
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2277 Session of
2014

INTRODUCED BY COX, RAPP, JAMES, TRUITT, LUCAS, ROZZI, DeLUCA,
EVERETT, DENLINGER, STERN, GRELL AND BROOKS, MAY 19, 2014

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MAY 19, 2014

AN ACT

1 Amending the act of October 17, 2008 (P.L.1645, No.132),
2 entitled "An act providing for the regulation of home
3 improvement contracts and for the registration of certain
4 contractors; prohibiting certain acts; and providing for
5 penalties," further providing for the definition of "home
6 improvement."

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The definition of "home improvement" in section 2
10 of the act of October 17, 2008 (P.L.1645, No.132), known as the
11 Home Improvement Consumer Protection Act, is amended to read:

12 Section 2. Definitions.

13 The following words and phrases when used in this act shall
14 have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 * * *

17 "Home improvement."

18 (1) The term includes all of the following done in
19 connection with land or a portion of the land adjacent to a
20 private residence or a building or a portion of the building

1 which is used or designed to be used as a private residence
2 for which the total cash price of all work agreed upon
3 between the contractor and owner is more than [\$500] \$2,500:

4 (i) Repair, replacement, remodeling, demolition,
5 removal, renovation, installation, alteration,
6 conversion, modernization, improvement, rehabilitation or
7 sandblasting.

8 (ii) Construction, replacement, installation or
9 improvement of driveways, swimming pools, pool houses,
10 porches, garages, roofs, siding, insulation, solar energy
11 systems, security systems, flooring, patios, fences,
12 gazebos, sheds, cabanas, landscaping of a type that is
13 not excluded under paragraph (2)(vi), painting, doors and
14 windows and waterproofing.

15 (iii) Without regard to affixation, the installation
16 of central heating, air conditioning, storm windows or
17 awnings.

18 (2) The term does not include:

19 (i) The construction of a new home.

20 (ii) The sale of goods or materials by a seller who
21 neither arranges to nor performs, directly or indirectly,
22 any work or labor in connection with the installation or
23 application of the goods or materials.

24 (iii) The sale of services furnished for commercial
25 or business use or for resale, if the service takes place
26 somewhere other than at a private residence.

27 (iv) The sale of appliances, including stoves,
28 refrigerators, freezers, room air conditioners and others
29 which are designed for and are easily removable from the
30 premises without material alteration.

1 (v) Any work performed without compensation by the
2 owner of the owner's private residence or residential
3 rental property.

4 (vi) Any work performed by a landscaper certified by
5 the Department of Agriculture under the act of December
6 16, 1992 (P.L.1228, No.162), known as the Plant Pest Act,
7 except to the extent that the work involves any of the
8 following at a private residence:

9 (A) The construction, replacement, installation
10 or improvement of buildings, driveways, swimming
11 pools, porches, garages, roofs, siding, insulation,
12 solar energy systems, security systems, flooring,
13 patios, nondecorative fences, doors, lighting
14 systems, concrete walkways and windows.

15 (B) The placement of retaining walls, fountains
16 or drainage systems.

17 (vii) Emergency work pursuant to section 7 of the
18 act of December 17, 1968 (P.L.1224, No.387), known as the
19 Unfair Trade Practices and Consumer Protection Law.

20 (viii) The conversion of existing commercial
21 structures into residential or noncommercial structures.

22 * * *

23 Section 2. This act shall take effect in 60 days.