# TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 309 Department or Age Rule No. 720-x-1601	ency Plumbers and Gas Fitte	ers Examining Board				
Rule Title: Bad Check						
	J 7					
New X Ameno	dRepeal	Adopt by Reference				
Would the absence of the propharm or endanger the public h	posed rule significantly health, welfare, or safety?	NO				
Is there a reasonable relation state's police power and the public health, safety, or well	protection of the	NO				
Is there another, less restricted regulation available that could the public?	ictive method of uld adequately protect	NO				
Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or		YES-INDIRECTLY				
services involved and, if so,	, to what degree?	VERY MINOR				
Is the increase in cost, if a public than the harm that mid absence of the proposed rule?	ght result from the	NO				
Are all facets of the rulemand solely for the purpose of, are their primary effect, the pro-	YES					
***********	**********	******				
Does the proposed rule have a	an economic impact?	YES				
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, <a href="Code of Alabama 1975">Code of Alabama 1975</a> .						
**************************************		******				
I certify that the attached procedure with the requirement 1975, and that it conforms to Administrative Procedure Divi	ents of Chapter 22, Title 4 o all applicable filing reg	1, Code of Alabama uirements of the				
Signature of certifying office	cer Mulli How					
Date 4/17/2014						

(DATE FILED) (STAMP)

## State of Alabama Plumbers and Gas Fitters Examining Board

### NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Plumbers and Gas Fitters Examining Board

RULE NO. & TITLE: 720-x-16-.01 Bad Check

INTENDED ACTION: The Alabama Plumbers and Gas Fitters Examining Board proposes to amend rule 720-x-16-.01 of Alabama Code 34-37

SUBSTANCE OF PROPOSED ACTION: The proposed action of rule 720-x-16-.01 would allow the Board to impose a bad check fee of \$30.00.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Comments both written and oral will be accepted at the Plumbers and Gas Fitters Board Office, 11 West Oxmoor Road, suite 104 Birmingham, AL 35209. Comments will be accepted until 4:30 p.m. on June 5, 2014.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: June 5, 2014

CONTACT PERSON AT AGENCY: David H. Wilcox (205) 945-4857

David H. Wilcox Executive Director

# FOR APA RULE (Section 41-22-23(f))

	rol No.309 Department or Agency Plumbe	rs and Gas Fi	tters
Rule	No: 720-x-1601		
Rule	e Title: Bad Check		
	•• •		
	New X Amend Repeal	Adopt by	Reference
	This rule has no economic impact.		
X	This rule has an economic impact,	as explained	d below:
1.	NEED/EXPECTED BENEFIT OF RULE: Allows the cost of a bad check.	s the Board to	o recover
2.	COSTS/BENEFITS OF RULE AND WHY RULE IS EFFICIENT, AND FEASIBLE MEANS FOR ALL ACHIEVING THE STATED PURPOSE: The abit of a bad check helps provide adequate licensing process.	LOCATING RESOU <b>ility to reco</b> u	JRCES AND up the cost
3.	EFFECT OF THIS RULE ON COMPETITION: "	The rule chan	ge would
	have no effect on competition. The competition.		***

4. EFFECT OF THIS RULE ON COST-OF-LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

The amendment to the existing rule will have minimal effect, if any on cost of living and should have minimal impact on business.

5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED: The rule change should have no negative impact on employment in Alabama.

6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE: Board funds will be used to enforce the rule.

7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON AFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:

The short and long term economic impact is negligible. The bad check fee is imposed only on individuals. The Board's licensees will benefit from the Board's ability to recoup the fee.

8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON: The economic burden to business is negligible. It is imposed on an individual basis. The effect is negligible as compared to the ability of the Board to recoup the fee.

environment or public health.												
								negative	e£1	fect	on	the
								ENVIRONM				

10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED: There will be no detrimental effect on the environment or public health if the rule is implemented.

<sup>\*\*</sup>Additional pages may be used if needed.

### State of Alabama Plumbers and Gas Fitters Examining Board

### **Proposed Rule Change**

#### 720-X-16-.01

720-X-16-.01 Bad Check. If a check or negotiable instrument is dishonored, the writer of the check or instrument will be required to tender payment of the full amount of such check or instrument plus a service charge of \$30.00 as established by section 8-8-15 of the Code of Alabama 1975.

- (1) If the dishonored check or instrument was tenured for the purpose of sitting for an examination, payment of the full amount of such check or instrument plus a service charge of \$30.00 must be paid in full prior to the individual being allowed to take the said examination. If the individual has already taken the examination prior to the Board's office receiving notification of the dishonored instrument, the individuals results will be held until such time as payment is made in full including the service charge.
- (2) If the dishonored check or instrument was tenured for the purpose of renewing an individual license or certification, the license or certification is shall be invalidated invalid and will not be considered in good standing unless the full amount of such check or instrument plus a service charge of \$30.00 is paid the issue is resolved within (30) days.
- (3) If the dishonored check or instrument was tenured for the purpose of applying for a license er, certification or registration, the application will not be processed until such time as the payment is made in full, including the applicable \$30.00 service charge.

Author: David H. Wilcox, Director

Statutory Authority: Section 34-37-2 (Code of Alabama 1975 as amended)

History: Rule Change