

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 415

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO THE IDAHO CONTRACTOR REGISTRATION ACT; AMENDING SECTION
2 54-5210, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO INACTIVE STA-
3 TUS OF REGISTERED CONTRACTORS, TO ESTABLISH PROVISIONS RELATING TO
4 RESTORING ACTIVE STATUS AND TO PROVIDE FOR RULEMAKING.
5

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

7 SECTION 1. That Section 54-5210, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 54-5210. APPLICATION FOR REGISTRATION. (1) An applicant for registra-
10 tion as a contractor shall submit an application under oath upon a form to
11 be prescribed by the board and which shall include the following information
12 pertaining to the applicant:

13 (a) Social security number for natural persons or employer tax identi-
14 fication number for other persons;

15 (b) The name and address under which the applicant conducts business;

16 (c) The name and address of each principal, member, partner, share-
17 holder, or any other person claiming an ownership interest in the busi-
18 ness entity for which registration is being applied for;

19 (d) A certificate issued by an insurance company authorized to do busi-
20 ness in the state of Idaho or other satisfactory proof that the appli-
21 cant has procured and has in effect worker's compensation insurance or
22 a statement by the contractor as to why such certificate or coverage is
23 not required for the applicant;

24 (e) A certificate issued by an insurance company authorized to do busi-
25 ness in the state of Idaho that the applicant has procured and has in ef-
26 fect a general liability policy, including products and completed op-
27 erations insurance covering the applicant's construction operations in
28 the sum of not less than three hundred thousand dollars (\$300,000) sin-
29 gle limit. The name of the insurance company, the insured and policy
30 number shall be made available only to persons or their insurers stating
31 that they possess a claim against the contractor;

32 (f) A statement of the type of construction to be undertaken by the ap-
33 plicant, or such other information as may be required by the board pur-
34 suant to administrative rules adopted by the board; and

35 (g) A statement that the applicant and each principal, member, partner,
36 shareholder or any other person claiming an ownership interest in the
37 business entity for which registration is being applied for herein has
38 never been denied, surrendered or had revoked a contractor's license or
39 registration privilege in this or any other state or, if a license or
40 registration privilege has been denied, surrendered or revoked in this
41 or any other state, an explanation of any such denial, surrender or re-
42 vocation.

1 (2) Along with such application, the applicant shall submit a registra-
2 tion fee as may be set by the board to cover its administrative and enforce-
3 ment costs, not to exceed one hundred fifty dollars (\$150) per year.

4 (3) An application for registration that has been denied by the board
5 shall be considered a contested case as provided for in chapter 52, title 67,
6 Idaho Code, and shall be subject to the provisions of that chapter as well as
7 the administrative rules adopted by the board governing contested cases.

8 (4) Once an application and registration fee have been duly submitted
9 and the application has been approved, the registered contractor may put his
10 registration on inactive status upon payment of an annual fee not to exceed
11 thirty-five dollars (\$35.00). During the period in which a registered con-
12 tractor has inactive status, the registered contractor shall be permitted
13 to:

14 (a) Keep signs posted on properties that are for sale; and

15 (b) Submit bids to prospective clients.

16 (5) Within three (3) days of getting a bid accepted from a prospective
17 client, the inactive status contractor must submit an application to become
18 an active status contractor. For an inactive status registered contractor
19 to become an active status registered contractor, he must petition the Idaho
20 bureau of occupational licenses and pay a fee of no more than thirty-five
21 dollars (\$35.00) to switch to active status. An inactive status registered
22 contractor petitioning to become an active status registered contractor,
23 must otherwise comply with the registration standard established by the
24 board and this chapter. The board may promulgate rules to provide when fees
25 pursuant to this subsection are due and payable and such rules may allow for
26 prorating of the fee over a part of a year.