

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

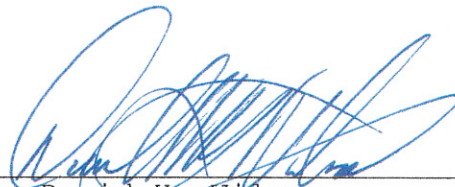
INTENDED ACTION: The Alabama Plumbers and Gas Fitters Examining Board proposes to amend rule 720-x-16-.01 of Alabama Code 34-37

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

**ECONOMIC IMPACT STATEMENT
FOR APA RULE
(Section 41-22-23(f))**

Control No. 309 Department or Agency Plumbers and Gas Fitters
Examining Board

Rule No: 720-x-16-.01

Rule 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 below:

1. **NEED/EXPECTED BENEFIT OF RULE: Allows the Board to recover the cost of a bad check.**

2. **COSTS/BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE: The ability to recoup the cost of a bad check helps provide adequate funding of the licensing process.**

3. **EFFECT OF THIS RULE ON COMPETITION: The rule change would have no effect on competition. The cost is uniformly applied.**

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.**

9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH: **The rule will have no negative effect on the environment or public health.**

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.**

****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 individual's 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 or 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