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**Commerce & Labor Committee**

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**HB 2555**

**Brief Description:** Authorizing the department of labor and industries to issue subpoenas to enforce production of information related to electricians and electrical installations.

**Sponsors:** Representatives Conway, Simpson, Ormsby and Moeller.

**Brief Summary of Bill**

- Authorizes the Department of Labor and Industries to issue subpoenas to enforce the production and examination of necessary information when there is reason to believe a violation of laws relating to electricians and electrical installations has occurred.

**Hearing Date:** 1/22/10

**Staff:** Rebecca Jones (786-5793) and Jill Reinmuth (786-7134).

**Background:**

The Department of Labor and Industries (Department) is responsible for licensing electrical contractors and certifying electricians. An electrical contractor license is required for a business to do most electrical work. Certification is required for a worker participating in the electrical construction trade. Violations are subject to a penalty.

The Department may inspect a job site to determine whether electrical contractors and electricians have complied with the requirements for licensing, certification, and installation. The inspector may choose to inspect a particular job site or may be requested by a third party to inspect a particular site.

The Department may audit an electrical contractor's records in order to verify the hours of experience submitted by an electrical trainee to the Department under certain circumstances.

There is no statutory authority for the Director of the Department (Director) to issue subpoenas related to its enforcement activities. However, subpoena authority is given to the Director or the

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Director's representative in the context of registered contractors to enforce the production and examination of a list of the registered contractors working on the property, contracts between the registered contractor and any suppliers or subcontractors, and any other information necessary to enforce contract registration. The subpoena may only be issued if the contractor fails to provide the information when requested. The superior court may enforce such subpoenas.

**Summary of Bill:**

The Director or the Director's representatives are authorized to issue subpoenas to enforce the production and examination of any information needed to enforce the law surrounding electrical installations and electricians if there is reason to believe a violation has taken place.

The subpoena may only be issued if the person to which the electrician and electrical installation law applies fails to provide the requested information.

The superior court is authorized to enforce such a subpoena.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.