STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

SENATE BILL 1068 By: Newberry

AS INTRODUCED

An Act relating to general contractors; setting date for certain persons to be licensed; providing for certain determinations and recommendation by certain date by the Construction Industries Board; requiring certain report be filed; defining term; exempting certain types of work; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1160 of Title 59, unless there is created a duplication in numbering, reads as follows:

Beginning on and after July 1, 2014, every person acting in the capacity of a general contractor, whether a resident or nonresident of this state, including all primary, subcontractor and independent contractors on any commercial construction project as defined in this section, shall be required to be licensed, bonded, insured, experienced, qualified and successfully examined in this state prior to soliciting, offering, contracting for, entering into any

agreement, or engaging or performing such construction work in this state.

The Construction Industries Board shall not later than November 1, 2013, define, evaluate, determine and recommend what license terms, conditions, fees, bond amounts, insurance amounts, experience, qualifications, and examinations must be successfully completed for a general contractor to act under this provision and be licensed in this state. The Construction Industries Board shall present its determinations and recommendations to the Legislature in a written report to be filed with the President Pro Tempore of the Senate and the Speaker of the House of Representatives, together with all proposed costs of administering general contractor licensing and all proposed requirements for staffing, enforcement and financial support, by November 1, 2013.

For purposes of this section, the term "commercial construction project" means any land development, construction, installation, renovation, repair, remodel, maintenance, alteration or demolition of a public building or structure, or any land, building or structure where the general public is permitted to enter upon for any purpose or to use the developed space for any designated purposes, including but not limited to: apartment buildings, units, tennis courts, pools, clubhouses or related complexes or structures; residential buildings, complexes or developments of more than four housing units capable of providing living space for four or more

separate families or individuals; jail and prison housing, buildings, complexes and any restrictive, special-needs or medical facility for use by detainees or inmates; office space, buildings, structures, developments or complexes; churches, campsites, retreat centers, places of worship or structures related to churches or places of worship; recreational, athletic or sports centers, buildings, gymnasiums, arenas, pools, running tracks, horse tracks, casinos, clubs, or related structures; restaurants, bars, dance studios, and movie theaters; automotive, truck, power sports, agricultural machines, and trailer sales offices, lots and/or services and repair facilities; industrial-use buildings, units, warehouses, manufacturing structures, or storage units; parking lots and garages; retail and wholesale shopping centers, malls, strip developments, buildings or space; professional-use buildings, hospitals, clinics, offices and related special equipment-use facilities; banks; and development of any land that is zoned commercial, retail, industrial, manufacturing, or for any other public use or purpose. This definition shall not apply to a residential home builder, remodeler, renovator or handyman whose primary construction projects are related to single residential homes, duplexes, three- or four-plexes; one-car to four-car garages and carports; patio rooms, sun rooms and additions to a residential home; gazeboes; storage sheds; and residential structures and concrete work.

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

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

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