

APA-1  
07/04

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No. \_\_\_\_\_ Department or Agency: Board of Heating, Air Conditioning & Refrigeration Contractors  
Rule No. 440-X-3-.15  
Rule Title: Background Checks  
\_\_\_\_ New X Amend \_\_\_\_\_ Repeal \_\_\_\_\_ Adopt by Reference

Would the absence of the proposed rule significantly  
Harm or endanger the public health, welfare, or safety? Yes

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

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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.

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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  
Reference Service.

Signature of certifying officer Kathy Sluiter

Date: 7/21/5

(DATE FILED)  
(STAMP)

APA-2  
07/04

**Alabama State Board of Heating, Air Conditioning & Refrigeration Contractors**

**NOTICE OF INTENDED ACTION**

**AGENCY NAME:** Board of Heating, Air Conditioning & Refrigeration Contractors

**RULE NO. & TITLE:** 440-X-3-.15 Background Checks

**INTENDED ACTION:** Amend

**SUBSTANCE OF PROPOSED ACTION:**

The Board proposes to amend the rule to remove the word criminal from the section outlining background check.

**TIME, PLACE, MANNER OF PRESENTING VIEW:**

Comments may be submitted in writing or orally at a public hearing to be held at 9:00am, September 10, 2015, in the Board's office located at 121 Coosa Street, Suite 250, Montgomery, Alabama 36104.

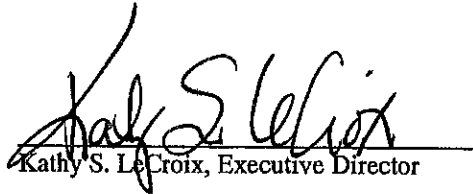
**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**

September 9, 2015

**CONTACT PERSON AT AGENCY:**

Kathy LeCroix

(334) 241-0840

  
Kathy S. LeCroix, Executive Director

#### 440-X-3-.15 BACKGROUND CHECKS

- 1) The Board may require each applicant to provide a criminal-background check prior to submitting an application for examination. Once their background check has been completed and reviewed by the Board, all further documents will be reviewed to determine a candidate's fitness to sit for examination.

Author: Jeffrey Becraft, Kathy S. LeCroix

Statutory Authority: *Code of Alabama 1975*, Section 34-31-21(a); Act No. 2009-486

History: Filed June 29, 2015