

ASSEMBLY BILL NO. 203—ASSEMBLYMEN CARRILLO,
KIRKPATRICK, BROOKS; DALY, ELLISON, HANSEN AND
SEGERBLOM

FEBRUARY 23, 2011

—————
JOINT SPONSOR: SENATOR MANENDO
—————

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing the unlawful use of a contractor's license. (BDR 54-660)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to contractors; requiring the State Contractors' Board to issue or authorize the issuance of a written administrative citation to a person who acts as a contractor without an active license of the proper classification; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes the State Contractors' Board to issue a written
2 administrative citation if the Board, based upon a preponderance of the evidence,
3 has reason to believe that a person has violated any provision of statute or any
4 administrative regulation governing contractors. (NRS 624.341) This bill requires
5 the Board to issue such a citation if a person has acted as a contractor without an
6 active license of the proper classification.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 624.341 is hereby amended to read as follows:
2 624.341 1. If the Board or its designee, based upon a
3 preponderance of the evidence, has reason to believe that a person
4 has ~~committed an~~ :

5 (a) *Acted as a contractor without an active license of the*
6 *proper classification issued pursuant to this chapter, the Board or*
7 *its designee, as appropriate, shall issue or authorize the issuance*
8 *of a written administrative citation to the person.*

9 (b) *Committed any other* act which constitutes a violation of
10 this chapter or the regulations of the Board, the Board or its
11 designee, as appropriate, may issue or authorize the issuance of a
12 written administrative citation to the person.

13 **2.** A citation issued pursuant to this section may include,
14 without limitation:

15 (a) An order to take action to correct a condition resulting from
16 an act that constitutes a violation of this chapter or the regulations of
17 the Board, at the person's cost;

18 (b) An order to pay an administrative fine not to exceed
19 \$50,000, except as otherwise provided in subsection 1 of NRS
20 624.300; and

21 (c) An order to reimburse the Board for the amount of the
22 expenses incurred to investigate the complaint.

23 ~~2-~~ **3.** If a written citation issued pursuant to ~~subsection 1~~
24 *this section* includes an order to take action to correct a condition
25 resulting from an act that constitutes a violation of this chapter or
26 the regulations of the Board, the citation must state the time
27 permitted for compliance, which must be not less than 15 business
28 days after the date the person receives the citation, and specifically
29 describe the action required to be taken.

30 ~~3-~~ **4.** The sanctions authorized by ~~subsection 1~~ *this section*
31 are separate from, and in addition to, any other remedy, civil or
32 criminal, authorized by this chapter.

33 ~~4-~~ **5.** The failure of an unlicensed person to comply with a
34 citation or order after it is final is a misdemeanor. If an unlicensed
35 person does not pay an administrative fine imposed pursuant to this
36 section within 60 days after the order of the Board becomes final,
37 the order may be executed upon in the same manner as a judgment
38 issued by a court.

39 **Sec. 2.** (Deleted by amendment.)

