

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 631

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO PUBLIC WORKS CONTRACTORS; AMENDING SECTION 54-1904, IDAHO CODE,  
TO REVISE PROVISIONS REGARDING CLASSES OF LICENSES CONTRACT LIMITS; AND  
DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-1904, Idaho Code, be, and the same is hereby  
amended to read as follows:

54-1904. CLASSES OF LICENSES -- RIGHTS GRANTED UNDER LICENSES --  
FEES. (1) There shall be eight (8) classes of licenses issued under the pro-  
visions of this chapter which are hereby designated as Classes Unlimited,  
AAA, AA, A, B, CC, C and D, the maximum fee for which shall be as hereinafter  
specified. Each applicant for a license shall specify the class of license  
applied for in his application.

(2) For the purpose of licensing public works contractors under this  
chapter the board may adopt rules necessary to determine the classification  
according to their responsibility, and the type and scope of the operations  
of a licensed contractor to those in which he is classified and qualified to  
engage as in this chapter provided.

(3) The license classes shall be as follows:

(a) Class "Unlimited" license. Any contractor whose qualifica-  
tions, ability and responsibility to execute contracts for public  
works involving an estimated cost of more than five million dollars  
(\$5,000,000) may, upon application and payment of a license fee not  
to exceed six hundred dollars (\$600), be granted a Class "Unlimited"  
license and be so classified by the board in accordance with the provi-  
sions of this chapter. The holder of a Class "Unlimited" license shall  
be entitled to engage in the public works contracting business in this  
state as provided in said license. The renewal fee for a Class "Unlim-  
ited" license shall not exceed six hundred dollars (\$600). An applicant  
requesting a Class "Unlimited" license in heavy, highway, specialty  
or building construction shall have a minimum net worth of one million  
dollars (\$1,000,000) with six hundred thousand dollars (\$600,000) in  
working capital.

(b) Class "AAA" license. Any contractor whose qualifications, ability  
and responsibility to execute contracts for public works involving an  
estimated cost of not more than five million dollars (\$5,000,000) may,  
upon his application and the payment of a license fee not to exceed five  
hundred dollars (\$500), be granted a Class "AAA" license and be so clas-  
sified by the board in accordance with the provisions of this chapter.  
The holder of a Class "AAA" license shall be entitled to engage in the  
public works contracting business in the state as provided in said li-

1 cense. The renewal fee for a Class "AAA" license shall not exceed five  
2 hundred dollars (\$500).

3 (c) Class "AA" license. Any contractor whose qualifications, ability  
4 and responsibility to execute contracts for public works involving an  
5 estimated cost of not more than three million dollars (\$3,000,000) may,  
6 upon his application and the payment of a license fee not to exceed four  
7 hundred dollars (\$400), be granted a Class "AA" license and be so clas-  
8 sified by the board in accordance with the provisions of this chapter.  
9 The holder of a Class "AA" license shall be entitled to engage in the  
10 public works contracting business in the state as provided in said li-  
11 cense. The renewal fee for a Class "AA" license shall not exceed four  
12 hundred dollars (\$400).

13 (d) Class "A" license. Any contractor whose qualifications, ability  
14 and responsibility to execute contracts for public works involving an  
15 estimated cost of not more than one million two hundred fifty thousand  
16 dollars (\$1,250,000) may, upon his application and the payment of a li-  
17 cense fee not to exceed three hundred dollars (\$300), be granted a Class  
18 "A" license and be so classified by the board in accordance with the pro-  
19 visions of this chapter. The holder of a Class "A" license shall be en-  
20 titled to engage in the public works contracting business in the state  
21 as provided in said license. The renewal fee for a Class "A" license  
22 shall not exceed three hundred dollars (\$300).

