

Amendment No. 629

Assembly Amendment to Assembly Bill No. 193

(BDR 54-920)

Proposed by: Committee on Commerce and Labor**Amendment Box:** Replaces Amendment No. 566.**Resolves Conflicts with:** N/A**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend the bill as a whole by renumbering section 1 as sec. 2 and adding a new section designated section 1, following the enacting clause, to read as follows:

“Section 1. The Legislature hereby finds and declares that the provisions of this act shall not be construed as impairing or otherwise affecting the right of a person to bring an action for a constructional defect pursuant to NRS 40.600 to 40.695, inclusive.”.

Amend the bill as a whole by deleting sec. 2, renumbering sections 4 and 5 as sections 5 and 6 and adding a new section designated sec. 4, following sec. 3, to read as follows:

“Sec. 4. “Owner” includes, without limitation, the owner of a planned unit development.”.

Amend sec. 4, page 2, line 8, by deleting:

“sections 2 and 3” and inserting **“section 2”**.

Amend sec. 5, page 2, by deleting lines 35 through 40 and inserting:

RBL

Date: 4/25/2005

A.B. No. 193—Revises provisions relating to contractors.



“professional fee.

5. A contractor does not include an owner of a planned unit development who enters into a contract with a general contractor to perform any service or conduct any activity described in subsection 2 or 4.”.

Amend the bill as a whole by adding a new section designated sec. 7, following sec. 5, to read as follows:

“**Sec. 7.** NRS 624.606 is hereby amended to read as follows:

624.606 As used in NRS 624.606 to 624.630, inclusive, **and section 4 of this act**, the words and terms defined in NRS 624.607 and 624.608 **and section 4 of this act** have the meanings ascribed to them in those sections.”.

Amend the title of the bill to read as follows:

“AN ACT relating to contractors; providing that certain owners of planned unit developments are not contractors; providing that such owners are subject to certain rights and duties with respect to contracts and subcontracts; and providing other matters properly relating thereto.”.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Existing law provides for the regulation and licensure of contractors in this State. (Chapter 624 of NRS) Under existing law, a contractor is defined as a person, other than a registered architect or licensed professional engineer, who in his professional capacity undertakes in various ways to engage in forms of construction. The term includes subcontractors, specialty contractors and construction managers who perform management and counseling services on a construction project for a professional fee. (NRS 624.020)

This bill amends the definition of contractor to exclude from the term an owner of a planned unit development who enters into a contract with a general contractor to undertake in various ways to engage in forms of construction generally undertaken by a contractor or to act as a construction manager on a construction project.

Existing law prescribes certain rights and duties of owners, contractors and subcontractors under contracts and subcontracts. (NRS 624.606-624.630)

This bill provides that the term "owner" for purposes of those rights and duties includes an owner of a planned unit development.