

1 ENGROSSED HOUSE AMENDMENT  
TO  
2 ENGROSSED SENATE BILL NO. 1083 By: Newberry of the Senate  
3 and  
4 Echols of the House  
5  
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7 [ Roofing Contractor Registration Act - workers'  
8 compensation insurance - exemption - day laborer's  
9 affidavit - immunity - effective date ]

10 AMENDMENT NO. 1. Strike the stricken title, enacting clause and  
11 entire bill and insert  
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13 "An Act relating to the Roofing Contractor  
14 Registration Act; amending 59 O.S. 2011, Section  
15 1151.22, which relates to workers' compensation  
16 insurance; deleting requirement that directs  
17 contractors to provide certain written statement to  
18 homeowners; providing for use of affidavit of  
19 exemption for workers' compensation insurance;  
20 requiring affidavit of exemption be attached to  
21 contract and used on certain construction projects;  
22 requiring all workers be covered under workers'  
23 compensation insurance; authorizing day laborers to  
24 submit affidavit of workers' compensation insurance  
coverage under certain conditions; prohibiting  
roofing contractors from hiring certain persons or  
companies not registered under the Roofing  
Contractor Registration Act; granting immunity from  
liability for homeowners; and providing an effective  
date.

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

2 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1151.22, is  
3 amended to read as follows:

4 Section 1151.22 A. Any contract entered into under the Roofing  
5 Contractor Registration Act shall include a statement that all  
6 individuals performing work under the contract are covered by  
7 workers' compensation insurance.

8 B. ~~If the individuals performing work under the contract are~~  
9 ~~not covered by an affidavit of exemption for workers' compensation~~  
10 ~~insurance, the contractor shall provide a written statement to the~~  
11 ~~homeowner advising that the individuals performing work under the~~  
12 ~~contract are not covered by workers' compensation insurance, which~~  
13 is used by a legitimately exempt person, it shall be signed by all  
14 parties to the contract and attached to the contract and it shall be  
15 used only for residential construction projects. All commercial  
16 projects shall require all individuals performing work on such  
17 project to be covered by workers' compensation insurance as  
18 employees of the person registered under the Roofing Contractor  
19 Registration Act. However, any day laborer who can show proof of  
20 being covered by workers' compensation insurance under the temporary  
21 labor agency for whom he or she is hired-out may provide an  
22 affidavit from the temporary labor agency to meet the requirement of  
23 this section for authority to use an affidavit of exemption. No  
24 roofing contractor required to be registered under the Roofing

1 Contractor Registration Act shall hire any out-of-state company or  
2 person or use any person or independent contractor that is not  
3 registered under the Roofing Contractor Registration Act with the  
4 required workers' compensation insurance or who is not deemed his or  
5 her employee for purposes of workers' compensation insurance.

6 C. In no event shall a homeowner be held liable in the workers'  
7 compensation administrative system for injury or death to any person  
8 who performs work under a contract with a person required by law to  
9 be registered under the Roofing Contractor Registration Act and have  
10 workers' compensation insurance on all persons performing work on  
11 the roofing project.

12 SECTION 2. This act shall become effective November 1, 2016."

13 Passed the House of Representatives the 20th day of April, 2016.

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17 Presiding Officer of the House of  
Representatives

18 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2016.

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Presiding Officer of the Senate

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