(4) No member shall serve more than two successive four-year terms.

(5) A member shall serve until a successor is appointed and assumes office.

(d) Members shall be paid out of the funds of the board the same per diem as prescribed by law for state
employees for each day of attendance of board business at a
board meeting or a committee meeting of the board.

"(e) Meetings shall be held at least four times per
year. Special meetings shall be held at the call of the chair
or by a majority of the members.

"(f)(1) The board may adopt rules of proceedings.

"(2) Three members of the board who are physically
present constitute a quorum.

"(3) The board shall elect a chair and a vice chair
on an annual basis. The chair or vice chair may call a meeting
to order.

"(4) Members of the board may participate in a board
meeting by means of video conferencing methods. Participation
by that means shall qualify as attendance at a meeting in
person. Notwithstanding the foregoing, at least three members
shall be physically present at the board meeting in order for
the board to conduct any official business. Attendance by
phone without video conferencing shall not constitute
attendance at a board meeting or committee meeting.

"(5) Members of a committee of the board may attend
a committee meeting by means of video conferencing methods.
Participation by that means shall qualify as attending the
meeting in person. In order for the committee to issue an
order or render a decision, board legal counsel and a member
of the board's administrative or management staff shall be
physically present. A majority of the committee members
physically present shall constitute a quorum to conduct
committee business and render a decision. If board counsel is
not a member of the committee, only the physical presence of a
member of the administrative staff and one committee member is
required to conduct business, if the rest of the quorum of the
committee can be met by the presence of other committee
members using a video conferencing method.

"§34-1A-3.

"The board shall have all of the following powers:

"(1) License and regulate persons and business
entities engaged in business as an alarm system installer or
as a locksmith.

"(2) Establish the qualifications for licensure to
ensure competency and integrity to engage in these businesses
and allow graduates of technical school or community college
programs in related fields to qualify. Qualifications for
licensure shall include the requirement that the applicant is
a United States citizen or legally present in this state.

"(3) Examine, or cause to be examined, the
qualifications of each applicant for licensure including the
preparation, administration, and grading of examinations, and
when necessary, requiring the applicant to supply a board
approved background investigation.

"(4) License qualified applicants regulated by the
board.

"(5) Revoke, suspend, or fail to renew a license for
just cause as enumerated in the regulations of the board.
(6) Levy and collect reasonable fees for licensure, including, but not limited to, the application process and testing of applicants, and renewal, suspension, and reissuance of licenses, and costs of necessary hearings, that are sufficient to cover all expenses for the administration and operation of the board.

(7) Promulgate rules and regulations in accordance with the Administrative Procedure Act necessary to perform its duties, to ensure continued competency, to prevent deceptive, misleading, or criminal practices by its licensees, and to effectively administer the regulatory system administered by the board.

(8) Register or by other means monitor employees of a licensee to ensure such employees do not impair the ability of the licensee to satisfy the requirements of this chapter.

(9) Receive and investigate complaints concerning the conduct of any person or business entity whose activities are regulated by the board, conduct hearings in accordance with procedures established by the board pursuant to the Alabama Administrative Procedure Act, and take appropriate disciplinary action if warranted.

(10) Ensure that periodic inspections are conducted relating to the operations of licensees to ensure competency and lawful compliance.

(11) Require the purchase of comprehensive liability insurance related to business activities in a minimum specified amount.
'(12) Require licensees and employees of licensees have available to have on their person a photo identification card issued by the board at all times when providing licensed services.

'(13) Promulgate canons of ethics under which the regulated professional activities of persons and business entities shall be conducted.

'(14) Employ or contract for necessary personnel, including an executive director or an executive secretary, and provide necessary offices, supplies, and equipment to fulfill the requirements of this chapter.

'(15) Delegate its powers and duties by resolution to a named designee.

'(16) Enter into contracts and expend funds of the board to fulfill the requirements of this chapter.

'(17) Borrow money for the initial start-up operation of the board until sufficient receipts are paid into the special revenue trust fund specified in Section 34-1A-9.

'(18) Work with the office of the Attorney General and other law enforcement agencies to prohibit any violation of this chapter.

'(19) Establish volunteer procedures for those persons or businesses that are exempt from this chapter.

'(20) Conduct inspections relating to the operations of unlicensed persons, firms, or corporations to include the solicitation, installation, servicing, monitoring of burglar alarm systems of a customer, or the holding of privacy codes
for burglar alarm systems of a customer, or the selling, installation, or servicing of access control systems or CCTV to or for a customer to ensure lawful compliance with this chapter.

"§34-1A-4.

