

An Act

ENROLLED HOUSE
BILL NO. 1628

By: Sneed and Adams of the
House

and

Coleman of the Senate

An Act relating to Roofing Contractor Registration Act; amending 59 O.S. 2021, Sections 1151.2a, 1151.5, and 1151.10, which relate to administration and enforcement, application and denial for registration, and issuance or denial of registration or endorsement; authorizing the Construction Industries Board to administer and enforce residential roofer endorsement provisions; modifying requirements to obtain certain license; establishing certain time frame for issuance of certain residential registration; providing certain expiration date for certain registration; establishing certain requirements for issuance of certain residential roofer endorsement; establishing certain endorsement application for certain residential roofing contractor; updating statutory language; updating statutory references; providing for codification; and providing an effective date.

SUBJECT: Roofing Contractor Registration Act

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

SECTION 1. AMENDATORY 59 O.S. 2021, Section 1151.2a, is amended to read as follows:

Section 1151.2a. A. The Construction Industries Board is authorized to administer and enforce the Roofing Contractor Registration Act.

B. 1. The Construction Industries Board is authorized to administer and enforce the commercial roofer endorsement provisions of the Roofing Contractor Registration Act.

2. The Construction Industries Board shall have the authority to administer and enforce the provisions of the commercial roofer endorsement provisions of the Roofing Contractor Registration Act, including the authority to:

- a. establish the examination and continuing education requirements and procedures for endorsements of persons desiring or intending to engage in the business or trade of a commercial roofing contractor with the advice and input from the Committee of Roofing Examiners using assistance from a third-party vendor as necessary and appropriate,
- b. establish and enforce the minimum standards of commercial roofer endorsements in this state and rules promulgated pursuant to the commercial roofer endorsement provisions of the Roofing Contractor Registration Act with the advice and input from the Committee of Roofing Examiners,
- c. promulgate, prescribe, amend, and repeal rules necessary to implement the provisions of the commercial roofer endorsement of the Roofing Contractor Registration Act with the advice and input from the Committee of Roofing Examiners,
- d. issue, renew, suspend, revoke, modify, or deny endorsements to engage in commercial roofing contractor work pursuant to the Roofing Contractor Registration Act,
- e. conduct investigations for the purpose of inspecting commercial roofer endorsements for compliance with the commercial roofer endorsement provisions of the Roofing Contractor Registration Act, and of the rules of the Board promulgated pursuant thereto, into the qualifications of applicants and allegations of violations,
- f. establish and levy administrative fines against any person who violates any of the provisions of the

commercial roofer endorsement standards of the Roofing Contractor Registration Act or any rule promulgated pursuant thereto, not to exceed five percent (5%) of the commercial job. For any residential job, on a first violation, the Board may ~~issue a warning~~ levy an administrative fine not to exceed Five Hundred Dollars (\$500.00); on any second violation, ~~levy and an administrative fine not to exceed Five Hundred Dollars (\$500.00)~~ One Thousand Dollars (\$1,000.00); on a third violation, levy an administrative fine not to exceed Three Thousand Five Hundred Dollars (\$3,500.00); and for any subsequent violation, revoke the registration and commercial roofer endorsement,

- g. initiate disciplinary proceedings and provide hearings on any person who violates any of the provisions of the commercial roofer endorsement standards of the Roofing Contractor Registration Act or any rule promulgated pursuant thereto,
- h. request prosecution of and initiate injunctive proceedings against any person who violates any of the provisions of the commercial roofers endorsement in the Roofing Contractor Registration Act or any rule promulgated pursuant to the commercial roofer endorsement of the Roofing Contractor Registration Act, and
- i. exercise all incidental powers as necessary and proper to implement and enforce the provisions of the commercial roofer endorsement of the Roofing Contractor Registration Act and the rules promulgated pursuant thereto.

C. 1. The Construction Industries Board shall administer and enforce the residential roofer endorsement provisions of the Roofing Contractor Registration Act.

