

ASSEMBLY BILL NO. 31—COMMITTEE
ON COMMERCE AND LABOR

(ON BEHALF OF THE STATE CONTRACTORS' BOARD)

PREFILED DECEMBER 14, 2010

Referred to Committee on Commerce and Labor

SUMMARY—Revises an exemption from the provisions governing contractors. (BDR 54-621)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: Yes.

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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; revising an exemption for certain repairs or maintenance of property from the provisions governing contractors; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides for the licensing and regulation of contractors by the
2 State Contractors' Board (chapter 624 of NRS) and imposes criminal and civil
3 penalties for engaging in the business or acting in the capacity of a contractor
4 without having an active contractor's license. (NRS 624.710, 624.750) Existing law
5 also sets forth exemptions from the provisions of chapter 624 of NRS, including an
6 exemption that applies under certain circumstances for work to repair or maintain
7 property the value of which is less than \$1,000, including labor and materials.
8 (NRS 624.031) This bill reduces that exemption by making it applicable for work
9 to repair or maintain property the value of which is less than \$500, including labor
10 and materials.



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

Section 1. NRS 624.031 is hereby amended to read as follows:

624.031 The provisions of this chapter do not apply to:

1. Work performed exclusively by an authorized representative of the United States Government, the State of Nevada, or an incorporated city, county, irrigation district, reclamation district, or other municipal or political corporation or subdivision of this State.

2. An officer of a court when acting within the scope of his or her office.

3. Work performed exclusively by a public utility operating pursuant to the regulations of the Public Utilities Commission of Nevada on construction, maintenance and development work incidental to its business.

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

5. Any work to repair or maintain property the value of which is less than ~~[\$1,000,]~~ \$500, including labor and materials, unless:

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

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

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

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

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

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

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

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

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



1 8. The construction, alteration, improvement or repair financed
2 in whole or in part by the Federal Government and conducted within
3 the limits and boundaries of a site or reservation, the title of which
4 rests in the Federal Government.

5 9. An owner of property, the primary use of which is as an
6 agricultural or farming enterprise, building or improving a structure
7 on the property for his or her use or occupancy and not intended for
8 sale or lease.

9 10. Construction oversight services provided to a long-term
10 recovery group by a qualified person within a particular geographic
11 area that is described in a proclamation of a state of emergency or
12 declaration of disaster by the State or Federal Government,
13 including, without limitation, pursuant to NRS 414.070. A long-
14 term recovery group may reimburse such reasonable expenses as the
15 qualified person incurs in providing construction oversight services
16 to that group. Except as otherwise provided in this subsection,
17 nothing in this subsection authorizes a person who is not a licensed
18 contractor to perform the acts described in paragraphs (a) and (b) of
19 subsection 1 of NRS 624.700. As used in this subsection:

20 (a) "Construction oversight services" means the coordination
21 and oversight of labor by volunteers.

22 (b) "Long-term recovery group" means a formal group of
23 volunteers coordinating response and recovery efforts related to a
24 state of emergency or disaster that is proclaimed or declared by the
25 State or Federal Government.

26 (c) "Qualified person" means a person who possesses the
27 abilities, education, experience, knowledge, skills and training that a
28 long-term recovery group has identified as being necessary to
29 provide construction oversight services for a project to be performed
30 by that group.

