

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	8 - 0 - 0
Yeas:	Conger, Doherty, Esquivel, Hoyle, Johnson, Matthews, Kennemer, Schaufler
Nays:	0
Exc.:	0
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	5/2

WHAT THE MEASURE DOES: Adds the term of “appurtenance” to the definitions of “residential structure” and “small commercial structure” in construction contractor laws. Requires the Construction Contractors Board to adopt criteria that allows residential contractors to be exempted from the continuing education requirement in state building code compliance or building exterior shell training. Allows the Board to require residential contractors who take advantage of the exemption to take continuing education or training in other subjects to offset the reduction in continuing education or training hours. Allows the Board to approve elective private and public education and training programs that can be credited towards residential contractors’ continuing education requirements, as long as they directly contribute to residential contractors’ professional competency.

ISSUES DISCUSSED:

- Examples of appurtenances
- How the measure clarifies provisions of House Bill 3242 (2007)
- Level of support for measure’s provisions pertaining to continuing education

EFFECT OF COMMITTEE AMENDMENT: Requires the Construction Contractors Board to adopt criteria that allows residential contractors to be exempted from the continuing education requirement in state building code compliance or building exterior shell training. Allows the Board to require residential contractors who take advantage of the exemption to take continuing education or training in other subjects to offset the reduction in continuing education or training hours. Allows the Board to approve elective private and public education and training programs that can be credited towards residential contractors’ continuing education requirements, as long as they directly contribute to residential contractors’ professional competency.

BACKGROUND: House Bill 3242 (2007) separated contractor licenses into two major license types - Residential Endorsement and Commercial Endorsement. The criteria for licensure differ between each endorsement, including items such as experience, education, continuing education, and levels of liability and workers’ compensation insurance. Residential contractors are endorsed to work on residential and small commercial structures, while commercial contractors can work on small and large commercial structures.

The definitions for a “residential structure” and “small commercial structure” are used to determine what license endorsement to obtain and how to properly file complaints, and for the Construction Contractors Board (CCB) to determine whether violations have occurred and a sanction needs to be issued. Current statutes related to construction contracting include definitions for both residential and commercial structures, but neither definition covers minor structures built on the same property, such as a fence or in-ground swimming pool. Because the definitions do not cover minor structures, there has been confusion in regards to the type of endorsement a constructor needs. Senate Bill 155-A adds the term “appurtenance,” which under current administrative rule is defined as “any accessory of improvement to real estate associated with a structure,” to the definitions of both a “residential structure” and a “small commercial structure.” The measure also directs the CCB to adopt rules for exempting residential contractors from continuing education requirements for building code compliance and building exterior shell training, while allowing these contractors to take additional elective courses.

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This summary has not been adopted or officially endorsed by action of the committee.