



1 containing a statement of the applicant's experience and  
2 qualifications as a roofing contractor, if any~~;~~; the applicant's  
3 name, physical address, business name and address, phone number, and  
4 place of incorporation, if different,~~information from this state;~~  
5 and information, including but not limited to, name, address and  
6 phone number on any other person who will be authorized to act as  
7 the business entity,~~and the applicant's phone number.~~

8 2. A copy of the roofing contractor's certificate of liability  
9 insurance shall be filed with the application and shall be not less  
10 than Five Hundred Thousand Dollars (\$500,000.00). Any insurance  
11 company issuing a liability policy to a roofing contractor pursuant  
12 to the provisions of the Roofing Contractor Registration Act shall  
13 be required to notify the Construction Industries Board in the event  
14 such liability policy is cancelled for any reason or lapses for  
15 nonpayment of premiums. All registrations granted under the Roofing  
16 Contractor Registration Act shall be suspended on the date of the  
17 policy cancellation. The registrar must receive proof of insurance  
18 prior to restoring the registration.

19 3. Beginning January 1, 2014, each new applicant for a roofing  
20 contractor registration and each registered or renewing roofing  
21 contractor shall procure and file with the registrar a good and  
22 sufficient bond in the amount of Thirty Thousand Dollars  
23 (\$30,000.00). In addition to all other conditions and requirements

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1 set forth herein for registration, the bond shall require the  
2 availability of prompt and full warranty services by the roofing  
3 contractor to comply with all warranties expressed or implied in  
4 connection with each roofing project performed in this state. The  
5 bond shall be approved as to form by the Attorney General and  
6 conditioned that the roofing contractor shall not misrepresent his  
7 or her qualifications and experience or any roofing-related service  
8 or product to the property owner or violate any of the provisions of  
9 the Roofing Contractor Registration Act. One of the purposes of the  
10 bond is to provide reimbursement for any loss or damage suffered by  
11 any person by reason of any roofing-related services performed by  
12 the registered roofing contractor or persons acting on his or her  
13 behalf. The bond shall be maintained throughout the period of  
14 registration. Should the bond be canceled for any reason, the  
15 roofing contractor registration shall be revoked as of the date of  
16 cancellation unless a new bond is furnished prior to such date.

17 4. In addition, the roofing contractor shall submit proof that  
18 the contractor has secured workers' compensation coverage  
19 satisfactory under the Workers' Compensation Act, or an affidavit of  
20 exemption or self-insurance as authorized pursuant to the Workers'  
21 Compensation Act.

22 5. If the registrar deems it appropriate or necessary, the  
23 registrar may also require other information to be included on or  
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1 with the application form to assist the registrar in registering the  
2 person as a roofing contractor. The application shall contain  
3 statements that the applicant desires the issuance of a roofing  
4 contractor registration certificate; that the applicant will comply  
5 with the provisions of the Roofing Contractor Registration Act; that  
6 the applicant will comply with state laws and local ordinances  
7 relating to standards and permits; that the applicant has or has not  
8 been registered or licensed as a roofing contractor in another state  
9 and whether any disciplinary action was taken against such  
10 registration or license or whether it is still in good standing; and  
11 that the nonresident applicant appoints the Secretary of State as  
12 legal service agent for all lawful process to be served upon the  
13 applicant for work performed in this state or as otherwise provided  
14 in the Roofing Contractor Registration Act.

15 B. The registrar shall refuse to register any person if the  
16 registrar determines:

17 1. The application contains false, misleading, or incomplete  
18 information;

19 2. The applicant fails or refuses to provide any information  
20 requested by the registrar or required for registration;

21 3. The applicant fails or refuses to pay the required fees or  
22 provide the bond;

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1 4. The applicant is ineligible for registration due to a  
2 suspended or revoked registration in this state;

3 5. The nonresident applicant has a revoked or suspended  
4 registration or license required by law for roofing contractors in  
5 another state; or

6 6. The applicant has failed or refuses to submit any taxes due  
7 in this state.

8 C. The registrar shall notify the applicant in writing if the  
9 registrar denies a registration or renewal certificate, and shall  
10 provide the applicant an opportunity to respond to or cure any  
11 defect in the written application or renewal for a period of ten  
12 (10) days from the date of the written notification. An applicant  
13 aggrieved by a decision of the registrar denying a registration or  
14 renewal may appeal the decision as provided in the Administrative  
15 Procedures Act, or the applicant may reapply after a ninety-day  
16 waiting period, if otherwise eligible under the provisions of the  
17 Roofing Contractor Registration Act. The application and renewal  
18 fees shall not be refundable.

