

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

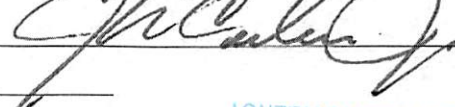
Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

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 (f) 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 December 16, 2020

LEGISLATIVE SVC AGENCY
DEC 16 2020
REC'D & FILED
(Date Filed)
(Stamp)

APA-2

Home Builders Licensure Board

NOTICE OF INTENDED ACTION

AGENCY NAME: Home Builders Licensure Board

RULE NO. & TITLE:

Ala. Admin Code r. 465-X-4-.04

INTENDED ACTION: Amend rules.

SUBSTANCE OF PROPOSED ACTION:

The amendment of Ala. Admin. Code r. 465-X-4.04 allows the Home Builders Licensure Board to reduce the \$5.00 credit hour fee if necessary.


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 December 31, 2020. 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: Feb. 4, 2021

CONTACT PERSON AT AGENCY:

J. Seth Gowan, Esq.
Chief Legal Counsel
P. O. Box 303605
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(Signature of officer authorized
to promulgate and adopt rules or his or her
deputy)

465-X-4.04 Fees: Fees shall be as follows:

- (1) **Annual License Fees.**
This fee must accompany the initial application for a license and each annual license renewal application.

(a) License without limitation	235.00
(b) License with limitation	235.00
(c) License with limitation, limited to residential roofing	150.00

- (2) **Annual Homeowners' Recovery Fund Fee.** 15.00
This fee must accompany license applications and license renewal applications for licenses without limitation and with limitation. This fee does not apply to licenses with limitation, limited to roofing

- (3) **Nonrefundable Application Processing Fee For New Applicants.** 100.00
This fee must accompany all applications submitted by applicants for a new license.

- (4) **Nonrefundable Application Processing Fee For Applicants Holding Expired Licenses Without Limitation and With Limitation Less Than Three Years Old.** 350.00
This fee must accompany all applications submitted by applicants holding expired licenses without limitation and with limitation less than three years old, who desire to reactivate the expired license.

- (5) **Nonrefundable Application Processing Fee For Applicants Holding Expired Licenses With Limitation, Limited to Residential Roofing Less Than Three Years Old.** 150.00
This fee must accompany all applications submitted by applicants holding expired licenses with limitation, limited to residential roofing less than three years old, who desire to reactivate the expired license.

- (6) **Inactive Fees for Licenses Without Limitation And With Limitation.** 125.00
This fee must accompany an application for an inactive license without limitation and with limitation and each renewal inactive license application. Building officials applying for or renewing an inactive license are exempted from this fee.

- (7) **Inactive Fees for Licenses With Limitation Limited to Residential Roofing.** 75.00
This fee must accompany an application for an inactive license with limitation, limited to residential roofing and each renewal inactive license application.

- (8) **Record Fee.** 15.00
This fee must accompany a request for an applicant's examination records.

- (9) Late Fee. 50.00
This fee must accompany all license renewal applications received on December 1, or thereafter, of the year preceding the year for which the license is to be renewed. Building officials filing a late application for an inactive license are exempted from this fee.
- (10) Bad Check Fee. 30.00
Pursuant to Code of Ala. 1975, § 8-8-15, this fee must accompany any check, or other negotiable instrument drawn on a bank or other depository institution and made payable to the Board, if the instrument is not paid or is dishonored by the institution.
- (11) Application Package Fee. 25.00
Pursuant to Code of Ala. 1975, § 41-22-4(3), this fee must accompany a request for an application package for a new license to be mailed. The application package includes a copy of Code of Ala. 1975, § 34-14A-1 et seq., administrative rules and necessary forms for licensure.
- (12) New Continuing Education Provider Fee. 250.00
This fee must accompany a new provider application.
- (13) Continuing Education Provider Renewal Fee 125.00
This fee must accompany a provider renewal application.
- (14) New Instructor Fee. 100.00
This fee must accompany a new instructor application.
- (15) Instructor Renewal Fee 50.00
This fee must accompany an instructor renewal application.
- (16) New Course Fee 50.00
This fee must accompany a new course application.
- (17) Course renewal Fee 25.00
This fee must accompany a course renewal application.
- (18) Continuing Education Late fee 50.00
This fee is accrued by failing to comply with continuing education requirements by November 30th.
- (19) Non-traditional approval fee 50.00
This fee is to accompany request for non-traditional continuing education request
- (20) Credit hour fee
Providers ~~shall~~ may be required to submit a fee of up to \$5.00 fee for every credit hour taught to each licensee.

Authors: David R. Boyd, Dornan 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 ##, 2020; effective: _____