

Amendment No. 41

Assembly Amendment to Assembly Bill No. 27	(BDR 54-269)
Proposed by: Assembly Committee on Commerce and Labor	
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"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

ASSEMBLY BILL NO. 27—COMMITTEE
ON COMMERCE AND LABOR

(ON BEHALF OF THE STATE CONTRACTORS' BOARD)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to contractors who provide management and counseling services on construction projects. (BDR 54-269)

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; requiring a general building contractor who provides management and counseling services on a construction project to have an active license in ~~each classification or subclassification~~ **the same classifications and subclassifications that are** required to be held by the prime contractor for the construction project; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

With certain exceptions, existing law provides that a contractor whose principal contracting business is in connection with the construction or remodeling of certain types of buildings or structures is considered to be a general building contractor. (NRS 624.215) Existing law authorizes a general building contractor to provide management and counseling services on a construction project for a professional fee. (NRS 624.215) This bill requires a general building contractor who provides such services to have an active license in ~~each classification or subclassification~~ **the same classifications and subclassifications that are** required to be held by the prime contractor for the construction project.

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

Section 1. NRS 624.215 is hereby amended to read as follows:
624.215 1. For the purpose of classification, the contracting business includes the following branches:
(a) General engineering contracting.
(b) General building contracting.
(c) Specialty contracting.
↪ General engineering contracting and general building contracting are mutually exclusive branches.

2. A general engineering contractor is a contractor whose principal contracting business is in connection with fixed works, including irrigation, drainage, water supply, water power, flood control, harbors, railroads, highways, tunnels, airports and airways, sewers and sewage disposal systems, bridges, inland waterways, pipelines for transmission of petroleum and other liquid or gaseous substances, refineries, chemical plants and industrial plants requiring a specialized engineering knowledge and skill, power plants, piers and foundations and structures or work incidental thereto.

3. Except as otherwise provided in subsections 5 and 6, a general building contractor is a contractor whose principal contracting business is in connection with the construction or remodeling of buildings or structures for the support, shelter and enclosure of persons, animals, chattels or movable property of any kind, requiring in their construction the use of more than two unrelated building trades or crafts, upon which he or she is a prime contractor and where the construction or remodeling of a building is the primary purpose. Unless he or she holds the appropriate specialty license, a general building contractor may only contract to perform specialty contracting if he or she is a prime contractor on a project. Except as otherwise provided in subsection 4 of NRS 624.220, a general building contractor shall not perform specialty contracting in plumbing, electrical, refrigeration and air-conditioning or fire protection without a license for the specialty. A person who is licensed pursuant to chapter 489 of NRS and who exclusively constructs or repairs mobile homes, manufactured homes or commercial coaches is not a general building contractor.

4. A specialty contractor is a contractor whose operations as such are the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts.

5. A general engineering contractor, when acting as a prime contractor, may hire not more than one general building contractor to provide any work, materials or equipment as specified in subsection 3 on a single construction project.

6. A general building contractor may contract to provide management and counseling services on a construction project for a professional fee. A general building contractor who has contracted to provide management and counseling services ~~[may]:~~

(a) Must have an active license in ~~each classification or subclassification~~ the same classifications and subclassifications that ~~he~~ are required to be held by the prime contractor on the project.

(b) May hire not more than one general building contractor to provide any work, materials or equipment as specified in subsection 3 on a single construction project.

7. A single construction project must be limited to not more than one general building contractor who provides management and counseling services for a professional fee and not more than one general building contractor who provides any work, materials or equipment as specified in subsection 3.

8. Except as otherwise provided in this subsection, each construction project must have one, but not more than one, prime contractor who is a licensed contractor and is responsible for the work, materials and equipment for the construction project. A construction project is not required to have a prime contractor if the work for the construction project or the person providing the work for the construction project is exempt pursuant to NRS 624.031.

9. This section does not prevent the Board from establishing, broadening, limiting or otherwise effectuating classifications in a manner consistent with established custom, usage and procedure found in the building trades. The Board is

1 specifically prohibited from establishing classifications in such a manner as to
2 determine or limit craft jurisdictions.

3 10. As used in this section, "prime contractor" means:

4 (a) A general engineering contractor who enters into an oral or written
5 agreement with an owner of a construction project or an agent of an owner to
6 provide any work, materials or equipment for which the general engineering
7 contractor is licensed;

8 (b) A general building contractor who enters into an oral or written agreement
9 with an owner of a construction project or an agent of an owner to provide any
10 work, materials or equipment for which the general building contractor is licensed;

11 (c) A general engineering contractor and general building contractor who enter
12 into an oral or written agreement with an owner of a construction project or an
13 agent of an owner to provide any work, materials or equipment for which the
14 general engineering contractor and general building contractor are licensed; or

15 (d) A specialty contractor who enters into an oral or written agreement with an
16 owner of a construction project or an agent of an owner to provide:

17 (1) Any work, materials or equipment for which the specialty contractor is
18 licensed; and

19 (2) Any other work which is incidental and supplemental thereto.

20 **Sec. 2.** The amendatory provisions of section 1 of this act do not apply to a
21 contract entered into before the effective date of this act, but do apply to any
22 renewal or extension of such a contract.

23 **Sec. 3.** This act becomes effective upon passage and approval.