19 D. The registrar shall classify as not in good standing the  
20 registration of any roofing contractor who fails to:

- 21 1. Maintain liability insurance coverage or bond;
- 22 2. Maintain workers' compensation coverage satisfactory under  
23 the Workers' Compensation Act, or provide an affidavit of exemption

1 or self-insurance as authorized pursuant to the Workers'  
2 Compensation Act;

3 3. File, renew, or properly amend any fictitious name  
4 certificate;

5 4. Maintain an active status of a corporation or registration  
6 as a foreign corporation, a limited liability company or  
7 registration as a foreign limited liability company, a limited  
8 liability partnership registration or foreign limited liability  
9 partnership registration, or a limited partnership certificate or  
10 limited partnership or foreign limited partnership certificate of  
11 authority, with the Office of the Secretary of State;

12 5. File or renew a trade name registration;

13 6. Maintain or renew a roofing contractor registration as  
14 provided in the Roofing Contractor Registration Act;

15 7. Notify the registrar of a change in name, address, legal  
16 business entity, legal service agent, or adjudication by a court of  
17 competent jurisdiction for any act or omission specified in  
18 subsection A of Section 1151.14 of this title or a violation of the  
19 Roofing Contractor Registration Act;

20 8. Maintain a registration as required by law in another state  
21 while registered in this state as a nonresident roofing contractor;  
22 or

23 9. File and pay all taxes when due in this state.

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1 E. The registrar shall send a written notice to the person when  
2 his or her registration is not in good standing. Any roofing  
3 contractor who has been notified by the registrar that his or her  
4 registration is not in good standing shall cease soliciting or  
5 entering new roofing services and projects as of the date of such  
6 notification; however, the roofing contractor shall be allowed to  
7 complete roofing projects where actual physical work has begun prior  
8 to the date of issuance of the notice that his or her registration  
9 is not in good standing. The roofing contractor must disclose the  
10 change in standing to any ~~homeowner~~ property owner or other person  
11 who has an interest in any job covered under the Roofing Contractor  
12 Registration Act. Upon notice of a change in standing, the  
13 ~~homeowner~~ property owner shall have the option to cancel the  
14 contract. The roofing contractor will be owed the actual cost  
15 incurred for materials and the market value of labor already  
16 incurred on the job. The roofing contractor must obtain an updated  
17 authorization from the homeowner and other parties of interest if  
18 there is an agreement to continue the job as originally negotiated.  
19 If the roofing contractor fails to correct the deficiency specified  
20 in the notice by evidence satisfactory to the registrar within  
21 thirty (30) days of the date of the notice, or if the roofing  
22 contractor solicits or enters into new roofing services contracts or  
23 projects while the roofing contractor's registration is not in good

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1 standing, or while such registration is suspended or revoked, the  
2 roofing contractor shall be in violation of the provisions of the  
3 Roofing Contractor Registration Act. Any registration that remains  
4 not in good standing for a sixty-day period shall be suspended on  
5 the sixtieth day from the date of issuance of the notice to the  
6 roofing contractor that his or her registration is not in good  
7 standing. Any registration that remains not in good standing and is  
8 suspended for such cause, shall be revoked on the ninetieth day from  
9 the date of issuance of the notice to the roofing contractor that  
10 his or her registration is not in good standing. The registrar  
11 shall notify the roofing contractor upon suspension or revocation of  
12 his or her registration for failure to comply in bringing such  
13 registration into good standing as required by law. The roofing  
14 contractor may reinstate his or her registration to good standing by  
15 paying the required fees provided in Section 1151.12 of this title  
16 and complying with all other requirements for issuance of a  
17 registration in good standing. Any person aggrieved by the decision  
18 of the registrar to suspend or revoke a registration pursuant to  
19 this section may appeal such decision as provided in the  
20 Administrative Procedures Act.

21 SECTION 2. This act shall become effective July 1, 2013.

22 SECTION 3. It being immediately necessary for the preservation  
23 of the public peace, health and safety, an emergency is hereby  
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1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

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4 COMMITTEE REPORT BY: COMMITTEE ON ECONOMIC DEVELOPMENT AND FINANCIAL  
5 SERVICES, dated 03/25/2013 - DO PASS, As Amended.

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