

Amendment No. 443

Assembly Amendment to Assembly Bill No. 31

(BDR 54-621)

Proposed by: Assembly Committee on Commerce and Labor**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date
Adopted	☐	Lost	☐ _____	Adopted	☐	Lost	☐ _____
Concurred In	☐	Not	☐ _____	Concurred In	☐	Not	☐ _____
Receded	☐	Not	☐ _____	Receded	☐	Not	☐ _____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) ~~orange double underlining~~ is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold underlining*** is newly added transitory language.

SLP/MSN



Date: 4/19/2011

A.B. No. 31—Revises an exemption from the provisions governing contractors.
(BDR 54-621)



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:

Existing law provides for the licensing and regulation of contractors by the State
Contractors' Board (chapter 624 of NRS) and imposes criminal and civil penalties for
engaging in the business or acting in the capacity of a contractor without having an active
contractor's license. (NRS 624.710, 624.750) Existing law also sets forth exemptions from the
provisions of chapter 624 of NRS, including an exemption that applies under certain
circumstances for work to repair or maintain property the value of which is less than \$1,000,
including labor and materials. (NRS 624.031) This bill ~~reduces~~ **revises** that exemption by
making it applicable for work to repair or maintain property the value of which is less than
~~(\$500)~~ **\$1,000**, including labor and materials ~~it~~ **, aggregated for all work performed for a
person and any member of his or her immediate family in the immediately preceding 12
months.**

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

1 district, reclamation district, or other municipal or political corporation or
2 subdivision of this State.

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

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

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

15 5. Any work to repair or maintain property the value of which is less than
16 ~~\$1,000, \$500,~~ including labor and materials, aggregated for all work performed
17 for a person and any member of his or her immediate family in the immediately
18 preceding 12 months, unless:

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

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

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

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

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

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

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

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

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

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

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

41 10. Construction oversight services provided to a long-term recovery group
42 by a qualified person within a particular geographic area that is described in a
43 proclamation of a state of emergency or declaration of disaster by the State or
44 Federal Government, including, without limitation, pursuant to NRS 414.070. A
45 long-term recovery group may reimburse such reasonable expenses as the qualified
46 person incurs in providing construction oversight services to that group. Except as
47 otherwise provided in this subsection, nothing in this subsection authorizes a person
48 who is not a licensed contractor to perform the acts described in paragraphs (a) and
49 (b) of subsection 1 of NRS 624.700. As used in this subsection:

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

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

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