

2014 -- S 2410

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LC004640
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - PLUMBERS AND IRRIGATORS

Introduced By: Senators Gallo, Lynch, and Ruggerio

Date Introduced: February 27, 2014

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-20-33 of the General Laws in Chapter 5-20 entitled "Plumbers
2 and Irrigators" is hereby amended to read as follows:

3 **5-20-33. Penalties for violations.** -- Any person violating any provision of this chapter
4 shall be subject to the penalties as follows: any person, firm, or corporation, licensed or
5 unlicensed by the department of labor and training, division of professional regulation shall be
6 subject to a fine of ~~five hundred dollars (\$500)~~ one thousand five hundred dollars (\$1,500) for a
7 first offense, and for second and subsequent violations of this chapter, shall be subject to a fine of
8 not less than ~~nine hundred fifty dollars (\$950)~~ two thousand dollars (\$2,000).

9 SECTION 2. Section 28-27-24 of the General Laws in Chapter 28-27 entitled
10 "Mechanical Trades" is hereby amended to read as follows:

11 **28-27-24. Recommendations of board -- Order of the director -- Appeal.** -- (a) The
12 board, upon the completion of any hearing held on a verified complaint, shall present to the
13 director of labor and training a written report of its findings and recommendations. The director
14 shall then order that the license of the licensee charged shall be revoked or suspended, or impose
15 a fine of ~~five hundred dollars (\$500)~~ one thousand five hundred dollars (\$1,500) for a first
16 violation and ~~nine hundred fifty dollars (\$950)~~ two thousand dollars (\$2,000) for any subsequent
17 violation within one year of the first violation; or that the complaint shall be dismissed in
18 accordance with the recommendations. A copy of the order shall be immediately served upon the
19 licensee and/or violator personally or by registered or certified mail. The order of the board is

1 final unless the licensee and/or violator so charged or complainant within twenty (20) days after
2 receipt of the order files an appeal with the director. The appeal will be determined by the
3 administrator of the division or his or her designee. The director may accept or reject, in whole or
4 in part, the recommended order of the board. The order of the director shall be final, and a copy
5 of it shall be immediately served upon the person, firm, or corporation assessed.

6 (b) The division is considered a person for the purpose of this section.

7 (c) The chief of the section shall act as an investigator with respect to the enforcement of
8 all the provisions of law relative to the licensing of pipefitting, refrigeration, sprinkler fitting and
9 sheet metal and to this effect whenever a complaint is made by the chief of the section to the
10 department of labor and training director, or designee, that the provisions of this chapter are being
11 violated, the director of the department of labor and training, or designee, may issue an order to
12 cease and desist from that violation and may impose the above penalties against the violator and
13 against the contractor.

14 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would change the penalties for a first violation from five hundred dollars (\$500)
2 to one thousand five hundred dollars (\$1,500) and for a second violation from nine hundred fifty
3 dollars (\$950) to two thousand dollars (\$2,000). Also, this act would change the
4 recommendations of an appeal by the Board from five hundred dollars (\$500) to one thousand
5 five hundred dollars (\$1,500) for a first violation and from nine hundred fifty dollars (\$950) to
6 two thousand dollars (\$2,000) for any subsequent violations within a year.

7 This act would take effect upon passage.

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