2. The Construction Industries Board shall administer and enforce the provisions of the residential roofer endorsement provisions of the Roofing Contractor Registration Act, including:

- a. establish the examination and continuing education requirements and procedures for endorsements of persons desiring or intending to engage in the

business or trade of a residential roofing contractor with the advice and input from the Committee of Roofing Examiners using assistance from a third-party vendor as necessary and appropriate,

- b. establish and enforce the minimum standards of residential roofer endorsements in this state and rules promulgated pursuant to the residential roofer endorsement provisions of the Roofing Contractor Registration Act with the advice and input from the Committee of Roofing Examiners,
- c. promulgate, prescribe, amend, and repeal rules necessary to implement the provisions of the residential roofer endorsement of the Roofing Contractor Registration Act with the advice and input from the Committee of Roofing Examiners,
- d. issue, renew, suspend, revoke, modify, or deny endorsements to engage in residential roofing contractor work pursuant to the Roofing Contractor Registration Act,
- e. conduct investigations for the purpose of inspecting residential roofer endorsements for compliance with the residential roofer endorsement provisions of the Roofing Contractor Registration Act, and of the rules of the Board promulgated pursuant thereto, into the qualifications of applicants and allegations of violations,
- f. establish and levy administrative fines against any person who violates any of the provisions of the residential roofer endorsement standards of the Roofing Contractor Registration Act or any rule promulgated pursuant thereto. For any residential job, on a first violation, the Board may levy an administrative fine not to exceed Five Hundred Dollars (\$500.00); on any second violation, levy an administrative fine not to exceed One Thousand Dollars (\$1,000.00); on a third violation, levy an administrative fine not to exceed Three Thousand Five Hundred Dollars (\$3,500.00); and for any subsequent violation, revoke the registration and residential roofer endorsement,

- g. initiate disciplinary proceedings and provide hearings on any person who violates any of the provisions of the residential roofer endorsement standards of the Roofing Contractor Registration Act or any rule promulgated pursuant thereto,
- h. request prosecution of and initiate injunctive proceedings against any person who violates any of the provisions of the residential roofers endorsement in the Roofing Contractor Registration Act or any rule promulgated pursuant to the residential roofer endorsement of the Roofing Contractor Registration Act, and
- i. exercise all incidental powers as necessary and proper to implement and enforce the provisions of the residential roofer endorsement of the Roofing Contractor Registration Act and the rules promulgated pursuant thereto.

SECTION 2. AMENDATORY 59 O.S. 2021, Section 1151.5, is amended to read as follows:

Section 1151.5. A. Applications for registration shall be made to the Construction Industries Board in writing on forms approved and provided by the Board and shall be accompanied by the proper fee.

B. An applicant or qualifying party whose registration is denied, or the person has a conviction, or pled guilty or nolo contendere to a misdemeanor, or otherwise fails to meet the requirements of application, may obtain a hearing before the Committee of Roofing Examiners in order to provide information in support of the application requirements and any other information showing the applicant's ability and willingness to comply with the requirements of the Roofing Contractor Registration Act, and to protect the public health, safety and welfare.

C. To obtain a roofing contractor registration under the Roofing Contractor Registration Act, a qualifying party who is eighteen (18) years of age or older shall submit, on forms the registrar prescribes:

1. An application under oath containing a statement:

- a. of the qualifying party's experience and qualifications as a roofing contractor, if any,
- b. that the qualifying party desires the issuance of a roofing contractor registration certificate,
- c. that the qualifying party has read the Roofing Contractor Registration Act and will comply with the provisions of the Roofing Contractor Registration Act and rules,
- d. that the qualifying party will comply with state laws and local ordinances relating to standards and permits,
- e. that the qualifying party has or has not been registered or licensed as a roofing contractor in another state and whether any disciplinary action has been taken against such registration or license and whether it is currently in good standing, and
- f. that the nonresident qualifying party appoints the Secretary of State as legal service agent for all lawful process to be served upon the applicant for work performed in this state or as otherwise provided in the Roofing Contractor Registration Act;

2. The qualifying party's name, physical address and proof thereof, business name, telephone number, address and place of incorporation, if different, information on any other person who will be authorized to act as the business entity, and the applicant's ~~phone~~ telephone number, if different;

