

1 submits a bid to construct, alter, repair, add to, subtract from,
2 improve, move, wreck or demolish any building, highway, road,
3 railroad, structure or excavation associated with a project,
4 development or improvement, or to do any part thereof, including
5 the erection of scaffolding or other structures or works in
6 connection therewith, where the cost of the undertaking is ~~\$2,500~~
7 \$5,000 or more.

8 Contractor includes a construction manager who performs
9 management and counseling services for a construction project for
10 a professional fee.

11 Contractor does not include:

12 (1) One who merely furnishes materials or supplies without
13 fabricating or consuming them in the construction project;

14 (2) A person who personally performs construction work on the
15 site of real property which the person owns or leases whether for
16 commercial or residential purposes;

17 (3) A person who is licensed or registered as a professional
18 and who functions under the control of any other licensing or
19 regulatory board, whose primary business is real estate sales,
20 appraisal, development, management and maintenance, who acting in
21 his or her respective professional capacity and any employee of
22 such professional, acting in the course of his or her employment,
23 performs any work which may be considered to be performing
24 contracting work;

1 (4) A pest control operator licensed under the provisions of
2 section seven, article sixteen-a, chapter nineteen of this code to
3 engage in the application of pesticides for hire, unless the
4 operator also performs structural repairs exceeding \$1,000 on
5 property treated for insect pests; or

6 (5) A corporation, partnership or sole proprietorship whose
7 primary purpose is to prepare construction plans and specifications
8 used by the contractors defined in this subsection and who employs
9 full time a registered architect licensed to practice in this state
10 or a registered professional engineer licensed to practice in this
11 state. Employees of such corporation, partnership or sole
12 proprietorship shall also be exempt from the requirements of this
13 article.

14 (d) "Electrical contractor" means a person who engages in the
15 business of contracting to install, erect, repair or alter
16 electrical equipment for the generation, transmission or
17 utilization of electrical energy.

18 (e) "General building contractor" means a person whose
19 principal business is in connection with any structures built,
20 being built or to be built for the support, shelter and enclosure
21 of persons, animals, chattels or movable property of any kind,
22 requiring in the construction the use of more than two contractor
23 classifications, or a person who supervises the whole or any part
24 of such construction.

1 (f) "General engineering contractor" means a person whose
2 principal business is in connection with public or private works
3 projects, including, but not limited to, one or more of the
4 following: Irrigation, drainage and water supply projects;
5 electrical generation projects; swimming pools; flood control;
6 harbors; railroads; highways; tunnels; airports and airways; sewers
7 and sewage disposal systems; bridges; inland waterways; pipelines
8 for transmission of petroleum and other liquid or gaseous
9 substances; refineries; chemical plants and other industrial plants
10 requiring a specialized engineering knowledge and skill; piers and
11 foundations; and structures or work incidental thereto.

12 (g) "Heating, ventilating and cooling contractor" means a
13 person who engages in the business of contracting to install,
14 erect, repair, service or alter heating, ventilating and air
15 conditioning equipment or systems to heat, cool or ventilate
16 residential and commercial structures.

17 (h) "License" means a license to engage in business in this
18 state as a contractor in one of the classifications set out in this
19 article.

20 (i) "Multifamily contractor" means a person who is engaged in
21 construction, repair or improvement of a multifamily residential
22 structure.

23 (j) "Person" includes an individual, firm, sole
24 proprietorship, partnership, corporation, association or other

1 entity engaged in the undertaking of construction projects or any
2 combination thereof.

3 (k) "Piping contractor" means a person whose principal
4 business is the installation of process, power plant, air, oil,
5 gasoline, chemical or other kinds of piping; and boilers and
6 pressure vessels using joining methods of thread, weld, solvent
7 weld or mechanical methods.

8 (l) "Plumbing contractor" means a person whose principal
9 business is the installation, maintenance, extension and alteration
10 of piping, plumbing fixtures, plumbing appliances and plumbing
11 appurtenances, venting systems and public or private water supply
12 systems within or adjacent to any building or structure; included
13 in this definition is installation of gas piping, chilled water
14 piping in connection with refrigeration processes and comfort
15 cooling, hot water piping in connection with building heating and
16 piping for stand pipes.

17 (m) "Residential contractor" means a person whose principal
18 business is in connection with construction, repair or improvement
19 of real property used as, or intended to be used for, residential
20 occupancy.

21 (n) "Specialty contractor" means a person who engages in
22 specialty contracting services which do not substantially fall
23 within the scope of any contractor classification as set out
24 herein.

1 (o) "Residential occupancy" means occupancy of a structure for
2 residential purposes for periods greater than thirty consecutive
3 calendar days.

4 (p) "Residential structure" means a building or structure used
5 or intended to be used for residential occupancy, together with
6 related facilities appurtenant to the premises as an adjunct of
7 residential occupancy, which contains not more than three distinct
8 floors which are above grade in any structural unit regardless of
9 whether the building or structure is designed and constructed for
10 one or more living units. Dormitories, hotels, motels or other
11 transient lodging units are not residential structures.

12 (q) "Subcontractor" means a person who performs a portion of
13 a project undertaken by a principal or general contractor or
14 another subcontractor.

15 (r) "Division" means the Division of Labor.

16 (s) "Cease and desist order" means an order issued by the
17 commissioner pursuant to the provisions of this article.

18 (t) The term "basic universal design" means the design of
19 products and environments to be useable by all people, to the
20 greatest extent possible, without the need for adaptation or
21 specialization.

NOTE: The purpose of this bill is to raise the threshold

amount required for a construction job to be performed by someone with a contractor's license from \$2,500 to \$5,000.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.