"(a) The board shall promulgate regulations rules and standards for the training and licensing of locksmiths and alarm system installers. The board shall examine and license and shall establish classifications for the purpose of training and licensing for licensees under this chapter based on the work performed. Licensees shall be classified as administrative employee, salesperson, locksmith, burglar alarm, electronic access control system, closed circuit television system, or central monitoring station. Licensees shall be licensed in an appropriate classification in order to perform work in each respective classification.

"(b) The board shall, after a public hearing and consultation with persons who are knowledgeable regarding the business and pursuant to the Alabama Administrative Procedure Act, establish by board rules or regulations competency standards and any changes of the standards.

"(c) The board may evaluate the competency of applicants for licenses. The board may either develop and administer an examination to evaluate competency, or rely on an examination developed and administered by a national or regional professional association.

"§34-1A-5."
"(a) The board shall issue licenses authorized by
this chapter to all qualified individuals in accordance with
rules or regulations established by the board.

"(b) (1) Effective beginning January 1, 2014, the
license fee for a two-year period as set by the board shall
not exceed three hundred dollars ($300) for an individual and
one thousand five hundred dollars ($1,500) for a business
entity.

"(2) Effective for the license year beginning
January 1, 2014, and thereafter, the board may provide for the
licenses to be renewed on a staggered basis as determined
by rule of the board and, in order to stagger the
license renewals, may issue the license for less than a
two-year period. The amount of the license fees provided in
subdivision (1) shall be prorated by the board on a monthly
basis for the number of months the board issues the licenses
in order to convert to any staggered system of renewals.

"(c) The license shall not be transferred or
assigned and is valid only with respect to the person to whom
it is issued.

"(d)(1) No license shall be granted if the applicant
has had any prior business license revoked for fraud,
misrepresentation, or any other act that would constitute a
violation of this chapter.

"(2)a. An applicant shall not be refused a license
solely because of a prior criminal conviction, unless the
criminal conviction directly relates to the occupation or
profession for which the license is sought. The board may refuse a license if, based on all the information available, including the applicant's record of prior convictions, the board finds that the applicant is unfit or unsuited to engage in the business.

"b. The board may consult with appropriate state or federal law enforcement authorities to verify whether an applicant has a criminal record prior to granting any license and, as an aid to this duty, each applicant may be required to provide his or her fingerprints and complete an affidavit of his or her criminal record, if any, as a part of the application. The board may periodically consult with state and federal law enforcement officials to determine whether current licensees have new criminal convictions. The board's management staff or executive staff may consult with state and federal law enforcement officials to determine if a current or potential employee has any criminal convictions.

"(e) Any license granted pursuant to this chapter shall be issued for a two-year period, but may be staggered for renewal as otherwise provided for. Any license shall expire on a schedule established by rule of the board, unless it is renewed pursuant to regulations established by the board or unless it is suspended or revoked.

"(f) An affirmative vote of a majority of board members shall be required before any action to suspend or revoke a license, to impose a sanction on a licensee, or to levy a monetary penalty. A board member shall disqualify
himself or herself and withdraw from any case in which he or she cannot accord fair and impartial consideration.

"(g) A nonresident of this state may be licensed by meeting one of the following requirements:

"(1) Conforming to the provisions of this chapter and the regulations of the board.

"(2) Holding a valid license in another state with which reciprocity has been established by the board.

"(h) A licensee shall display the license at its normal place of business and in a manner easily readable by the general public.

"(i) A notice shall be displayed prominently in the place of business of each licensee regulated pursuant to this chapter containing the name, mailing address, and telephone number of the board, and a statement informing consumers that complaints against licensees may be directed to the board.

"(j) The license number of a licensee shall be displayed in all advertising.

"(k) The board shall prepare information of consumer interest describing the regulatory functions and describing the procedures of the board by which consumer complaints shall be filed with and resolved by the board. The board shall make the information available to the general public and appropriate state agencies. The board shall provide upon request a listing of all licensees. The board may collect a fee for the cost of duplicating and mailing materials.
"(l) Each written contract for services in the state
of a licensee shall contain the name, mailing address, and
telephone number of the board and a statement informing
consumers that complaints against licensees may be directed to
the board.

"(m) Notice of the issuance, revocation,
reinstatement, or expiration of every license issued by the
board shall be furnished to the sheriff of the county and the
chief of police, as appropriate, and the inspection department
of the city where the principal place of business of a
licensee is located.

"(n) Information contained in alarm system records
held by the board concerning the location of an alarm system,
the name of the occupant residing at the alarm system
location, or the type of alarm system used shall be
confidential and disclosed only to the board or as otherwise
required by law.