3. The entity's federal tax ID number, or the employer's or owner's or qualifying party's ~~social security~~ Social Security number, and the employer's account number assigned by the Oklahoma Employment Security Commission. The ~~social security~~ Social Security number information shall remain with the registrar as confidential and privileged except for necessary disclosures to state agencies to verify compliance with requirements with this act, or upon request by law enforcement; and

4. A copy of the roofing contractor's certificate of liability insurance shall be filed with the application and shall be not less

than Five Hundred Thousand Dollars (\$500,000.00) for residential roofing contractor work and shall not be less than One Million Dollars (\$1,000,000.00) for commercial roofing contractor work. Additionally, the Construction Industries Board shall be listed as a certificate holder. Any insurance company issuing a liability policy to a roofing contractor pursuant to the provisions of the Roofing Contractor Registration Act shall be required to notify the Construction Industries Board in the event such liability policy is ~~cancelled~~ canceled for any reason or lapses for nonpayment of premiums. All registrations granted under the Roofing Contractor Registration Act shall be suspended on the date of the policy cancellation. The registrar must receive proof of insurance prior to restoring the registration.

In addition, the roofing contractor shall submit proof that the contractor has secured workers' compensation coverage satisfactory under the Workers' Compensation Act, or an affidavit of exemption or self-insurance as authorized pursuant to the Workers' Compensation Act. If the registrar deems it appropriate or necessary, the registrar may also require other information to be included on the application form to assist the registrar in registering the person as a contractor.

D. The qualifying party applying for a commercial roofer endorsement must provide information on the legal entity, including, but not limited to, the articles, organizational agreements or documents establishing the legal entity, including a list of the officers, members, managers, partners, or other managing agents of the legal entity. The qualifying party shall also provide a certificate of good standing or a trade name report from the Office of the Secretary of State.

E. The registrar shall refuse to register any person if the registrar determines:

1. The application contains false, misleading, or incomplete information;

2. The applicant fails to provide a certificate of good standing or a trade name report from the Office of the Secretary of State;

3. The applicant, qualifying party, or any member of the legal entity fails or refuses to provide any information requested by the registrar;

4. The applicant fails or refuses to pay the required fees;

5. The applicant, qualifying party, or owner or officer or managing member of the legal entity is ineligible for registration due to a suspended or revoked registration in this state;

6. The nonresident applicant has a revoked or suspended registration or license required by law for roofing contractors in another state; or

7. The applicant, qualifying party, or legal entity has failed or refuses to submit any taxes due in this state.

F. The registrar shall notify the applicant in writing if the registrar denies a registration or renewal certificate, and shall provide the applicant an opportunity to respond to or cure any defect in the written application or renewal for a period of ten (10) days from the date of the written notification. An applicant aggrieved by a decision of the registrar denying a registration or renewal may appeal the decision as provided in the Roofing Contractor Registration Act, the Construction Industries Board Act, or the Administrative Procedures Act, or the applicant may reapply after a ninety-day waiting period, if otherwise eligible under the provisions of the Roofing Contractor Registration Act. The application and renewal fees shall not be refundable.

G. The registrar shall classify as not in good standing the registration of any roofing contractor who fails to:

1. Maintain liability insurance coverage;

2. Maintain workers' compensation coverage satisfactory under the Workers' Compensation Act, or provide an affidavit of exemption or self-insurance as authorized pursuant to the Workers' Compensation Act;

3. File, renew, or properly amend any fictitious name certificate;

4. Maintain an active status of a corporation or registration as a foreign corporation, a limited liability company or registration as a foreign limited liability company, a limited liability partnership registration or foreign limited liability partnership registration, or a limited partnership certificate or

limited partnership or foreign limited partnership certificate of authority, with the Office of the Secretary of State;

5. File or renew a trade name registration;

6. Maintain or renew a roofing contractor registration as provided in the Roofing Contractor Registration Act;

7. Notify the registrar of a change in name, address, legal business entity, qualifying party, legal service agent, or adjudication by a court of competent jurisdiction for any act or omission specified in subsection A of Section 1151.14 of this title or a violation of the Roofing Contractor Registration Act;

8. Maintain a registration as required by law in another state while registered in this state as a nonresident roofing contractor; or

9. File and pay all taxes of the qualifying party and legal entity when due in this state.

H. The registrar shall send a written notice to the qualifying party when his or her registration is not in good standing.

