

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 465 Department or Agency Home Builders Licensure Board
Rule No. 465-X-3.06
Rule Title: Annual License Renewal, Consequences of Failure to Renew
 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

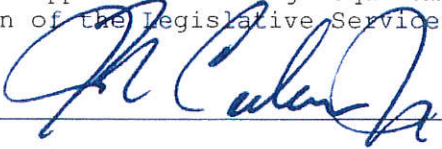
Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

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 June 20, 2018

(DATE FILED)
(STAMP)

Home Builders Licensure Board
NOTICE OF INTENDED ACTION

AGENCY NAME: Home Builders Licensure Board

RULE NO. & TITLE:

Ala. Admin. Code r. 465-X-3-.04. Licensing.

Ala. Admin. Code r. 465-X-3-.06. Annual License Renewal, Consequences of Failure to Renew.

INTENDED ACTION: Amend rules.

SUBSTANCE OF PROPOSED ACTION:

The amendment of Ala. Admin. Code r. 465-X-3-.04 adds residential roofers to the types of licenses and sets out the requirements for obtaining licenses, and removes electing county verbiage.

The amendment of the Ala. Admin. Code r. 465-X-3-.06 adds residential roofing license.

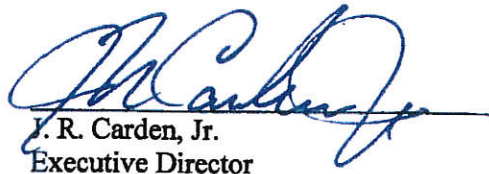
TIME, PLACE, MANNER OF PRESENTING VIEWS:

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 29, 2018. 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: August 25, 2018

CONTACT PERSON AT AGENCY:

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J. R. Carden, Jr.
Executive Director

465-X-3-.06 Annual License Renewal, Consequence Of Failure To Renew.

(1) A license is valid only during the calendar year indicated on the license. At the end of that calendar year, the license expires unless it is timely renewed by the licensee.

(2) To renew a license **without limitation**, the licensee must timely file a complete and accurate annual license renewal application with the Executive Director, and satisfy the criteria set forth in § 465-X-3-.04(3)(b), (c), (e), (f), (g), and (h), as applicable. To renew a **license with limitation, including limited to residential roofing** the licensee must timely file a complete and accurate annual license renewal application with the Executive Director, and satisfy the criteria set forth in § 465-X-3-.04(4) as applicable. If a licensee changes its address or telephone number during the license year, the licensee promptly must notify the Board of the new address and new telephone number. Annual license renewal applications must be filed by November 30 of the year preceding the year for which the license is to be renewed. Any renewal applications postmarked on December 1 or thereafter will be considered late.

(3) To renew an inactive license, the inactive licensee must timely file a complete and accurate annual inactive license renewal application with the Executive Director, and satisfy the criteria set forth in § 465-X-3-.04(9)(a), (b), and (c), as applicable. If an inactive licensee changes its address or telephone number during the license year the inactive licensee promptly must notify the Board of the new address and new telephone number. Annual inactive license renewal applications must be filed by November 30 of the year preceding the year for which the inactive license is to be renewed. Any inactive renewal applications postmarked on December 1 or thereafter will be considered late.

(4) A license holder who fails to file the annual license renewal application, or the annual inactive license renewal application, by December 31 of the calendar year for which the license was issued shall no longer be licensed as a residential home builder, after December 31 of the calendar year for which the license was issued.

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

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. **Amended:** Filed April 2, 1997; effective May 7, 1997.

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 August 4, 1998; effective September 8, 1998. **Amended:** Filed November 2, 2001; effective December 7, 2001. **Amended:** Filed May 6, 2002; effective June 10, 2002.

Amended: Filed June 4, 2004; effective July 10, 2004. **Amended:** Filed November 4, 2004; effective December 9, 2004. **Emergency Amendment:** Filed May 31, 2011. **Amended:** Filed August 25, 2011; effective September 29, 2011. **Amended:** Filed _____, effective _____.