

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 ENGROSSED SENATE
5 BILL NO. 1170

By: Jech of the Senate

and

Russ of the House

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9 An Act relating to roofing; amending 59 O.S. 2011,
10 Section 1151.9, as amended by Section 7, Chapter 270,
11 O.S.L. 2014 (59 O.S. Supp. 2017, Section 1151.9),
12 which relates to exceptions from roofing
13 registration; and providing additional exception for
14 assembly of certain metal structures.

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

16 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1151.9, as
17 amended by Section 7, Chapter 270, O.S.L. 2014 (59 O.S. Supp. 2017,
18 Section 1151.9), is amended to read as follows:

19 Section 1151.9. A. Any administrative or governing body with
20 authority to enter into public contracts shall require individual
21 roofing contractor registration for purposes of such persons
22 submitting or entering into any bid or contract involving roofing
23 contractor work.

24 B. The Roofing Contractor Registration Act does not apply to:

1 1. An actual owner of residential or farm property who
2 physically performs, or has family member, employee or employees who
3 perform with or without remuneration, roofing services including,
4 construction, installation, renovation, repair, maintenance,
5 alteration, waterproofing, or removal of materials or structures on
6 property owned by such person;

7 2. Any authorized employee, representative or representatives
8 of the United States Government, the State of Oklahoma, or any
9 county, municipality, or other political subdivision of this state;

10 3. Any person who furnishes any fabricated or finished product,
11 material, or article of merchandise which is not incorporated into
12 or attached to real property by such person so as to become affixed
13 thereto;

14 4. Any person including churches or other charitable entities
15 that provide roof repairs or replacements at no charge using
16 volunteer labor;

17 5. Any employee of a registrant who does not hold himself or
18 herself out for hire, advertise, or engage in contracting, except as
19 an employee of a registrant;

20 6. Licensed engineers, licensed architects, licensed HVAC and
21 any other person licensed by the jurisdiction, operating under the
22 purview and within the scope of their respective license;

23 7. A person who only furnishes roofing materials, roofing
24 supplies or equipment and does not, nor do the person's employees,

1 install or fabricate them into or consume them in the performance of
2 the work of the roofing contractor;

3 8. Prime contractors, general contractors, property managers
4 and project managers who bid on construction trade work in areas
5 additional to roofing contractor work, and subcontract the roofing
6 contractor work as long as they subcontract the roofing work to a
7 currently registered roofing contractor who is in good standing; if
8 the bid is solely for roofing contractor work, then a registration
9 is required;

10 9. Owners of commercial properties including residential rental
11 properties consisting of four dwelling units or less, when acting as
12 their own roofing contractor and providing all material supervision
13 themselves, lessees of residential properties with the consent of
14 the owner, who, whether themselves or with their own employees,
15 perform roofing construction in or upon the properties, all
16 installing roofing materials according to the International Building
17 Code, as adopted by the Oklahoma Uniform Building Code Commission,
18 or the manufacturer's installation instructions; ~~or~~

19 10. Owners of property when acting as their own roofing
20 contractor, providing all material supervision themselves, and
21 installing roofing materials according to the International
22 Residential Code, as adopted by the Oklahoma Uniform Building Code
23 Commission, or the manufacturer's installation instructions when
24 building or improving a single-family dwelling residence on such

1 property for the occupancy of such owners and not intended for sale
2 or rent. In any action brought under the Roofing Contractor
3 Registration Act, proof of the sale or offering for sale of such
4 structure or the renting or offering to rent of such structure by
5 the owners of the property within one (1) year after substantial
6 completion of the structure when the structure can be occupied and
7 used as intended but punch list items may remain, is presumptive
8 evidence that the construction was undertaken with the intent of
9 sale or rent; or

10 11. Commercial business entities and their employees whose
11 primary business and purpose is the construction, assembly and
12 installation of prefabricated, manufactured and engineer-designed
13 metal structures or metal buildings, including additions and repairs
14 to such structures or buildings.

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16 COMMITTEE REPORT BY: COMMITTEE ON BANKING AND BUSINESS, dated
17 04/11/2018 - DO PASS.
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