23 (e) Class "B" license. Any contractor whose qualifications, ability  
24 and responsibility to execute contracts for public works involving an  
25 estimated cost of not more than ~~six hundred thousand dollars (\$600,000)~~  
26 nine hundred thousand dollars (\$900,000), may, upon his application and  
27 the payment of a license fee not to exceed two hundred dollars (\$200) be  
28 granted a Class "B" license and be so classified by the board in accor-  
29 dance with the provisions of this chapter. The holder of a Class "B" li-  
30 cense shall be entitled to engage in the public works contracting busi-  
31 ness in the state as provided in said license. The renewal fee for a  
32 Class "B" license shall not exceed two hundred dollars (\$200).

33 (f) Class "CC" license. Any contractor whose qualifications, ability  
34 and responsibility to execute contracts for public works involv-  
35 ing an estimated cost of not more than ~~four hundred thousand dollars~~  
36 ~~(\$400,000)~~ six hundred thousand dollars (\$600,000), may, upon his ap-  
37 plication and the payment of a license fee not to exceed one hundred  
38 fifty dollars (\$150), be granted a Class "CC" license and be so classi-  
39 fied by the board in accordance with the provisions of this chapter. The  
40 holder of a Class "CC" license shall be entitled to engage in the public  
41 works contracting business in the state as provided in said license.  
42 The renewal fee for a Class "CC" license shall not exceed one hundred  
43 fifty dollars (\$150).

44 (g) Class "C" license. Any contractor whose qualifications, ability  
45 and responsibility to execute contracts for public works involving an  
46 estimated cost of not more than ~~two hundred thousand dollars (\$200,000)~~  
47 four hundred thousand dollars (\$400,000), may, upon his application and  
48 the payment of a license fee not to exceed one hundred dollars (\$100), be  
49 granted a Class "C" license and be so classified by the board in accor-  
50 dance with the provisions of this chapter. The holder of a Class "C" li-

1 cense shall be entitled to engage in the public works contracting busi-  
2 ness in the state as provided in said license. The renewal fee for a  
3 Class "C" license shall not exceed one hundred dollars (\$100).

4 (h) Class "D" license. Any contractor whose qualifications, ability  
5 and responsibility to execute contracts for public works involving an  
6 estimated cost of not more than ~~fifty thousand dollars (\$50,000)~~ two  
7 hundred thousand dollars (\$200,000), may, upon his application and  
8 the payment of a license fee not to exceed fifty dollars (\$50.00), be  
9 granted a Class "D" license and be so classified by the board in accor-  
10 dance with the provisions of this chapter. The holder of a Class "D"  
11 license shall be entitled to engage in the public works contracting  
12 business in the state as provided in said license. The renewal fee for a  
13 Class "D" license shall not exceed fifty dollars (\$50.00).

14 (4) The board shall be vested with the power to fix annually the amount  
15 of the original and renewal license fees for each class of license for the  
16 ensuing license year. The amount of the license fee so fixed shall not exceed  
17 the maximum fee set forth in this section.

18 (5) Each license issued by the administrator shall clearly indicate the  
19 type and scope of work for which the licensee is qualified and licensed. The  
20 holder of the license shall be permitted to submit proposals for and perform  
21 only those types of work specified in each license. The administrator may  
22 extend the permissible type or scope of work to be done under any license when  
23 it is determined by the administrator that the applicant meets all of the re-  
24 quirements of this chapter to qualify him to do such other work.

25 (6) The total of any single bid on a given public works project, or the  
26 aggregate total of any split bids, or the aggregate of any base bid and any  
27 alternate bid items, or the aggregate total of any separate bid by a licensee  
28 of any class, except Class "Unlimited," shall not exceed the estimated cost  
29 or bid limit of the class of license held by the licensee. The aggregate to-  
30 tal of bids shall include all bids of subcontractors. Subcontractor bids  
31 shall not be considered a separate bid for the purposes of computing the bid  
32 on a given public works project.

33 SECTION 2. An emergency existing therefor, which emergency is hereby  
34 declared to exist, this act shall be in full force and effect on and after  
35 July 1, 2024.