

1 ENGROSSED SENATE
2 BILL NO. 1170

By: Jech of the Senate

3 and

4 Russ of the House

5
6 An Act relating to roofing; amending 59 O.S. 2011,
7 Section 1151.9, as amended by Section 7, Chapter 270,
8 O.S.L. 2014 (59 O.S. Supp. 2017, Section 1151.9),
9 which relates to exceptions from roofing
10 registration; and providing additional exception for
11 assembly of certain metal structures.

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

13 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1151.9, as
14 amended by Section 7, Chapter 270, O.S.L. 2014 (59 O.S. Supp. 2017,
15 Section 1151.9), is amended to read as follows:

16 Section 1151.9. A. Any administrative or governing body with
17 authority to enter into public contracts shall require individual
18 roofing contractor registration for purposes of such persons
19 submitting or entering into any bid or contract involving roofing
20 contractor work.

21 B. The Roofing Contractor Registration Act does not apply to:

22 1. An actual owner of residential or farm property who
23 physically performs, or has family member, employee or employees who
24 perform with or without remuneration, roofing services including,

1 construction, installation, renovation, repair, maintenance,
2 alteration, waterproofing, or removal of materials or structures on
3 property owned by such person;

4 2. Any authorized employee, representative or representatives
5 of the United States Government, the State of Oklahoma, or any
6 county, municipality, or other political subdivision of this state;

7 3. Any person who furnishes any fabricated or finished product,
8 material, or article of merchandise which is not incorporated into
9 or attached to real property by such person so as to become affixed
10 thereto;

11 4. Any person including churches or other charitable entities
12 that provide roof repairs or replacements at no charge using
13 volunteer labor;

14 5. Any employee of a registrant who does not hold himself or
15 herself out for hire, advertise, or engage in contracting, except as
16 an employee of a registrant;

17 6. Licensed engineers, licensed architects, licensed HVAC and
18 any other person licensed by the jurisdiction, operating under the
19 purview and within the scope of their respective license;

20 7. A person who only furnishes roofing materials, roofing
21 supplies or equipment and does not, nor do the person's employees,
22 install or fabricate them into or consume them in the performance of
23 the work of the roofing contractor;

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1 8. Prime contractors, general contractors, property managers
2 and project managers who bid on construction trade work in areas
3 additional to roofing contractor work, and subcontract the roofing
4 contractor work as long as they subcontract the roofing work to a
5 currently registered roofing contractor who is in good standing; if
6 the bid is solely for roofing contractor work, then a registration
7 is required;

8 9. Owners of commercial properties including residential rental
9 properties consisting of four dwelling units or less, when acting as
10 their own roofing contractor and providing all material supervision
11 themselves, lessees of residential properties with the consent of
12 the owner, who, whether themselves or with their own employees,
13 perform roofing construction in or upon the properties, all
14 installing roofing materials according to the International Building
15 Code, as adopted by the Oklahoma Uniform Building Code Commission,
16 or the manufacturer's installation instructions; ~~or~~

17 10. Owners of property when acting as their own roofing
18 contractor, providing all material supervision themselves, and
19 installing roofing materials according to the International
20 Residential Code, as adopted by the Oklahoma Uniform Building Code
21 Commission, or the manufacturer's installation instructions when
22 building or improving a single-family dwelling residence on such
23 property for the occupancy of such owners and not intended for sale
24 or rent. In any action brought under the Roofing Contractor

1 Registration Act, proof of the sale or offering for sale of such
2 structure or the renting or offering to rent of such structure by
3 the owners of the property within one (1) year after substantial
4 completion of the structure when the structure can be occupied and
5 used as intended but punch list items may remain, is presumptive
6 evidence that the construction was undertaken with the intent of
7 sale or rent; or

8 11. Commercial business entities and their employees whose
9 primary business and purpose is the construction, assembly and
10 installation of prefabricated, manufactured and engineer-designed
11 metal structures or metal buildings, including additions and repairs
12 to such structures or buildings.

13 Passed the Senate the 12th day of March, 2018.

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16 Presiding Officer of the Senate

17 Passed the House of Representatives the ____ day of _____,
18 2018.

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21 Presiding Officer of the House
22 of Representatives
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