

ENROLLED HOUSE
BILL NO. 1476

By: Reese of the House

and

Laughlin of the Senate

An Act relating to the Home Repair Fraud Act;
amending 15 O.S. 1991, Section 765.2, which relates
to definitions and application of the act;
modifying definition; and providing an effective
date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 15 O.S. 1991, Section 765.2, is
amended to read as follows:

Section 765.2 A. As used in the Home Repair Fraud Act:

1. "Home repair" means the fixing, replacing, altering,
converting, modernizing, improving of or the making of an addition
to any real property primarily designed or used as a residence.

Home repair shall include, but not be limited to, the
construction, installation, replacement or improvement of driveways,
swimming pools, porches, roofs, siding, kitchens, chimneys, chimney
liners, garages, outbuildings or storage sheds, fences, fallout
shelters, air conditioning systems, heating systems, boilers,
furnaces, hot water heaters, electrical wiring, sewers, plumbing
fixtures, storm doors, storm windows, awnings, floor or attic
bracing, moisture control, and other improvements to residential
structures or upon the land adjacent thereto.

Home repair shall not include the sale, installation, cleaning
or repair of carpets; the sale of goods or materials by a merchant
who does not directly or through a subsidiary perform any work or
labor in connection with the installation or application of the
goods or materials; the repair, installation, replacement or
connection of any home appliance including but not limited to
disposals, refrigerators, ranges, garage door openers, television
antennas, washing machines, telephones or other home appliances when
the person replacing, installing, repairing or connecting such home
appliance ~~are employees~~ is an employee or ~~agents~~ agent of the
merchant that sold the home appliance; or landscaping; and

2. "Residence" means a single or multiple family dwelling,
including but not limited to a single family home, apartment
building, condominium, duplex or townhouse which is used or intended
to be used by its occupants as their dwelling place.

B. Nothing in the Home Repair Fraud Act shall be construed to
apply to original construction of single or multiple family
residence.

SECTION 2. This act shall become effective November 1, 1997.

Passed the House of Representatives the 26th day of February,

1997.

Speaker of the House of
Representatives

Passed the Senate the 24th day of March, 1997.

President of the Senate