"§34-1A-6.

"The licensing and regulatory provision of this
chapter shall not apply to any of the following persons,
entities, or activities regulated by this chapter not covered
by a specific exemption:

"(l) A person or business entity which only sells
alarm systems at the premises of a customer, but does not
enter the premises of the customer or install, service,
monitor, or respond to the alarm system at the premises of the
customer.
"(2) (1) The installation, servicing, monitoring, or responding to an alarm device which is installed in a motor vehicle, aircraft, or boat.

"(3) (2) The installation of an alarm system on property owned by or leased to the installer.

"(4) (3) A person or business entity who owns, installs, or monitors alarm systems, on his or her own property owned by the person or business or, if he or she the person or entity does not charge for the system or its installation, installs it for the protection of his or her personal property located on the property of another, and does not install or monitor the system as a normal business practice on the property of another.

"(5) (4) A person or business entity whose sale of an alarm system or lock is exclusively over-the-counter or by mail order.

"(6) (5) A person or business entity in the business of building construction that installs electrical wiring and devices that may include in part the installation of an alarm system if both of the following apply:

a. The person or business entity is a party to a contract that provides that the installation shall be performed under the direct supervision of, inspected, and certified by a person or business entity licensed to install an alarm system and that the licensee assumes full responsibility for the installation and service of the alarm system.
"b. The person or business entity does not service, monitor, or maintain the alarm system.

"(7) The response to an alarm system or lockout by a law enforcement agency or by a law enforcement officer or emergency response officer acting in an official capacity.

"(8) A business that engages in the installation or operation of telecommunications facilities or equipment which are used for the transport of any signal, data, or information outside the continuous premises on which any alarm system is installed or maintained.

"(9) Any business entity, business owner, or person, or the agent or employee of such business entity, business owner, or person engaging in the routine visual inspection or manufacturer's or installer's recommended testing of an alarm system subject to this chapter owned by the business entity, business owner, or person and installed on property under the control of the business entity, business owner, or person.

"(10) Any business entity, or person, or those engaged in property management, or agent or subcontractors or employees thereof, who, in the normal course of business, engage in the routine inspection, service, or replacement of such alarm systems, fire alarm or fire/smoke detection systems, fire communication systems, or security devices subject to this chapter, on or in property owned or under the control of such business entity, or person, or property manager.
"(11) (10) Consulting engineers who design, develop, modify, or offer other services within the scope of their profession regarding alarm systems.

"(12) (11) A licensed general contractor and the employees of the contractor whose activities are limited to the projects that qualify for a license by the State Licensing Board for General Contractors.

"(13) (12) A licensed electrician, master electrician, and electrical contractor who is licensed by the city, county, or state and their employees whose activities are limited to the projects of the licensed electrician, master electrician, and electrical contractor.

"(14) (13) A licensed homebuilder and the employees of the homebuilder whose activities are limited to the projects of the licensed homebuilder.

"(15) (14) A new motor vehicle dealer, as defined in subdivision (9) of Section 40-12-390 and licensed by the Department of Revenue, and employees of the dealer who are replacing or repairing locks or burglar alarm systems on motor vehicles in the dealer's inventory or on customer-owned vehicles delivered to the dealer for repair.

"(15) HVAC. The installation or service of heating, ventilation, or air conditioning devices or mechanisms to provide heating or cooling to a building or other structure; or the installation or service of devices used to control the temperature of heating or cooling devices in a building or other structure.
"(16) An automobile club that holds a certificate of authority as provided for in Section 27-39-6 and its subcontractors, or any business that provides similar services, that unlocks a vehicle at the request of the owner or authorized operator of the vehicle, does not advertise as a locksmith, and does not otherwise perform a locksmith service.

"§34-1A-7.

"(a) Effective January 1, 1998, it shall be unlawful for any person or business entity to engage in a business regulated by this chapter in this state without a current valid license or in violation of this chapter and applicable rules and regulations of the board.

"(b) Effective January 1, 1998, it shall be unlawful for a person or business entity not licensed under this chapter to advertise or hold out to the public that he or she is a licensee of the board.

"(c) Any person or business entity who violates this chapter or any order, rule, or regulation of the board shall be guilty of a Class A misdemeanor, and for each offense for which he or she is convicted shall be punished as provided by law.

"(d) Effective January 1, 1998, it shall also constitute a Class A misdemeanor to willfully or intentionally do any of the following:

"(1) Obliterate the serial number on an alarm system for the purpose of falsifying service reports.
(2) Knowingly and deliberately improperly install an alarm system, or knowingly and deliberately improperly service such a system.