I. Any roofing contractor who has been notified by the registrar that his or her registration is not in good standing shall cease soliciting or entering new roofing services and projects as of the date of such notification; however, the roofing contractor shall be allowed to complete roofing projects where actual physical work has begun prior to the date of issuance of the notice that his or her registration is not in good standing. The roofing contractor must disclose the change in standing to any homeowner or other person who has an interest in any job covered under the Roofing Contractor Registration Act. Upon notice of a change in standing, the homeowner shall have the option to cancel the contract. The roofing contractor will be owed the actual cost incurred for materials and the market value of labor already incurred on the job. The roofing contractor must obtain an updated authorization from the homeowner and other parties of interest if there is an agreement to continue the job as originally negotiated. If the roofing contractor fails to correct the deficiency specified in the notice by evidence satisfactory to the registrar within thirty (30) days of the date of the notice, or if the roofing contractor solicits or enters into new roofing services contracts or projects while the roofing contractor's registration is not in good standing, or while

such registration is suspended or revoked, the roofing contractor shall be in violation of the provisions of the Roofing Contractor Registration Act.

J. Any registration that remains not in good standing for a sixty-day period shall be suspended on the sixtieth day from the date of issuance of the notice to the roofing contractor that his or her registration is not in good standing. Any registration that remains not in good standing, and is suspended for such cause, shall be revoked on the ninetieth day from the date of issuance of the notice to the roofing contractor that his or her registration is not in good standing. The registrar shall notify the roofing contractor upon suspension or revocation of his or her registration for failure to comply in bringing such registration into good standing as required by law. The roofing contractor may reinstate his or her registration to good standing by paying the required fees provided in Section 1151.12 of this title and complying with all other requirements for issuance of a registration in good standing.

K. Any registrant, qualifying party, or roofing company owner aggrieved by the decision of the registrar to suspend or revoke a registration pursuant to this section may appeal such decision as provided in this act or the Administrative Procedures Act.

SECTION 3. AMENDATORY 59 O.S. 2021, Section 1151.10, is amended to read as follows:

Section 1151.10. A. Within twenty-five (25) calendar days from the date of application, the registrar shall either issue or deny the roofing contractor registration. No registration shall be issued to a qualifying party until the registrar receives all documentation and fees necessary to obtain a registration certificate in good standing. The registration certificate issued on an original application entitles the person to act as a roofing contractor within this state, subject to the limitations of the Roofing Contractor Registration Act. Until January 1, 2015, all registrations shall expire on June 30 of each year and may be renewed from year to year. Beginning no later than January 1, 2015, all registrations issued shall be renewed based on staggered expiration dates of the last day of the birth month of the qualifying party so that all registrations and endorsements shall expire on the last day in the birth month of the qualifying party. The Construction Industries Board is authorized to prorate registration and renewal fees, as described by rule, so that beginning January 1, 2015, or thirty (30) days after rules have been

approved, fees for renewals previously due by June 30, 2015, are prorated and converted to be due the last day of the birth month of the qualifying party by shortening or lengthening the next renewal date by up to six (6) months. Beginning ~~the effective date of this act~~ November 1, 2014, new initial registrations and endorsements will be issued for up to eighteen (18) months and due for renewal the last day of the birth month of the qualifying party. After initial proration or conversion to birth month, no subsequent registration or endorsement shall be issued for longer than one (1) year and all endorsements shall expire on the last day in the birth month of the qualifying party. The Construction Industries Board shall implement rules for the scheduling of expiration and renewal of registrations and endorsements, including the prorating of fees and the identification and information of the qualifying party. The commercial or residential roofer endorsement shall expire on the expiration date of the supporting registration.

B. An applicant or qualifying party whose registration or endorsement is refused or denied by the registrar may obtain a hearing before the Committee of Roofing Examiners with written notice to the registrar of the grounds for appeal and identification of evidence to be presented in support of the application requirements and any other information showing the applicant's ability and willingness to comply with the requirements of the act, and to protect the public health, safety and welfare. Such appeals to the Committee of Roofing Examiners shall be made by the qualifying party in writing to the registrar within fourteen (14) days from the date of the written notification of denial or refusal to register or endorse.

