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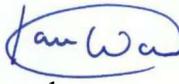
State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 5, 2024

SUBJECT: Applicability of certification of fitness requirements
(SB 197; Work Order No. 33-LS0877\S)

TO: Senator Jesse Bjorkman
Attn: Laura Achee

FROM: Ian E. Walsh 
Legislative Counsel

You asked whether SB 197 has any effect on the certificate of fitness requirement in AS 18.62.010 for electrical and plumbing contractors. The short answer is it does not.

AS 18.62.010 requires a person to obtain a certificate of fitness if the person is employed to perform work "subject to the standards established in AS 18.60.580 and AS 18.60.705" (the electrical and plumbing codes, respectively).¹ While SB 197 requires the Alaska Housing Finance Corporation to adopt a statewide residential building code, it does not modify these existing electrical and plumbing codes. If there is a conflict between the new state residential building code and a statute that requires application of another code (such as the electrical or plumbing code), SB 197 provides that the statute requiring the application of the other code governs the conflict.²

When a person is doing work governed by the existing electrical and plumbing codes, SB 197 requires the application of the standards in those codes, not the new state residential building code, and AS 18.62.010 and AS 18.62.070 would still require the person to obtain a certificate of fitness because the person is employed to perform work "subject to the standards established in AS 18.60.580 and AS 18.60.705."

Please let me know if I may be of further assistance.

IEW:mjt
24-056.mjt

¹ AS 18.62.010 provides one exception to this requirement, which is not at issue here, for "employees of an electric utility that does not have within its service area any portion of a city or unified municipality having more than 2,500 population."

² Proposed sec. 18.18.60.860(c).