

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	5 - 0 - 0
Yeas:	Deckert, George L., Monnes Anderson, Starr, Metsger
Nays:	0
Exc.:	0
Prepared By:	Janet Adkins, Administrator
Meeting Dates:	1/31, 2/19

WHAT THE MEASURE DOES: Clarifies that persons in the business of cleaning and/or servicing chimneys are required to be licensed as construction contractors with the Construction Contractors Board. Delays any civil penalties for unlicensed servicing of chimneys for one year.

ISSUES DISCUSSED:

- History of the licensing requirement
- Attorney General advice related to the lack of specific wording in the statute
- Technical nature of servicing modern heating units
- Potential liability without the measure

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Current law requires persons who receive compensation for building, repairing or inspecting buildings or other structures to be licensed with the Construction Contractors Board for the protection of the public. Because the requirement applies to all structural parts of buildings, it also applies to chimneys. Chimney cleaning businesses typically inspect chimneys, and do some level of repair and servicing, activities that require licensing. Because the general contractor statute does not specifically include cleaning, the board was advised that its authority to require the license for these businesses should be clarified. The board until recently assumed the license was required and many chimney cleaning businesses are already licensed. SB 605 would specifically require them to be licensed. Applicants for a contractors license must pass a test covering contractor business practices and requirements, pay a fee, and obtain a bond.

The State Fire Marshal has documented 4,698 chimney fires and \$2.6 million in losses over the last eight years. The Fire Marshal supports SB 605, noting that chimney sweeps inspect and judge the worthiness of the entire heating system.