

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL 1628

By: Sneed of the House

and

6 Coleman of the Senate

7
8
9 COMMITTEE SUBSTITUTE

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

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:

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

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

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

11 a. establish the examination and continuing education
12 requirements and procedures for endorsements of
13 persons desiring or intending to engage in the
14 business or trade of a commercial roofing contractor
15 with the advice and input from the Committee of
16 Roofing Examiners using assistance from a third-party
17 vendor as necessary and appropriate,

18 b. establish and enforce the minimum standards of
19 commercial roofer endorsements in this state and rules
20 promulgated pursuant to the commercial roofer
21 endorsement provisions of the Roofing Contractor
22 Registration Act with the advice and input from the
23 Committee of Roofing Examiners,

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- 1 c. promulgate, prescribe, amend, and repeal rules
2 necessary to implement the provisions of the
3 commercial roofer endorsement of the Roofing
4 Contractor Registration Act with the advice and input
5 from the Committee of Roofing Examiners,
- 6 d. issue, renew, suspend, revoke, modify, or deny
7 endorsements to engage in commercial roofing
8 contractor work pursuant to the Roofing Contractor
9 Registration Act,
- 10 e. conduct investigations for the purpose of inspecting
11 commercial roofer endorsements for compliance with the
12 commercial roofer endorsement provisions of the
13 Roofing Contractor Registration Act, and of the rules
14 of the Board promulgated pursuant thereto, into the
15 qualifications of applicants and allegations of
16 violations,
- 17 f. establish and levy administrative fines against any
18 person who violates any of the provisions of the
19 commercial roofer endorsement standards of the Roofing
20 Contractor Registration Act or any rule promulgated
21 pursuant thereto, not to exceed five percent (5%) of
22 the commercial job. For any residential job, on a
23 first violation, the Board may ~~issue a warning~~ levy an
24 administrative fine not to exceed Five Hundred Dollars

1 (\$500.00); on any second violation, ~~levy and an~~
2 administrative fine not to exceed ~~Five Hundred Dollars~~
3 ~~(\$500.00)~~ One Thousand Dollars (\$1,000.00); on a third
4 violation, levy an administrative fine not to exceed
5 Three Thousand Five Hundred Dollars (\$3,500.00); and
6 for any subsequent violation, revoke the registration
7 and commercial roofer endorsement,

8 g. initiate disciplinary proceedings and provide hearings
9 on any person who violates any of the provisions of
10 the commercial roofer endorsement standards of the
11 Roofing Contractor Registration Act or any rule
12 promulgated pursuant thereto,

13 h. request prosecution of and initiate injunctive
14 proceedings against any person who violates any of the
15 provisions of the commercial roofers endorsement in
16 the Roofing Contractor Registration Act or any rule
17 promulgated pursuant to the commercial roofer
18 endorsement of the Roofing Contractor Registration
19 Act, and

20 i. exercise all incidental powers as necessary and proper
21 to implement and enforce the provisions of the
22 commercial roofer endorsement of the Roofing
23 Contractor Registration Act and the rules promulgated
24 pursuant thereto.

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

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

7 a. establish the examination and continuing education
8 requirements and procedures for endorsements of
9 persons desiring or intending to engage in the
10 business or trade of a residential roofing contractor
11 with the advice and input from the Committee of
12 Roofing Examiners using assistance from a third-party
13 vendor as necessary and appropriate,

14 b. establish and enforce the minimum standards of
15 residential roofer endorsements in this state and
16 rules promulgated pursuant to the residential roofer
17 endorsement provisions of the Roofing Contractor
18 Registration Act with the advice and input from the
19 Committee of Roofing Examiners,

20 c. promulgate, prescribe, amend, and repeal rules
21 necessary to implement the provisions of the
22 residential roofer endorsement of the Roofing
23 Contractor Registration Act with the advice and input
24 from the Committee of Roofing Examiners,

1 d. issue, renew, suspend, revoke, modify, or deny
2 endorsements to engage in residential roofing
3 contractor work pursuant to the Roofing Contractor
4 Registration Act,

5 e. conduct investigations for the purpose of inspecting
6 residential roofer endorsements for compliance with
7 the residential roofer endorsement provisions of the
8 Roofing Contractor Registration Act, and of the rules
9 of the Board promulgated pursuant thereto, into the
10 qualifications of applicants and allegations of
11 violations,

