

SENATE BILL NO. 127—SENATOR AMODEI

FEBRUARY 11, 2009

Referred to Committee on Commerce and Labor

SUMMARY—Exempts qualified persons or groups providing construction oversight services to a long-term recovery group from regulation as a contractor. (BDR 54-596)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to contractors; exempting a qualified person or group providing construction oversight services to a long-term recovery group from the provisions governing the licensure and regulation of contractors; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 This bill adds construction oversight services related to recovery efforts after a
2 disaster or emergency to the existing list of persons and activities that are exempt
3 from licensing and regulation of contractors if those services are provided to a long-
4 term recovery group by a qualified person.

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

- 1 **Section 1.** NRS 624.031 is hereby amended to read as follows:
2 624.031 The provisions of this chapter do not apply to:
3 1. Work performed exclusively by an authorized representative
4 of the United States Government, the State of Nevada, or an
5 incorporated city, county, irrigation district, reclamation district, or
6 other municipal or political corporation or subdivision of this State.
7 2. An officer of a court when acting within the scope of his
8 office.
9 3. Work performed exclusively by a public utility operating
10 pursuant to the regulations of the Public Utilities Commission of



1 Nevada on construction, maintenance and development work
2 incidental to its business.

3 4. An owner of property who is building or improving a
4 residential structure on the property for his own occupancy and not
5 intended for sale or lease. The sale or lease, or the offering for sale
6 or lease, of the newly built structure within 1 year after its
7 completion creates a rebuttable presumption for the purposes of this
8 section that the building of the structure was performed with the
9 intent to sell or lease that structure. An owner of property who
10 requests an exemption pursuant to this subsection must apply to the
11 Board for the exemption. The Board shall adopt regulations setting
12 forth the requirements for granting the exemption.

13 5. Any work to repair or maintain property the value of which
14 is less than \$1,000, including labor and materials, unless:

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

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

18 (c) The work is of a type performed by a contractor licensed in a
19 classification prescribed by the Board that significantly affects the
20 health, safety and welfare of members of the general public;

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

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

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

25 (e) The work is performed by a person who is licensed pursuant
26 to this chapter or by an employee of that person.

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

30 7. The construction, alteration, improvement or repair of
31 personal property.

32 8. The construction, alteration, improvement or repair financed
33 in whole or in part by the Federal Government and conducted within
34 the limits and boundaries of a site or reservation, the title of which
35 rests in the Federal Government.

36 9. An owner of property, the primary use of which is as an
37 agricultural or farming enterprise, building or improving a structure
38 on the property for his use or occupancy and not intended for sale or
39 lease.

40 ***10. Construction oversight services provided to a long-term***
41 ***recovery group by a qualified person within a particular***
42 ***geographic area that is described in a proclamation of a state of***
43 ***emergency or declaration of disaster by the State or Federal***
44 ***Government, including, without limitation, pursuant to NRS***
45 ***414.070. A long-term recovery group may reimburse such***



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1 *reasonable expenses as the qualified person incurs in providing*
2 *construction oversight services to that group. Except as otherwise*
3 *provided in this subsection, nothing in this subsection authorizes a*
4 *person who is not a licensed contractor to perform the acts*
5 *described in paragraphs (a) and (b) of subsection 1 of NRS*
6 *624.700. As used in this subsection:*

7 (a) *“Construction oversight services” means the coordination*
8 *and oversight of labor by volunteers.*

9 (b) *“Long-term recovery group” means a formal group of*
10 *volunteers coordinating response and recovery efforts related to a*
11 *state of emergency or disaster that is proclaimed or declared by the*
12 *State or Federal Government.*

13 (c) *“Qualified person” means a person who possesses the*
14 *abilities, education, experience, knowledge, skills and training that*
15 *a long-term recovery group has identified as being necessary to*
16 *provide construction oversight services for a project to be*
17 *performed by that group.*

