

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 662  
Committee Substitute Favorable 4/25/13  
PROPOSED SENATE COMMITTEE SUBSTITUTE H662-PCS10426-SU-35

Short Title: Limited License/Install Backflow Assemblies.

(Public)

Sponsors:

Referred to:

April 10, 2013

1 A BILL TO BE ENTITLED  
2 AN ACT PROVIDING FOR ISSUANCE OF A LIMITED PLUMBING CONTRACTOR  
3 LICENSE TO INSTALL AND SERVICE BACKFLOW PREVENTION ASSEMBLIES  
4 AND TO ALLOW COURTS TO AWARD THE BOARD OF EXAMINERS OF  
5 PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS REASONABLE  
6 COSTS OF INVESTIGATION AND PROSECUTION OF VIOLATIONS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 87-21(b)(2) reads as rewritten:

9 "(b) Classes of Licenses; Eligibility and Examination of Applicant; Necessity for  
10 License. –

11 ...

12 (2) Restricted licenses or classifications. –

13 a. The Board shall establish and issue a fuel piping license for use by  
14 persons who do not possess the required Class I or Class II plumbing  
15 or heating license, but desire to engage in the contracting or installing  
16 of fuel piping extending from an approved fuel source at or near the  
17 premises, which piping is used or may be used to supply fuel to any  
18 systems, equipment, or appliances located inside the premises.

19 b. The Board shall establish and issue a limited plumbing contractor  
20 license for use by persons who do not possess the required Class I or  
21 Class II plumbing license but desire to engage in the contracting or  
22 installation, repair, or replacement of any of the following:

23 1. Exterior potable water service lines or backflow preventers  
24 servicing irrigation systems or domestic water service systems  
25 of two inch diameter or smaller.

26 2. Exterior building sewer or water service piping of two inch  
27 diameter or smaller.

28 3. Water purification systems or components thereof.

29 4. Components, pumps, or pumping equipment associated with  
30 water well systems.

31 c. The Board may also establish additional restricted classifications to  
32 provide for: (i) the licensing of any person, partnership, firm, or  
33 corporation desiring to engage in a specific phase of heating,  
34 plumbing, or fire sprinkling contracting; (ii) the licensing of any  
35 person, partnership, firm, or corporation desiring to engage in a



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1 specific phase of heating, plumbing, or fire sprinkling contracting  
2 that is an incidental part of their primary business, which is a lawful  
3 business other than heating, plumbing, or fire sprinkling contracting;  
4 or (iii) the licensing of persons desiring to engage in contracting and  
5 installing fuel piping from an approved fuel source on the premises  
6 to a point inside the residence."

7 **SECTION 2.** G.S. 87-25.1 reads as rewritten:

8 "**§ 87-25.1. Board may seek injunctive relief.**

9 Whenever it appears to the Board that any person, firm or corporation is violating any of  
10 the provisions of this Article or of the rules and regulations of the Board promulgated under  
11 this Article, the Board may apply to the superior court for a restraining order and injunction to  
12 restrain the violation; and the superior courts have jurisdiction to grant the requested relief,  
13 irrespective of whether or not criminal prosecution has been instituted or administrative  
14 sanctions imposed by reason of the violation. ~~The venue for actions brought under this~~  
15 ~~subsection shall be the superior court of any county in which such acts are alleged to have been~~  
16 ~~committed or in the county where the defendants in such action reside.~~The court may award the  
17 Board its reasonable costs associated with the investigation and prosecution of the violation."

18 **SECTION 3.** This act is effective when it becomes law. Section 2 of this act is  
19 applicable to actions brought on or after that date.