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Anton

DELAWARE STATE SENATE  
152nd GENERAL ASSEMBLY

SENATE BILL NO. 222

AN ACT TO AMEND CHAPTER 14, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ELECTRICAL EXAMINERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

1           Section 1. Amend § 1422, Title 24 of the Delaware Code by making deletions as shown by strike through and  
2 insertions as shown by underline as follows:

3           § 1422. Apprentice electricians.

4           (a) An apprentice electrician must work under the direct onsite supervision of a licensed master electrician, master  
5 electrician special, limited electrician, limited electrician special, residential electrician or journeyperson electrician. The  
6 ratio of Apprentices to Journeypersons where non-residential electrical work is performed shall be 1 Apprentice to 3  
7 Journeypersons employed onsite. Journeypersons must remain on the jobsite with the individual possessing an Apprentice  
8 license throughout the working day.

9           (b) A licensed electrician supervising an apprentice electrician pursuant to subsection (a) of this section shall be  
10 responsible for the activities of the apprentice electrician performing work in the State.

11           Section 2. Amend § 1424, Title 24 of the Delaware Code by making deletions as shown by strike through and  
12 insertions as shown by underline as follows:

13           § 1424. Penalty.

14           (a) A person, not currently licensed as an electrician or exempt from licensure under this chapter, when guilty of  
15 performing electrical work, or using in connection with that person's name, or otherwise assuming or using any title or  
16 description conveying, or tending to convey, the impression that the person is qualified to perform electrical work,  
17 such offender shall be guilty of a misdemeanor. Upon the first offense, the person shall be fined not less than \$500 nor  
18 more than \$1,500 for each offense. For a second or subsequent conviction, the fine shall be not less than \$1,500 nor more  
19 than \$2,300 for each offense. Justice of the Peace Courts shall have jurisdiction over all violations of this chapter.

20           (b) A contractor that employs a person not currently licensed as an electrician or is in violation of this chapter shall  
21 be fined not less than \$5,000 nor more than \$10,000, per unlicensed individual. Failure of a contractor to assure the proper  
22 ratio of apprentices to journeypersons shall be fined not less than \$10,000 for each violation.

#### SYNOPSIS

This legislation closes a loophole in the current law which allows 100% of the work being completed on a jobsite to be done by workers only possessing an apprentice license. Currently, under Delaware law, an apprentice license can be acquired with little or no experience in the electrical trade. Recently the State discovered that construction on Delaware's largest building, measuring more than 3.7 million square feet, that houses over 500 workers and received \$3 million in State taxpayer dollars was being built with electrical workers not possessing the necessary licenses. When the job was shut down, the contractor had all the electrical workers acquire apprentice licenses rather than hire experienced, properly trained electricians. A similar violation was discovered at the construction site of an elementary school here in Delaware.

The current law only holds the worker responsible and allows the contractor to avoid any fines. This legislation corrects that inequity by also holding the contractor responsible and subject to fines.

Author: Senator Walsh