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February 23, 2016

AS AMENDED

SENATE BILL NO. 1083

By: Newberry

[Roofing Contractor Registration Act - workers' compensation insurance - exemption - day laborer's affidavit - immunity - effective date]

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

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

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

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

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

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

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

20 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
21 February 23, 2016 - DO PASS AS AMENDED
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