

ASSEMBLY BILL NO. 433—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF LANDER COUNTY)

MARCH 10, 1999

Referred to Committee on Commerce and Labor

SUMMARY—Clarifies exemption for certain governmental entities from certain provisions governing contractors. (BDR 54-632)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~for omitted material~~ is material to be omitted.

AN ACT relating to contractors; clarifying that work done by employees and independent contractors for the United States Government, the State of Nevada or certain other governmental entities in this state are exempt from certain provisions governing contractors; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 624.330 is hereby amended to read as follows:
2 624.330 ~~[This]~~ ***Except as otherwise provided in NRS 624.307, this***
3 chapter does not apply to:
4 1. Work done exclusively by an authorized representative of the
5 United States Government, the State of Nevada, or an incorporated city,
6 county, irrigation district, reclamation district, or other municipal or
7 political corporation or subdivision of this state. ***As used in this***
8 ***subsection, “authorized representative” includes an employee or***
9 ***independent contractor acting within the scope of his employment or***
10 ***contract.***
11 2. An officer of a court when acting within the scope of his office.
12 3. Work done exclusively by a public utility operating pursuant to the
13 regulations of the public utilities commission of Nevada on construction,
14 maintenance and development work incidental to its own business.
15 4. An owner of property who is building or improving a residential
16 structure on the property for his own occupancy and not intended for sale.

1 The sale or offering for sale of the newly built structure within 1 year after
2 its completion creates a rebuttable presumption for the purposes of this
3 section that the building of the structure was performed with intent to sell.

4 5. An owner of a complex containing not more than four
5 condominiums, townhouses, apartments or cooperative units, the managing
6 officer of the owner or an employee of the managing officer, who performs
7 work to repair or maintain that property the value of which is less than
8 \$500, including labor and materials, unless:

9 (a) A building permit is required to perform the work;

10 (b) The work is of a type performed by a plumbing, electrical,
11 refrigeration, heating or air-conditioning contractor;

12 (c) The work is of a type performed by a contractor licensed in a
13 classification prescribed by the board that significantly affects the health,
14 safety and welfare of members of the general public;

15 (d) The work is performed as a part of a larger project:

16 (1) The value of which is \$500 or more; or

17 (2) For which contracts of less than \$500 have been awarded to
18 evade the provisions of this chapter; or

19 (e) The work is performed by a person who is licensed pursuant to this
20 chapter or by an employee of such a person.

21 6. The sale or installation of any finished product, material or article of
22 merchandise which is not actually fabricated into and does not become a
23 permanent fixed part of the structure.

24 7. The construction, alteration, improvement or repair of personal
25 property.

26 8. The construction, alteration, improvement or repair financed in
27 whole or in part by the Federal Government and carried on within the
28 limits and boundaries of a site or reservation, the title of which rests in the
29 Federal Government.

30 9. An owner of property, the primary use of which is as an agricultural
31 or farming enterprise, building or improving a structure on the property for
32 his own use or occupancy and not intended for sale or lease.

33 10. An owner of property who builds or improves a structure upon his
34 property and who contracts solely with a managing contractor licensed
35 pursuant to the provisions of this chapter for the building or improvement,
36 if the owner is and remains financially responsible for the building or
37 improving of all buildings and structures built by the owner upon his
38 property pursuant to the exemption of this subsection.

39 **Sec. 2.** This act becomes effective upon passage and approval.