

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

A Bill

HOUSE BILL 1137

5 By: Representative Ormond
6
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE CONTRACTOR LICENSING LAW TO
10 PROVIDE THAT A CONTRACTOR IS NOT REQUIRED TO BE
11 LICENSED IF THE COST OF WORK TO BE DONE IS LESS THAN
12 \$20,000 INCREASED BY 3% ANNUALLY, COMPOUNDED, SINCE
13 1965; AND FOR OTHER PURPOSES.
14

Subtitle

15 AN ACT TO AMEND THE CONTRACTOR LICENSING
16 LAW TO PROVIDE THAT A CONTRACTOR IS NOT
17 REQUIRED TO BE LICENSED IF THE COST OF
18 WORK TO BE DONE IS LESS THAN \$20,000
19 INCREASED BY 3% ANNUALLY, COMPOUNDED,
20 SINCE 1965.
21
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23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Arkansas Code 17-25-101(a) and (b) are amended to read as
27 follows:

28 (a) As used in this chapter, unless the context otherwise requires,
29 "contractor" means any person, firm, partnership, copartnership, association,
30 corporation, or other organization, or any combination thereof, who, for a
31 fixed price, commission, fee, or wage, attempts to or submits a bid to
32 construct, or contracts or undertakes to construct, or assumes charge, in a
33 supervisory capacity or otherwise, or manages the construction, erection,
34 alteration, or repair, or has or have constructed, erected, altered, or
35 repaired, under his, their, or its direction, any building, apartment,
36 condominium, highway, sewer, utility, grading, or any other improvement or

1 structure on public or private property for lease, rent, resale, public
2 access, or similar purpose, except single-family residences, when the cost of
3 the work to be done, or done, in the State of Arkansas by the contractor,
4 including, but not limited to, labor and materials, is at least twenty
5 thousand dollars (\$20,000) increased by three percent (3%) annually,
6 compounded, since 1965 ~~or more~~. However, when a person or entity acts as a
7 contractor in the construction, erection, alteration, or repair of his own or
8 its own property, such action shall not result in the person or entity being
9 required to obtain a license, but the person or entity must comply with all
10 other provisions of this subchapter.

11 (b) However, the twenty-thousand-dollar (\$20,000) increased by three
12 percent (3%) annually, compounded, since 1965 exception shall not apply to any
13 project of construction in which any of the construction work necessary to
14 complete the project, except any in-progress change orders, is divided into
15 separate contracts of amounts less than twenty thousand dollars (\$20,000)
16 increased by three percent (3%) annually, compounded, since 1965, a purpose
17 being to circumvent the provisions of this chapter.

18

19 SECTION 2. Arkansas Code 17-25-103(a) is amended to read as follows:

20 (a) Any contractor shall be deemed guilty of a misdemeanor and shall be
21 liable to a fine of not less than one hundred dollars (\$100) nor more than two
22 hundred dollars (\$200) for each offense, with each day to constitute a
23 separate offense, who:

24 (1) For a fixed price, commission, fee, or wage, attempts to or
25 submits a bid or bids to construct or contracts to construct, or undertakes to
26 construct, or assumes charge in a supervisory capacity or otherwise, or
27 manages the construction, erection, alteration, or repair of, or has
28 constructed, erected, altered, or repaired, under his or its direction, any
29 building, apartment, condominium, highway, sewer, utility, grading, or any
30 other improvement or structure, when the cost of the work to be done or done,
31 in the State of Arkansas by the contractor, including, but not limited to,
32 labor and materials, is at least twenty thousand dollars (\$20,000) increased
33 by three percent (3%) annually, compounded, since 1965 ~~or more~~, without first
34 having procured a license with the proper classification to engage in the
35 business of contracting in this state;

36 (2) Shall present or file the license certificate of another;

1 (3) Shall give false or forged evidence of any kind to the
2 Contractors Licensing Board or any member thereof in obtaining a certificate
3 of license;

4 (4) Shall impersonate another; or

5 (5) Shall use an expired or revoked certificate of license.
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7 SECTION 3. Arkansas Code 17-25-301(b)(1) is amended to read as follows:

8 (b)(1) Upon making application to the building inspector or other
9 authority of any incorporated city or town in Arkansas charged with the duty
10 of issuing building or other permits for the construction of any building,
11 apartment, condominium, utility, highway, sewer, grading, or any other
12 improvement or structure, when the cost of the work to be done by the
13 contractor, but not limited to labor and materials, is at least twenty
14 thousand dollars (\$20,000) increased by three percent (3%) annually,
15 compounded, since 1965 ~~or more~~, any person, firm, or corporation, before being
16 entitled to the issuance of such permits, shall furnish satisfactory proof to
17 the inspector or authority that he is duly licensed under the terms of this
18 chapter.
19

20 SECTION 4. Arkansas Code 17-25-401(b) is amended to read as follows:

21 (b) However, when a person or entity acts as a contractor in the
22 construction, erection, alteration, or repair of his own or its own property
23 or of a single-family residence, or if the cost of the work to be done,
24 including, but not limited to, labor and materials, is less than twenty
25 thousand dollars (\$20,000) increased by three percent (3%) annually,
26 compounded, since 1965, the person or entity shall not be deemed a contractor
27 under this chapter.
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29 SECTION 5. Arkansas Code 17-25-502(3) is amended to read as follows:

30 (3) "Single family residence" means any project consisting of one
31 (1) but not more than four (4) units of new construction for residential
32 occupancy, when the cost of the project is at least twenty thousand dollars
33 (\$20,000) increased by three percent (3%) annually, compounded, since 1965 ~~or~~
34 ~~more~~. This definition does not apply to subcontractors of licensed
35 residential building contractors or to remodeling operations.
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