
ASSEMBLY BILL NO. 334—ASSEMBLYMEN HEALEY, KIRKPATRICK;
COHEN, FIORE, LIVERMORE, PIERCE AND SWANK

MARCH 18, 2013

JOINT SPONSOR: SENATOR JONES

Referred to Committee on Commerce and Labor

SUMMARY—Provides certain exemptions from provisions relating to contractors. (BDR 54-921)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to contractors; exempting certain property owners, licensed real estate brokers and salespersons from provisions relating to contractors; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law exempts from the provisions of chapter 624 of NRS, which
2 provides for the licensing and regulation of contractors, a property owner who is
3 building or improving a residential structure on the property for his or her own
4 occupancy and not intended for sale or lease. (NRS 624.031) This bill also exempts
5 from those provisions: (1) a property owner who is building or improving a
6 residential structure regardless of whether the structure is for his or her own
7 occupancy and is intended for sale or lease, unless the work requires a building
8 permit; and (2) any employee of such a property owner. In addition, this bill
9 exempts from those provisions a licensed real estate broker, real estate broker-
10 salesperson or real estate salesperson who, acting within the scope of his or her
11 license or a permit to engage in property management, assists a client in scheduling
12 or performing work to repair or maintain property, unless a building permit is
13 required to perform the work.



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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 624.031 is hereby amended to read as follows:
2 624.031 The provisions of this chapter do not apply to:
3 1. Work performed exclusively by an authorized representative
4 of the United States Government, the State of Nevada, or an
5 incorporated city, county, irrigation district, reclamation district, or
6 other municipal or political corporation or subdivision of this State.
7 2. An officer of a court when acting within the scope of his or
8 her office.
9 3. Work performed exclusively by a public utility operating
10 pursuant to the regulations of the Public Utilities Commission of
11 Nevada on construction, maintenance and development work
12 incidental to its business.
13 4. An owner of property who is building or improving a
14 residential structure on the property ~~for his or her own occupancy~~
15 ~~and not intended for sale or lease. The sale or lease, or the offering~~
16 ~~for sale or lease, of the newly built structure within 1 year after its~~
17 ~~completion creates a rebuttable presumption for the purposes of this~~
18 ~~section that the building of the structure was performed with the~~
19 ~~intent to sell or lease that structure.] or an employee of such an~~
20 **owner, unless a building permit is required to perform the work.**
21 An owner of property who requests an exemption pursuant to this
22 subsection must apply to the Board for the exemption. The Board
23 shall adopt regulations setting forth the requirements for granting
24 the exemption.
25 5. Any work to repair or maintain property the value of which
26 is less than \$1,000, including labor and materials, unless:
27 (a) A building permit is required to perform the work;
28 (b) The work is of a type performed by a plumbing, electrical,
29 refrigeration, heating or air-conditioning contractor;
30 (c) The work is of a type performed by a contractor licensed in a
31 classification prescribed by the Board that significantly affects the
32 health, safety and welfare of members of the general public;
33 (d) The work is performed as a part of a larger project:
34 (1) The value of which is \$500 or more; or
35 (2) For which contracts of less than \$500 have been awarded
36 to evade the provisions of this chapter; or
37 (e) The work is performed by a person who is licensed pursuant
38 to this chapter or by an employee of that person.
39 6. The sale or installation of any finished product, material or
40 article of merchandise which is not fabricated into and does not
41 become a permanent fixed part of the structure.



1 7. The construction, alteration, improvement or repair of
2 personal property.

3 8. The construction, alteration, improvement or repair financed
4 in whole or in part by the Federal Government and conducted within
5 the limits and boundaries of a site or reservation, the title of which
6 rests in the Federal Government.

7 9. An owner of property, the primary use of which is as an
8 agricultural or farming enterprise, building or improving a structure
9 on the property for his or her use or occupancy and not intended for
10 sale or lease.

11 10. Construction oversight services provided to a long-term
12 recovery group by a qualified person within a particular geographic
13 area that is described in a proclamation of a state of emergency or
14 declaration of disaster by the State or Federal Government,
15 including, without limitation, pursuant to NRS 414.070. A long-
16 term recovery group may reimburse such reasonable expenses as the
17 qualified person incurs in providing construction oversight services
18 to that group. Except as otherwise provided in this subsection,
19 nothing in this subsection authorizes a person who is not a licensed
20 contractor to perform the acts described in paragraphs (a) and (b) of
21 subsection 1 of NRS 624.700. As used in this subsection:

22 (a) "Construction oversight services" means the coordination
23 and oversight of labor by volunteers.

24 (b) "Long-term recovery group" means a formal group of
25 volunteers coordinating response and recovery efforts related to a
26 state of emergency or disaster that is proclaimed or declared by the
27 State or Federal Government.

28 (c) "Qualified person" means a person who possesses the
29 abilities, education, experience, knowledge, skills and training that a
30 long-term recovery group has identified as being necessary to
31 provide construction oversight services for a project to be performed
32 by that group.

33 *11. A person licensed as a real estate broker, real estate*
34 *broker-salesperson or real estate salesperson pursuant to chapter*
35 *645 of NRS who, acting within the scope of the license or a permit*
36 *to engage in property management issued pursuant to NRS*
37 *645.6052, assists a client in scheduling or performing work to*
38 *repair or maintain property pursuant to a written brokerage*
39 *agreement or a property management agreement. Such assistance*
40 *includes, without limitation, assisting a client in the hiring of any*
41 *number of specialty contractors to perform the work. The*
42 *provisions of this subsection do not apply if a building permit is*
43 *required to perform the work. As used in this subsection:*

44 (a) "Brokerage agreement" has the meaning ascribed to it in
45 NRS 645.005.



- 1 ***(b) "Property management agreement" has the meaning***
2 ***ascribed to it in NRS 645.0192.***
3 ***(c) "Real estate broker" has the meaning ascribed to it in***
4 ***NRS 645.030.***
5 ***(d) "Real estate broker-salesperson" has the meaning ascribed***
6 ***to it in NRS 645.035.***
7 ***(e) "Real estate salesperson" has the meaning ascribed to it in***
8 ***NRS 645.040.***

