

Amendment No. 652

Assembly Amendment to Senate Bill No. 19 (BDR 54-499)

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/TMC



Date: 5/22/2011

S.B. No. 19—Requires an applicant for a contractor’s license or a licensed contractor to notify the State Contractors’ Board if the applicant or licensee is convicted of, or pleads guilty, guilty but mentally ill or nolo contendere to, certain crimes. (BDR 54-499)



SENATE BILL NO. 19—COMMITTEE ON
COMMERCE, LABOR AND ENERGY

(ON BEHALF OF THE STATE CONTRACTORS' BOARD)

PREFILED DECEMBER 13, 2010

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Requires an applicant for a contractor's license or a licensed contractor to notify the State Contractors' Board if the applicant or licensee is convicted of, or pleads guilty, guilty but mentally ill or nolo contendere to, certain crimes. (BDR 54-499)

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

~

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

AN ACT relating to contractors; requiring an applicant for a contractor's license or a licensed contractor to notify the State Contractors' Board if the applicant or licensee is convicted of, or pleads guilty, guilty but mentally ill or nolo contendere to, certain crimes; providing that the failure of an applicant or a licensee to submit such notification constitutes grounds for disciplinary action by the Board; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill requires an applicant for a contractor's license or a licensed contractor to notify the State Contractors' Board in writing within 30 days after the applicant or licensee is convicted of, or enters a plea of guilty, guilty but mentally ill or nolo contendere **, in this State or any other jurisdiction, to ~~it~~ : (1) a crime against a child; (2) a sexual offense; (3) murder; (4) voluntary manslaughter; or (5) a felony or crime involving moral turpitude ~~(in this State or any other jurisdiction), if the conviction occurred or the plea was entered in the immediately preceding 15 years.~~**

Section 2 of this bill adds to the list of grounds for disciplinary action by the Board a licensed contractor's failure to submit such notification to the Board.

Section 3 of this bill requires an applicant for a contractor's license or a licensed contractor to notify the Board in writing not later than ~~July~~ **December** 31, 2011, if, before July 1, 2011, the applicant or licensee was convicted of, or entered a plea of guilty, guilty but mentally ill or nolo contendere **, in this State or any other jurisdiction, to ~~it~~ : (1) a crime against a child; (2) a sexual offense; (3) murder; (4) voluntary manslaughter; or (5) a felony or crime involving moral turpitude ~~(in this State or any other jurisdiction), if the conviction occurred or the plea was entered in the immediately preceding 15 years.~~** The failure of an applicant or a licensee to submit such notification constitutes grounds for refusing issuance of a license or for disciplinary action by the Board.

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

Section 1. Chapter 624 of NRS is hereby amended by adding thereto a new section to read as follows:

1. An applicant for a contractor's license or a licensee shall notify the Board in writing if he or she is convicted of, or enters a plea of guilty, guilty but mentally ill or nolo contendere to ~~it~~ :

(a) A crime against a child as that term is defined in NRS 179.245;

(b) A sexual offense as that term is defined in NRS 179.245;

(c) Murder as that term is defined in NRS 200.010;

(d) Voluntary manslaughter as that term is defined in NRS 200.050; or

(e) Any other felony or crime involving moral turpitude if the conviction occurred or the plea was entered in the immediately preceding 15 years, in this State or any other jurisdiction.

2. An applicant for a contractor's license or a licensee shall submit the notification required by subsection 1 not more than 30 days after the conviction or entry of the plea of guilty, guilty but mentally ill or nolo contendere.

Sec. 2. NRS 624.3016 is hereby amended to read as follows:

624.3016 The following acts or omissions, among others, constitute cause for disciplinary action under NRS 624.300:

1. Any fraudulent or deceitful act committed in the capacity of a contractor, including, without limitation, misrepresentation or the omission of a material fact.

2. A conviction of a violation of NRS 624.730, or a conviction in this State or any other jurisdiction of a felony relating to the practice of a contractor or a crime involving moral turpitude.

3. Knowingly making a false statement in or relating to the recording of a notice of lien pursuant to the provisions of NRS 108.226.

4. Failure to give a notice required by NRS 108.227, 108.245 or 108.246.

5. Failure to comply with NRS 624.920, 624.930, 624.935 or 624.940 or any regulations of the Board governing contracts for work concerning residential pools and spas.

6. Failure to comply with NRS 624.600.

7. Misrepresentation or the omission of a material fact, or the commission of any other fraudulent or deceitful act, to obtain a license.

8. Failure to pay an assessment required pursuant to NRS 624.470.

9. Failure to file a certified payroll report that is required for a contract for a public work.

10. Knowingly submitting false information in an application for qualification or a certified payroll report that is required for a contract for a public work.

11. Failure to notify the Board of a conviction ~~to~~ or entry of a plea of guilty, guilty but mentally ill or nolo contendere ~~(to, a felony or crime of moral turpitude in this State or any other jurisdiction)~~ pursuant to section 1 of this act.

Sec. 3. 1. An applicant for a contractor's license or a licensed contractor who, before July 1, 2011, was convicted of, or entered a plea of guilty, guilty but mentally ill or nolo contendere to ~~it~~ :

(a) A crime against a child as that term is defined in NRS 179.245;

(b) A sexual offense as that term is defined in NRS 179.245;

(c) Murder as that term is defined in NRS 200.010;

(d) Voluntary manslaughter as that term is defined in NRS 200.050; or

(e) Any other felony or crime of moral turpitude if the conviction occurred or the plea was entered in the immediately preceding 15 years,

1 § in this State or any other jurisdiction shall notify the State Contractors' Board in
2 writing of that conviction or entry of the plea of guilty, guilty but mentally ill or
3 nolo contendere not later than ~~July~~ December 31, 2011.

4 2. The failure of an applicant for a contractor's license to comply with the
5 provisions of subsection 1 constitutes cause for refusing issuance of a license.

6 3. The failure of a licensed contractor to comply with the provisions of
7 subsection 1 constitutes cause for disciplinary action under NRS 624.300.

8 **Sec. 4.** This act becomes effective on July 1, 2011.