C. The Construction Industries Board shall issue a commercial or residential roofer endorsement to any person who:

1. Has been certified by the Committee of Roofing Examiners as having successfully passed the appropriate examination; and

2. Has paid the application and endorsement fee and has otherwise complied with all of the provisions of the commercial or residential roofer endorsement of the Roofing Contractor Registration Act. The endorsement fee is hereby established as up to Two Hundred Dollars (\$200.00). Renewal of a commercial or residential roofer endorsement shall be One Hundred Dollars (\$100.00).

Endorsements renewed more than thirty (30) days following the date of expiration may only be renewed upon application and payment of the required fees and payment of late renewal fee in the amount of One Hundred Dollars (\$100.00).

No endorsement shall be renewed unless the licensee has completed the required hours of continuing education recommended by the Committee and set forth by rule.

No late fee shall be charged to renew a registration or endorsement which expired while the applicant was in active military service, if application for renewal is made within one (1) year of discharge from active duty status.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1151.25a of Title 59, unless there is created a duplication in numbering, reads as follows:

A. Except as otherwise provided in the Roofing Contractor Registration Act, on and after the effective date of this act, every roofing contractor, except for those defined in subsection G of this section, offering to engage in or engaging in performing residential roofing contractor work in this state shall be required to receive a residential roofing endorsement. To receive a residential roofing endorsement, the roofing contractor shall be required to take and successfully pass a residential roofing examination approved under the provisions of this act with a minimum score of seventy percent (70%), and be in compliance with all other provisions of this act and rules before acting or being endorsed as a residential roofing contractor. For applicants who have been registered and in good standing with the Construction Industries Board on the effective date of this act, there shall be a twelve-month grandfathering-in period from the effective date of this act to either pass the exam or complete an additional ten (10) hours of continuing education credits approved in advance by the Committee of Roofing Examiners to be granted a residential roofer endorsement. Any applicant who has been registered, is in good standing with the Board, and possesses a current commercial roofer endorsement on the effective date of this act shall be exempt from the residential roofing examination and additional ten (10) hours of continuing education credits required to receive a residential roofing endorsement.

B. Examinations for a residential roofer endorsement shall be uniform and practical in nature and sufficiently strict to test the qualifications and fitness of the applicants for endorsement.

Examinations shall be in whole or in part in writing. Examinations shall be offered at least monthly; dates, times, and locations shall be determined by the registrar or third-party vendor with approval of the registrar.

C. Any applicant initially failing to pass the examination shall not be permitted to take another examination for a period of thirty (30) days. Any applicant subsequently failing to pass the examination shall not be permitted to take another examination for a period of ninety (90) days. However, in a declared state of emergency, the examination shall be available as often as possible as determined by the registrar.

D. No residential roofer endorsement shall be renewed unless the qualifying party has completed the required hours of continuing education pursuant to subsection A of this section.

E. For all new applicants not registered and in good standing with the Construction Industries Board prior to the effective date of this act, the Construction Industries Board shall issue a residential roofer endorsement to qualifying applicants no sooner than thirty (30) days from the date of successful completion of the exam. New applicants shall not be allowed to sell, offer, bid, inspect, or perform any residential roofing contractor work in this state until a residential roofer endorsement is issued.

F. For all applicants registered and in good standing with the Construction Industries Board prior to the effective date of this act:

1. The residential roofer endorsement shall be issued immediately upon compliance with the provisions of this section; and

2. Applicants shall be allowed to continue residential roofing contractor work at all times during the residential roofer endorsement application process.

G. The residential roofing endorsement shall not apply to roofing labor contractors who:

1. Only provide roofing construction labor services;
2. Are working directly for a registered roofing contractor that possesses a residential roofing endorsement; and

3. Are not providing any materials.

SECTION 5. This act shall become effective July 1, 2026.

Passed the House of Representatives the 21st day of May, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the 7th day of May, 2025.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____