12 f. establish and levy administrative fines against any
13 person who violates any of the provisions of the
14 residential roofer endorsement standards of the
15 Roofing Contractor Registration Act or any rule
16 promulgated pursuant thereto. For any residential
17 job, on a first violation, the Board may levy an
18 administrative fine not to exceed Five Hundred Dollars
19 (\$500.00); on any second violation, levy an
20 administrative fine not to exceed One Thousand Dollars
21 (\$1,000.00); on a third violation, levy an
22 administrative fine not to exceed Three Thousand Five
23 Hundred Dollars (\$3,500.00); and for any subsequent
24

1 violation, revoke the registration and residential
2 roofer endorsement,

3 g. initiate disciplinary proceedings and provide hearings
4 on any person who violates any of the provisions of
5 the residential roofer endorsement standards of the
6 Roofing Contractor Registration Act or any rule
7 promulgated pursuant thereto,

8 h. request prosecution of and initiate injunctive
9 proceedings against any person who violates any of the
10 provisions of the residential roofers endorsement in
11 the Roofing Contractor Registration Act or any rule
12 promulgated pursuant to the residential roofer
13 endorsement of the Roofing Contractor Registration
14 Act, and

15 i. exercise all incidental powers as necessary and proper
16 to implement and enforce the provisions of the
17 residential roofer endorsement of the Roofing
18 Contractor Registration Act and the rules promulgated
19 pursuant thereto.

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

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

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

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

- 16 1. An application under oath containing a statement:
- 17 a. of the qualifying party's experience and
 - 18 qualifications as a roofing contractor, if any,
 - 19 b. that the qualifying party desires the issuance of a
 - 20 roofing contractor registration certificate,
 - 21 c. that the qualifying party has read the Roofing
 - 22 Contractor Registration Act and will comply with the
 - 23 provisions of the Roofing Contractor Registration Act
 - 24 and rules,

- 1 d. that the qualifying party will comply with state laws
2 and local ordinances relating to standards and
3 permits,
- 4 e. that the qualifying party has or has not been
5 registered or licensed as a roofing contractor in
6 another state and whether any disciplinary action has
7 been taken against such registration or license and
8 whether it is currently in good standing, and
- 9 f. that the nonresident qualifying party appoints the
10 Secretary of State as legal service agent for all
11 lawful process to be served upon the applicant for
12 work performed in this state or as otherwise provided
13 in the Roofing Contractor Registration Act;

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

19 3. The entity's federal tax ID number, or the employer's or
20 owner's or qualifying party's ~~social security~~ Social Security
21 number, and the employer's account number assigned by the Oklahoma
22 Employment Security Commission. The ~~social security~~ Social Security
23 number information shall remain with the registrar as confidential
24 and privileged except for necessary disclosures to state agencies to

1 verify compliance with requirements with this act, or upon request
2 by law enforcement; and

3 4. A copy of the roofing contractor's certificate of liability
4 insurance shall be filed with the application and shall be not less
5 than Five Hundred Thousand Dollars (\$500,000.00) for residential
6 roofing contractor work and shall not be less than One Million
7 Dollars (\$1,000,000.00) for commercial roofing contractor work.

8 Additionally, the Construction Industries Board shall be listed as a
9 certificate holder. Any insurance company issuing a liability
10 policy to a roofing contractor pursuant to the provisions of the
11 Roofing Contractor Registration Act shall be required to notify the
12 Construction Industries Board in the event such liability policy is
13 ~~cancelled~~ canceled for any reason or lapses for nonpayment of
14 premiums. All registrations granted under the Roofing Contractor
15 Registration Act shall be suspended on the date of the policy
16 cancellation. The registrar must receive proof of insurance prior
17 to restoring the registration.

