

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE BILL 1536

By: Griffin

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6 AS INTRODUCED

7 An Act relating to roofing; amending 59 O.S. 2011,  
8 Section 1151.9, as amended by Section 7, Chapter 270,  
9 O.S.L. 2014 (59 O.S. Supp. 2017, Section 1151.9),  
which relates to exemptions from registration; adding  
certain exemptions; and providing an effective date.

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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;

8 11. Labor only crews performing commercial roofing work under  
9 the supervision of a general contractor or subcontractor must be  
10 registered but are not required to have a commercial endorsement; or

11 12. Metal building erectors who install prefabricated or pre-  
12 engineered metal building packages, known as PEMB, as defined by the  
13 Construction Science Institute and Construction Specifications  
14 Institute in Division 13, Special Construction: Metal Building  
15 Systems.

16 SECTION 2. This act shall become effective November 1, 2018.

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