(3) Advertise alarm system services or locksmith services to the public by means of yellow pages, online, on billboards, in a newspaper, or any other medium without possessing an active license issued by the board during the licensing year the advertisement appears in the phone book, online, on a billboard, or newspaper or any other medium.

(4) While holding a license, allow another person or business entity to use the license or license number.

(5) Use, or permit the use of, any license by a person or business entity other than the one to whom the license is issued.

(5) Use any credential, method, means, or practice to impersonate a representative of the board.

(6) Make use of any designation provided by statute or regulation to denote a standard of professional or occupational competence without being duly licensed.

(7) Make use of any title, words, letters, or abbreviations which may reasonably be confused with a designation provided by statute or regulation to denote a standard of professional or occupational competence without being duly licensed.
"(9) Provide material misrepresenting facts in an application for licensure or in other communications with the board.

"(10) Installing, servicing, or selling an alarm system or providing locksmith services while on state or federal probation or parole and without being licensed or, while licensed, having failed to inform the board of the state or federal probation or parole status as evidenced by documentation received by the board.

"(11) Refuse to furnish the board information or records required or requested pursuant to statute or regulation.

"(e) Any person or business entity having never been licensed by the board, or whose license has not been renewed within the immediately preceding 24 months, may be subject to injunctive action in a court of competent jurisdiction. The board may institute proceedings in equity to enjoin any person or business entity from engaging in any unlawful act enumerated in this chapter. Such proceedings shall be brought in the name of this state by the board in the circuit court of the city or county in which the unlawful act occurred or in which the defendant resides. If the board prevails in its suit seeking injunctive relief, the individual or business entity shall be responsible for all court costs, investigatory fees, and attorney's fees. The individual or company shall also be subject to a one thousand dollar ($1,000) fine per instance of performing locksmith or alarm work while unlicensed.
"(f) In addition to any other disciplinary action taken by the board, any person or business entity licensed by the board who violates this chapter or rule or regulation promulgated pursuant to this chapter shall be subject to a monetary penalty. If the board determines that the person is in fact guilty of the violation, the board shall determine the amount of the monetary penalty for the violation, which shall not exceed one thousand dollars ($1,000) for each violation. Each rule or statutory provision violated is defined as a violation of this chapter. The board may file a civil action to collect the penalty.

"(g) The board is entitled to court costs, investigatory fees, and reasonable attorney fees in any civil action or administrative proceeding in which the board obtains relief.

"(h) In addition to or in lieu of the criminal penalties and administrative sanctions provided in this chapter, the board may issue an order to any person, firm, or corporation engaged in any activity, conduct, or practice constituting a violation of this chapter to show cause why an order should not be issued directing the person, firm, or corporation to cease and desist from the activity, conduct, practice, or the performance of any work being done then or about to be commenced. If the person, firm, or corporation files a written request for a hearing before the board within 14 days after receipt of the order, the board, not less than 30 days thereafter, shall hold a hearing on the matter. After
a hearing, or if no hearing is requested, the board may issue
a cease and desist order to the person, firm, or corporation.
If an order is issued, the order shall be issued in the name
of the State of Alabama under the official seal of the board.
If the person, firm, or corporation to whom the board directs
a cease and desist order does not cease or desist the
proscribed activity, conduct, practice, or performance of the
work immediately, the board may petition any court of
competent jurisdiction to issue a writ of injunction enjoining
the person, firm, or corporation from engaging in any
activity, conduct, practice, or performance of work as
prohibited by this chapter. Upon a showing by the board that
the person, firm, or corporation has engaged or is engaged in
any activity, conduct, practice, or performance of any work
prohibited by this chapter, the court shall grant injunctive
relief enjoining the person, firm, or corporation from
engaging in such unlawful activity, conduct, practice, or
performance of work. Upon the issuance of a permanent
injunction, the court may fine the offending party up to five
thousand dollars ($5,000), plus costs and attorney fees, for
each offense. A judgment for a civil fine, attorney fees, and
costs may be rendered in the same judgment in which the
injunction is made absolute.

"(i) Any person violating this chapter who fails to
cease work after a hearing and notification from the board or
an injunction issued by a court of competent jurisdiction
shall not be eligible to apply for a license from the board
for a period not to exceed one year from the date of official notification to cease work. In addition, the board may withhold approval for up to six months of any application from any person who prior to the application has been found in violation of this chapter."

Section 2. Although this bill would have as its purpose or effect the requirement of a new or increased expenditure of local funds, the bill is excluded from further requirements and application under Amendment 621, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, because the bill defines a new crime or amends the definition of an existing crime.

Section 3. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.