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

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

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

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

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

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

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

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

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

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

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

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

20 1. Maintain liability insurance coverage;

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

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

3 4. Maintain an active status of a corporation or registration
4 as a foreign corporation, a limited liability company or
5 registration as a foreign limited liability company, a limited
6 liability partnership registration or foreign limited liability
7 partnership registration, or a limited partnership certificate or
8 limited partnership or foreign limited partnership certificate of
9 authority, with the Office of the Secretary of State;

10 5. File or renew a trade name registration;

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

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

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

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

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

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

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

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

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

21 Section 1151.10. A. Within twenty-five (25) calendar days from
22 the date of application, the registrar shall either issue or deny
23 the roofing contractor or residential roofing contractor
24 registration. No registration shall be issued to a qualifying party

1 until the registrar receives all documentation and fees necessary to
2 obtain a registration certificate in good standing. The
3 registration certificate issued on an original application entitles
4 the person to act as a roofing contractor within this state, subject
5 to the limitations of the Roofing Contractor Registration Act.
6 Until January 1, 2015, all registrations shall expire on June 30 of
7 each year and may be renewed from year to year. Beginning no later
8 than January 1, 2015, all registrations issued shall be renewed
9 based on staggered expiration dates of the last day of the birth
10 month of the qualifying party so that all registrations and
11 endorsements shall expire on the last day in the birth month of the
12 qualifying party. The Construction Industries Board is authorized
13 to prorate registration and renewal fees, as described by rule, so
14 that beginning January 1, 2015, or thirty (30) days after rules have
15 been approved, fees for renewals previously due by June 30, 2015,
16 are prorated and converted to be due the last day of the birth month
17 of the qualifying party by shortening or lengthening the next
18 renewal date by up to six (6) months. Beginning ~~the effective date~~
19 ~~of this act~~ November 1, 2014, new initial registrations and
20 endorsements will be issued for up to eighteen (18) months and due
21 for renewal the last day of the birth month of the qualifying party.
22 After initial proration or conversion to birth month, no subsequent
23 registration or endorsement shall be issued for longer than one (1)
24 year and all endorsements shall expire on the last day in the birth

1 month of the qualifying party. The Construction Industries Board
2 shall implement rules for the scheduling of expiration and renewal
3 of registrations and endorsements, including the prorating of fees
4 and the identification and information of the qualifying party. The
5 commercial or residential roofer endorsement shall expire on the
6 expiration date of the supporting registration.

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

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

- 21 1. Has been certified by the Committee of Roofing Examiners as
22 having successfully passed the appropriate examination; and
- 23 2. Has paid the application and endorsement fee and has
24 otherwise complied with all of the provisions of the commercial or

1 residential roofer endorsement of the Roofing Contractor
2 Registration Act. The endorsement fee is hereby established as up
3 to Two Hundred Dollars (\$200.00). Renewal of a commercial or
4 residential roofer endorsement shall be One Hundred Dollars
5 (\$100.00).

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

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

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

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

20 A. Except as otherwise provided in the Roofing Contractor
21 Registration Act, on and after the effective date of this act, every
22 roofing contractor, except for those defined in subsection G of this
23 section, offering to engage in or engaging in performing residential
24 roofing contractor work in this state shall be required to receive a

1 residential roofing endorsement. To receive a residential roofing
2 endorsement, the roofing contractor shall be required to take and
3 successfully pass a residential roofing examination approved under
4 the provisions of this act with a minimum score of seventy percent
5 (70%), and be in compliance with all other provisions of this act
6 and rules before acting or being endorsed as a residential roofing
7 contractor. For applicants who have been registered and in good
8 standing with the Construction Industries Board on the effective
9 date of this act, there shall be a twelve-month grandfathering-in
10 period from the effective date of this act to either pass the exam
11 or complete an additional ten (10) hours of continuing education
12 credits approved in advance by the Committee of Roofing Examiners
13 and the Construction Industries Board, to be granted a residential
14 roofer endorsement.

15 B. Examinations for a residential roofer endorsement shall be
16 uniform and practical in nature and sufficiently strict to test the
17 qualifications and fitness of the applicants for endorsement.
18 Examinations shall be in whole or in part in writing. Examinations
19 shall be offered at least monthly; dates, times, and locations shall
20 be determined by the registrar or third-party vendor with approval
21 of the registrar.

22 C. Any applicant initially failing to pass the examination
23 shall not be permitted to take another examination for a period of
24 thirty (30) days. Any applicant subsequently failing to pass the

1 examination shall not be permitted to take another examination for a
2 period of ninety (90) days. However, in a declared state of
3 emergency, the examination shall be available as often as possible
4 as determined by the registrar.

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

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

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

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

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

24

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

- 3 1. Only provide roofing construction labor services;
- 4 2. Are working directly for a registered roofing contractor
5 that possesses a residential roofing endorsement; and
- 6 3. Are not providing any materials.

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

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