

SENATE BILL 2051

By Overbey

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 6, Part 5, relative to home improvement contractors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-6-501(5), is amended by deleting the language “an agreement between a contractor and an owner” and substituting instead the language “an agreement between a home improvement contractor and an owner”.

SECTION 2. Tennessee Code Annotated, Section 62-6-501(8), is amended by deleting the subdivision and substituting instead the following:

(8) “Owner” means:

(A) Any homeowner, tenant or any other person who orders, contracts for or purchases the home improvement services of a home improvement contractor; or

(B) The person entitled to the performance of the work of a contractor pursuant to a home improvement contract;

SECTION 3. Tennessee Code Annotated, Section 62-6-501, is amended by deleting subdivisions (1) and (3), and by renumbering the remaining subdivisions.

SECTION 4. Tennessee Code Annotated, Section 62-6-501, is amended by adding the following language as a new, appropriately designated subdivision:

( ) “Commissioner” means the commissioner of commerce and insurance or the commissioner’s designee;

SECTION 5. Tennessee Code Annotated, Section 62-6-505(a)(3), is amended by deleting the language “or other employee of a licensed home improvement contractor” and

substituting instead the language “or other employee of a licensed home improvement contractor who does not perform home improvement work”.

SECTION 6. Tennessee Code Annotated, Section 62-6-505(a)(1), is amended by deleting the subdivision and by renumbering the remaining subdivisions.

SECTION 7. Tennessee Code Annotated, Section 62-6-508(a)(1), is amended by deleting the language “the home improvement contractor” and by substituting instead the language “each home improvement contractor who shall perform home improvement work pursuant to the home improvement contract”.

SECTION 8. Tennessee Code Annotated, Section 62-6-508(a)(2), is amended by deleting the language “the home improvement contractor” and by substituting instead the language “each home improvement contractor who shall perform home improvement work pursuant to the home improvement contract”.

SECTION 9. Tennessee Code Annotated, Section 62-6-510(1), is amended by deleting the language “undertaken by a contractor” and substituting instead the language “undertaken by a home improvement contractor”.

SECTION 10. Tennessee Code Annotated, Section 62-6-510(8), is amended by deleting the language “contractor” and substituting instead the language “home improvement contractor”.

SECTION 11. Tennessee Code Annotated, Section 62-6-510(16)(B), is amended by deleting the language “§ 45-13-123(c)” and substituting instead the language “§ 45-13-403(c)”.

SECTION 12. Tennessee Code Annotated, Section 62-6-516(b), is amended by deleting the subsection.

SECTION 13. This act shall take effect July 1, 2014, the public welfare requiring it.