

**PROPOSED REGULATION OF THE
STATE CONTRACTORS' BOARD**

LCB File No. R029-24

April 3, 2024

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

AUTHORITY: §§ 1-3, NRS 624.100 and section 1 of Assembly Bill No. 39, chapter 178, Statutes of Nevada 2023, at page 1047.

A REGULATION relating to contractors; interpreting certain terms relating to contracts for work concerning certain residential improvements; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Assembly Bill No. 39 (A.B. 39) of the 2023 Legislative Session sets forth certain requirements pertaining to a contract used by a residential contractor and the owner of a completed single-family residence who occupies the single-family residence for any work concerning a residential improvement other than work concerning a residential photovoltaic system used to produce electricity or work concerning a residential pool or spa. (NRS 624.3016, as amended by section 2 of Assembly Bill No. 39, chapter 178, Statutes of Nevada 2023, at page 1049, NRS 624.750, as amended by section 3 of Assembly Bill No. 39, chapter 178, Statutes of Nevada 2023, at page 1050, and section 1 of Assembly Bill No. 39, chapter 178, Statutes of Nevada 2023, at page 1047)

A.B. 39 defines “work concerning a residential improvement” or “work” for the purposes of such contracts to mean any construction, remodeling, repair or improvement performed by a residential contractor to a completed single-family residence or any activity for the supervision concerning such work. A.B. 39 also requires a contract for a project of new work concerning a residential improvement to contain certain additional information. (Section 1 of Assembly Bill No. 39, chapter 178, Statutes of Nevada 2023, at page 1047) **Section 2** of this regulation sets forth the manner in which the State Contractors’ Board will interpret the term “project of new work” for the purposes of such requirements. **Section 3** of this regulation sets forth the manner in which the Board will interpret the term “repair” as used in the definition of “work concerning a residential improvement” or “work.”

Section 1. Chapter 624 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. *As used in paragraph (j) of subsection 2 of section 1 of Assembly Bill No. 39, chapter 178, Statutes of Nevada 2023, at page 1048, the Board will interpret the term “project of new work” to mean work concerning a residential improvement:*

- 1. That requires a building permit;*
- 2. That involves adding, removing or relocating interior walls of the completed single-family residence;*
- 3. That involves, adding, removing or relocating other substantive elements of the completed single-family residence, including, without limitation:*
 - (a) Existing heating, air-conditioning and ventilation ductwork or systems;*
 - (b) Existing plumbing or electrical systems;*
 - (c) Kitchen or bathroom remodeling involving cabinets or other substantive elements; or*
 - (d) Landscaping or other improvement to the grounds of the completed single-family residence involving plants, walkways, patios, walls or other substantive elements of the landscape;*
- 4. That will increase the square footage of usable space of the completed single-family residence; or*
- 5. For which the residential contractor has prepared a plan or scale drawing as part of a presentation to or negotiation with the owner of the completed single-family residence who occupies the single-family residence.*

Sec. 3. *As used in paragraph (d) of subsection 7 of section 1 of Assembly Bill No. 39, chapter 178, Statutes of Nevada 2023, at page 1049, the Board will interpret the term “repair” to include, without limitation, the replacement or routine maintenance of mechanical equipment which is installed in a completed single-family residence, including, without*

limitation, heating and air-conditioning equipment, plumbing fixtures, chimneys, garage doors and mechanisms which open a garage door.