

---

SENATE BILL 5720

---

State of Washington

62nd Legislature

2011 Regular Session

By Senator Honeyford

Read first time 02/09/11. Referred to Committee on Labor, Commerce & Consumer Protection.

1 AN ACT Relating to penalties for violations concerning electrical  
2 and telecommunications installations; and amending RCW 19.28.131.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 19.28.131 and 2006 c 185 s 13 are each amended to read  
5 as follows:

6 Until July 1, 2007, the department shall issue a written warning to  
7 any specialty contractor, performing the scope of work defined by rule  
8 for the pump and irrigation or domestic pump specialties, not having a  
9 valid electrical contractor license. The warning will state that the  
10 contractor must be qualified for and apply for a specialty electrical  
11 contractor license under the requirements in RCW 19.28.041 within  
12 thirty calendar days of the warning. Only one warning will be issued  
13 to any contractor. If the contractor fails to comply with this  
14 section, the department shall issue a penalty or penalties as  
15 authorized in this section to the contractor. Any person, firm,  
16 partnership, corporation, or other entity violating any of the  
17 provisions of RCW 19.28.010 through 19.28.141 and 19.28.311 through  
18 19.28.361 shall be assessed a penalty of not less than fifty dollars or  
19 more than ten thousand dollars. No individual may be assessed more

1 than one penalty for a single violation. The department shall set by  
2 rule a schedule of penalties for violating RCW 19.28.010 through  
3 19.28.141 and 19.28.311 through 19.28.361. The department shall notify  
4 the person, firm, partnership, corporation, or other entity violating  
5 any of the provisions of RCW 19.28.010 through 19.28.141 and 19.28.311  
6 through 19.28.361 of the amount of the penalty and of the specific  
7 violation by certified mail, return receipt requested, sent to the last  
8 known address of the assessed party. Any penalty is subject to review  
9 by an appeal to the board. The filing of an appeal stays the effect of  
10 the penalty until the board makes its decision. The appeal shall be  
11 filed within twenty days after notice of the penalty is given to the  
12 assessed party by certified mail, return receipt requested, sent to the  
13 last known address of the assessed party and shall be made by filing a  
14 written notice of appeal with the department. The notice shall be  
15 accompanied by a certified check for two hundred dollars, which shall  
16 be returned to the assessed party if the decision of the department is  
17 not sustained by the board. If the board sustains the decision of the  
18 department, the two hundred dollars shall be applied by the department  
19 to the payment of the per diem and expenses of the members of the board  
20 incurred in the matter, and any balance remaining after payment of per  
21 diem and expenses shall be paid into the electrical license fund. The  
22 hearing and review procedures shall be conducted in accordance with  
23 chapter 34.05 RCW. The board shall assign its hearings to an  
24 administrative law judge to conduct the hearing and issue a proposed  
25 decision and order. The board shall be allowed a minimum of twenty  
26 days to review a proposed decision and shall issue its decision no  
27 later than the next regularly scheduled board meeting.

--- END ---