

**NOTICE OF INTENT TO ADOPT A NEW CHAPTER & RULES TO
THE STATE LICENSING BOARD FOR RESIDENTIAL AND GENERAL
CONTRACTORS,
CHAPTER 553-12 LICENSE RENEWAL AND CONTINUING EDUCATION,
RULE 553-12-.03 PROGRAMS WHICH QUALIFY
AND NOTICE OF PUBLIC HEARING.**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the State Licensing Board for Residential and General Contractors, (hereinafter "Board") proposes to adopt a rule for the State Licensing Board for Residential and General Contractors, Rule 553-12-.03 *Programs which Qualify* (hereinafter "proposed new rule").

This notice, together with an exact copy of the proposed new rule and a synopsis of the proposed new rule, is being distributed to all persons who have requested, in writing, that they be placed on a distribution list. A copy of this notice, an exact copy of the proposed new rule, and a synopsis of the proposed new rule may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Board's web page at www.sos.ga.gov/plb/contractors. Copies may also be requested by contacting the Board's office at 478-207-2440.

A public hearing is scheduled to begin at 9:00 a.m. on December 2, 2009 at the Professional Licensing Boards Division, 237 Coliseum Dr., Macon, GA 31217 to provide the public an opportunity to comment upon and provide input into the proposed new rule. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received on or before November 25, 2009. Written comments should be addressed to Randall D. Vaughn, Division Director, Secretary of State, Professional Licensing Boards Division, State Licensing Board for Residential and General Contractors, 237 Coliseum Drive, Macon, Georgia 31217. FAX: 478-314-5805.

The proposed new rule will be considered for adoption by the Board at its meeting scheduled to begin at 9:05 a.m. on December 2, 2009, at the Professional Licensing Boards Division, 237 Coliseum Dr., Macon, GA 31217. According to the Department of Law, State of Georgia, the State Licensing Board for Residential and General Contractors has the authority to add this new rule pursuant to authority contained in O.C.G.A §§ 43-41-5 and 43-41-6.

At its meeting on September 21, 2009, the Board voted that the formulation and adoption of this new rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A §§ 43-41-5 and 43-41-6.

Also, at its meeting on September 21, 2009 the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A §§ 43-41-5 and 43-41-6 to adopt or implement differing actions for businesses as listed at O.C.G.A. §50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of this rule will

impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of residential and general contracting.

For further information, contact the Board office at 478-207-2440.

This notice is given in compliance with O.C.G.A. §50-13-4.

This 22nd day of October, 2009.

Randall D. Vaughn
Division Director
Professional Licensing Boards

**SYNOPSIS OF THE PROPOSED RULE OF
THE STATE LICENSING BOARD FOR RESIDENTIAL AND GENERAL
CONTRACTORS
RULE 553-12-.03 PROGRAMS WHICH QUALIFY**

Purpose: To identify subject matters for continuing education that are acceptable to the Residential Division.

Main Features: A list of acceptable subject matters and formats of continuing education.

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

553-12-.03 Programs Which Qualify.

(1) The overriding consideration in determining whether a specific program qualifies as acceptable continuing education is that it be a formal program of learning which contributes directly to the professional competence of an individual licensed to practice as a residential contractor by this State, and which meets the minimum standards of quality of development and presentation and of measurement and reporting of credits as may be established from time to time by the Board.

(2) Subject Matter: The following general subject matters are acceptable so long as they meet the standards specified in subsection (1):

(a) Building and related codes;

(b) Functional fields of business (e.g., finance, marketing, personnel relations, business management, and organization);

(c) Legal, legislative or regulatory updates;

(d) Workplace safety; and

(e) Workers compensation.

(3) Subjects of study other than those listed above will be acceptable if the applicant or program provider can demonstrate to the Board that the subjects contribute directly to the professional competence of an individual licensed to practice as a residential contractor by this State. The responsibility for substantiating that a particular program is acceptable and meets the requirements rests upon the applicant or program provider. Applications for approval of subjects other than those listed in subsection (2) above shall be submitted to the Board at least thirty (30) days prior to the date of the program. Such applications shall include the name of the program provider, the instructor(s) for the program, the location of the program, a description of the program's content and how the proposed program satisfies the requirements of subsection (1), and a program outline. The Board or the Board's designee shall act on the application within ten (10) days of receipt of such application for approval.

(4) Continuing education hours may be obtained via classroom courses and/or online or correspondence courses.

(a) General requirements:

1. An outline of the program is prepared in advance by the program director and retained by the license holder;

2. The program is conducted by a person whose formal training and experience qualify him as a competent instructor;

3. Hours of continuing professional education shall be calculated in one-half continuing professional education credit hour increments;
 4. A record of registration and attendance through substantially the entire program is maintained, a copy of which is retained by the student and program provider.
 5. The program provider will provide the Board with an electronic roster of license holders who have completed any course and the number of hours completed.
- (b) The following programs will qualify provided the general requirements in (4)(a) are met:
1. Professional development programs of recognized national, state and local trade associations;
 2. Technical sessions at meetings of recognized national, state and local trade associations and their chapters;
 3. University or college courses;
 4. Noncredit courses from a college or university;
 5. Dinner, luncheon and breakfast meetings of recognized trade associations may qualify if the requirements in (a) are met.

Authority: O.C.G.A §§ 43-41-5 and 43-41-6