

1 ENGROSSED SENATE
2 BILL NO. 1083

By: Newberry of the Senate

3 and

4 Echols of the House

5
6 [Roofing Contractor Registration Act - workers'
7 compensation insurance - exemption - day laborer's
8 affidavit - immunity - effective date]
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10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

13 Section 1151.22. A. Any contract entered into under the
14 Roofing Contractor Registration Act shall include a statement that
15 all individuals performing work under the contract are covered by
16 workers' compensation insurance.

17 B. ~~If the individuals performing work under the contract are~~
18 ~~not covered by an affidavit of exemption for workers' compensation~~
19 ~~insurance, the contractor shall provide a written statement to the~~
20 ~~homeowner advising that the individuals performing work under the~~
21 ~~contract are not covered by workers' compensation insurance, which~~
22 ~~is used by a legitimately exempt person, it shall be signed by all~~
23 ~~parties to the contract and attached to the contract and it shall be~~
24 used only for residential construction projects. All commercial

1 projects shall require all individuals performing work on such
2 project to be covered by workers' compensation insurance as
3 employees of the person registered under the Roofing Contractor
4 Registration Act. However, any day laborer who can show proof of
5 being covered by workers' compensation insurance under the temporary
6 labor agency for whom he or she is hired-out may provide an
7 affidavit from the temporary labor agency to meet the requirement of
8 this section for authority to use an affidavit of exemption. No
9 roofing contractor required to be registered under the Roofing
10 Contractor Registration Act shall hire any out-of-state company or
11 person or use any person or independent contractor that is not
12 registered under the Roofing Contractor Registration Act with the
13 required workers' compensation insurance or who is not deemed his or
14 her employee for purposes of workers' compensation insurance.

15 C. In no event shall a homeowner be held liable for injury or
16 death to any person who performs work under a contract with a person
17 required by law to be registered under the Roofing Contractor
18 Registration Act and have workers' compensation on all persons
19 performing work on the roofing project.

20 SECTION 2. This act shall become effective November 1, 2016.
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1 Passed the Senate the 8th day of March, 2016.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2016.

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9 Presiding Officer of the House
10 of Representatives