

(Reprinted with amendments adopted on April 18, 2019)

FIRST REPRINT

A.B. 29

ASSEMBLY BILL NO. 29—COMMITTEE
ON COMMERCE AND LABOR

(ON BEHALF OF THE STATE CONTRACTORS' BOARD)

PREFILED NOVEMBER 16, 2018

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to contractors and construction projects. (BDR 54-241)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to construction; authorizing a general engineering contractor to hire not more than one general building contractor on a single construction project under certain circumstances; authorizing a general building contractor to provide management and counseling services on a construction project for a professional fee; imposing certain limitations relating to general building contractors on a single construction project; requiring each construction project to have not more than one licensed prime contractor under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, the contracting business is classified to include the
2 branches of: (1) general engineering contracting; (2) general building contracting;
3 and (3) specialty contracting. Existing law also sets forth the circumstances under
4 which a contractor is considered to be a general engineering contractor, general
5 building contractor or a specialty contractor. (NRS 624.215) **Section 1** of this bill:
6 (1) authorizes a general engineering contractor, when acting as a prime contractor,
7 to hire not more than one general building contractor to provide work, materials or
8 equipment on a single construction project; (2) authorizes a general building
9 contractor to provide management and counseling services on a construction
10 project for a professional fee; (3) limits the number of general building contractors
11 for a single construction project; and (4) requires each construction project to have
12 not more than one licensed prime contractor who is responsible for the work,



13 materials or equipment for the construction project. **Section 1** also defines the term
14 "prime contractor" for that purpose.

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

1 **Section 1.** NRS 624.215 is hereby amended to read as follows:
2 624.215 1. For the purpose of classification, the contracting
3 business includes the following branches:

4 (a) General engineering contracting.

5 (b) General building contracting.

6 (c) Specialty contracting.

7 ➔ General engineering contracting and general building contracting
8 are mutually exclusive branches.

9 2. A general engineering contractor is a contractor whose
10 principal contracting business is in connection with fixed works,
11 including irrigation, drainage, water supply, water power, flood
12 control, harbors, railroads, highways, tunnels, airports and airways,
13 sewers and sewage disposal systems, bridges, inland waterways,
14 pipelines for transmission of petroleum and other liquid or gaseous
15 substances, refineries, chemical plants and industrial plants
16 requiring a specialized engineering knowledge and skill, power
17 plants, piers and foundations and structures or work incidental
18 thereto.

19 3. ~~FA~~ *Except as otherwise provided in subsections 5 and 6, a*
20 general building contractor is a contractor whose principal
21 contracting business is in connection with the construction or
22 remodeling of buildings or structures for the support, shelter and
23 enclosure of persons, animals, chattels or movable property of any
24 kind, requiring in their construction the use of more than two
25 unrelated building trades or crafts, upon which he or she is a prime
26 contractor and where the construction or remodeling of a building is
27 the primary purpose. Unless he or she holds the appropriate
28 specialty license, a general building contractor may only contract to
29 perform specialty contracting if he or she is a prime contractor on a
30 project. A general building contractor shall not perform specialty
31 contracting in plumbing, electrical, refrigeration and
32 air-conditioning or fire protection without a license for the specialty.
33 A person who exclusively constructs or repairs mobile homes,
34 manufactured homes or commercial coaches is not a general
35 building contractor.

36 4. A specialty contractor is a contractor whose operations as
37 such are the performance of construction work requiring special
38 skill and whose principal contracting business involves the use of
39 specialized building trades or crafts.



1 5. A general engineering contractor, when acting as a prime
2 contractor, may hire not more than one general building
3 contractor to provide any work, materials or equipment as
4 specified in subsection 3 on a single construction project.

5 6. A general building contractor may contract to provide
6 management and counseling services on a construction project for
7 a professional fee. A general building contractor who has
8 contracted to provide management and counseling services may
9 hire not more than one general building contractor to provide any
10 work, materials or equipment as specified in subsection 3 on a
11 single construction project.

12 7. A single construction project must be limited to not more
13 than one general building contractor who provides management
14 and counseling services for a professional fee and not more than
15 one general building contractor who provides any work, materials
16 or equipment as specified in subsection 3.

17 8. Except as otherwise provided in this subsection, each
18 construction project must have one, but not more than one, prime
19 contractor who is a licensed contractor and is responsible for the
20 work, materials and equipment for the construction project. A
21 construction project is not required to have a prime contractor if
22 the work for the construction project or the person providing the
23 work for the construction project is exempt pursuant to
24 NRS 624.031.

25 9. This section does not prevent the Board from establishing,
26 broadening, limiting or otherwise effectuating classifications in a
27 manner consistent with established custom, usage and procedure
28 found in the building trades. The Board is specifically prohibited
29 from establishing classifications in such a manner as to determine or
30 limit craft jurisdictions.

31 10. As used in this section, "prime contractor" means:

32 (a) A general engineering contractor who enters into an oral
33 or written agreement with an owner of a construction project or
34 an agent of an owner to provide any work, materials or equipment
35 for which the general engineering contractor is licensed;

36 (b) A general building contractor who enters into an oral or
37 written agreement with an owner of a construction project or an
38 agent of an owner to provide any work, materials or equipment for
39 which the general building contractor is licensed;

40 (c) A general engineering contractor and general building
41 contractor who enter into an oral or written agreement with an
42 owner of a construction project or an agent of an owner to provide
43 any work, materials or equipment for which the general
44 engineering contractor and general building contractor are
45 licensed; or



1 *(d) A specialty contractor who enters into an oral or written*
2 *agreement with an owner of a construction project or an agent of*
3 *an owner to provide:*

4 *(1) Any work, materials or equipment for which the*
5 *specialty contractor is licensed; and*

6 *(2) Any other work which is incidental and supplemental*
7 *thereto.*

8 **Sec. 2.** This act becomes effective upon passage and approval.

