

APA-1
Revised 4/2018

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control _____ Department or Agency Home Builders Licensure Board
Rule No. Ala. Admin. Code r. 465-X-4-.04
Rule Title: Fees
 New X (Amend) Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

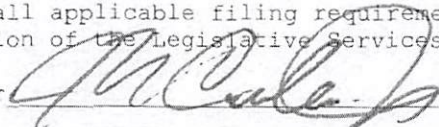
Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (5) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer: 
Date April 3, 2023

(DATE FILED)
(STAMP)

REC'D & FILED

APR 03 2023

LEGISLATIVE SVC AGENCY

APA-2

(Agency Name)
(Agency Division, if applicable)

NOTICE OF INTENDED ACTION

AGENCY NAME: Home Builders Licensure Board

RULE NO. & TITLE: Ala. Admin Code r. 465-X-4-.04 Fees

INTENDED ACTION: Amend rules

SUBSTANCE OF PROPOSED ACTION:

Pursuant to Executive Order 734, the amendment of Ala. Admin. Code r. 465-X-4-.04 amends verbiage to allow the Board to collect fees for public records requests.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

All interested parties may submit data, views or arguments respecting the proposed amendment by mail or in person for the 35-day period beginning June 2, 2023. Persons wishing to submit data, views or arguments orally should contact the Board's executive director between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding State holidays, at (334) 242-2230, to set up an appointment for such oral presentations.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: June 2, 2023

CONTACT PERSON AT AGENCY:

J. Seth Gowan, Esq.
Chief Legal Counsel
P. O. Box 303605
Montgomery, Alabama 36130-3605
(334) 242-2230



(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

applies for waiver pursuant to Ala. Code Section 41-9A-3.

(22) Licensee or designated qualifying representative hardship waiver fee 75.00

This fee must accompany a hardship waiver submitted by the designated qualifying representative of a licensed corporation, limited liability company, or partnership with a license limited to roofing applies for waiver pursuant to Ala. Code Section 41-9A-3.

(23) Lost or Stolen Replacement License Fee 25.00

This fee must accompany a request for a lost or stolen wallet card and/or certificate.

(24) Change of Designated Qualifying Representative for Corporation, Limited Liability Company, and Partnership Fee. 100.00

This fee must accompany a change of designated qualifying representative for a corporation, limited liability company, and partnership already licensed by the Board.

(25) Public Records Fees .

Standard request for public records 20.00

This fee may be required before request is fulfilled

Time-intensive Request for Public Records 20.00 per hour

The agency may also charge actual cost incurred while processing requests.

This fee must be paid before request is fulfilled

Authors: David R. Boyd, Dorman Walker, Lois Woodward, Beth Acker, Kathy Perry Brasfield, Jamie A. Durham, J. Seth Gowan, Lauren Razick, Darlene Burt

Statutory Authority: Code of Ala. 1975, §§ 34-14A-2, 34-14A-5, 34-14A-7, 34-14A-11, 34-14A-15.

History: Filed: March 22, 1993. **New Rule:** Filed: May 12, 1993, effective June 16, 1993. **Emergency**

Amendment: Filed June 20, 1994. **Amended:** Filed September 23, 1994; effective October 28, 1994.

Amendment and Emergency Amendment filed October 1, 1997. Emergency Amendment effective October 1, 1997. **Amended:** Filed January 28, 1998; effective March 4, 1998. **Amended:** Filed

September 4, 1998; effective October 9, 1998. **Amended:** Filed May 6, 2002; effective June 10, 2002.

Amended: Filed March 7, 2008; effective April 11, 2008. **Amended:** Filed February 4, 2009;

effective March 11, 2009. **Amended:** Filed June 17, 2010; effective July 23, 2010. **Amended:** Filed

May 6, 2011; effective June 10, 2011. **Emergency Amendment:** Filed June 10, 2011. **Amended:**

Filed August 25, 2011; effective September 29, 2011. **Amended:** Filed May 28, 2015; effective July

3, 2015. **Amended:** Filed August 27, 2018, effective October 12, 2018. **Amended:** Filed August 10,

2020; effective October 15, 2020. **Amended:** Filed December 16, 2020; effective April 12, 2021.

Amended: Filed October 19, 2021; effective February 13, 2022. **Amended:** Filed November 15, 2021;

effective April 14, 2022. **Amended:** Filed April 3, 2023; effective Month Day, 2023

465-X-4-.05 Additional Costs. Applicants required to provide to the Board specified information from third parties [including without limitations, credit reports and examination results (testing experience and ability)] shall pay the cost of obtaining such information directly to the provider, provided; however, the cost of obtaining such information shall be payable to the Board and the Board shall reimburse the provider for such cost where the Board and the provider have a contract which provides for payment to be handled in this manner.

Authors: David R. Boyd, Dorman Walker, Lois Woodward, Beth Acker

Statutory Authority: Code of Ala. 1975, §§ 34-14A-5, 34-14A-11.

History: Filed: March 22, 1993.