

APPENDIX D

SUMMARY OF STATE LAWS RELATING TO LICENSING CONTRACTORS

STATE	LICENSING AGENCY	SCOPE OF REQUIREMENT	EXAM	CRITERIA	CLASSIFICATIONS	PERIOD	CAUSES OF REVOCATION
ALASKA STAT. § 08.18.011- 171	Department of Community and Economic Development	Person who undertakes or offers to perform or submits a bid to construct, alter, repair, move, or demolish a building, highway, road, railroad, or any type of fixed structure.	No	Surety bond and proof of insurance.	General Specialty Mechanical Residential Electrical		Failure to comply with insurance and bond requirement.
ARIZ. REV. STAT. §§ 32-1101 to 32-1169	Registrar of Contractors	Person who for compensation undertakes or offers to construct, alter, repair, add to, subtract from, improve, move, wreck, or demolish any building, highway, road, railroad, excavation or other structure, project, development, or improvement.	May be required.	<ol style="list-style-type: none"> 1. Good standing with corporation commission. 2. Compliance with rules regarding workers' compensation. 3. Submission of bond and fee. 4. Financial resources. 5. Good character and reputation. 	General commercial building General dual licensed General engineering General residential Specialty commercial Specialty dual licensed Specialty residential	2 years	<ol style="list-style-type: none"> 1. Abandonment of contract. 2. Disregard of plans and specs. 3. Disregard of registrar's rules. 4. Disregard of rules regarding social security, workers' compensation, or unemployment compensation. 5. Failure to pay taxes. 6. Misrepresentation of material fact in obtaining license. 7. Fraudulent act that results in substantial injury to another. 8. Conviction of felony. 9. Failure to complete a project for the price stated/ 10. Aiding or abetting an unlicensed person to evade licensing law. 11. Failure to pay bills for

<p>ARK. CODE §§ 17-25-101 <i>et seq.</i>; 17-25-301 <i>et seq.</i></p>	<p>Contractors' Licensing Board</p>	<p>Person who for compensation, contracts to construct, erect, alter, or repair any building, highway, sewer, utility, grading, or any other improvement or structure on public or private property for lease, rent, resale, public access, where project is over \$20,000.</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. Experience. 2. Ability. 3. Character. 4. Manner of performance of previous contracts. 5. Financial condition. 6. Equipment. 7. Any fact tending to show ability and willingness to conserve public health and safety. 8. Default in complying with licensing laws or any other state laws. 	<p>1 year</p>	<p>labor and materials when due and when able to pay, in excess of \$750.</p> <ol style="list-style-type: none"> 12. Failure to comply with labor or safety codes. 13. False or deceptive advertising 14. Knowingly contracting beyond classification 15. Contracting while license suspended. <ol style="list-style-type: none"> 1. Fraud or deceit in obtaining a license. 2. Aiding or abetting any contractor or person to violate the provisions of this chapter. 3. Gross negligence. 4. Incompetence. 5. Misconduct in the conduct of the contractor's business. 	
<p>CAL. BUS. & PROF. CODE § 7000–7145.5</p>	<p>Contractors' State License Board Department of Consumer Affairs</p>	<p>All contractors, or anyone who for compensation undertakes, offers to undertake, or purports to have capacity to construct, alter, repair, add to, subtract from, improve, move, or</p>	<p>Yes</p>	<p>Knowledge and experience in the classification applied for, and such general knowledge of the building, safety, health, and lien laws of the state and of the administrative</p>	<p>General engineering General building Specialty building</p>	<p>2 years</p>	<ol style="list-style-type: none"> 1. Abandonment of work without legal excuse 2. Diversion of funds. 3. Fraud, gross negligence, or disregard of specifications or accepted trade standards.

demolish any building, highway, road, railroad, or other structure, project, development, or improvement.

principles of the contracting business necessary for the safety and protection of the public; knowledge of pertinent state laws and the contracting business and trade.

4. Willful violation of building laws or rules of construction, labor, or safety.
5. Failure to carry workers' compensation insurance.
6. Failure to keep records.
7. Misrepresentation in obtaining license.
8. Aiding or entering into contract with unlicensed contractor.
9. Commission of crime related to duties as contractor.
10. Failure to complete work at specified price.
11. Aiding evasion of license law.
12. Failure to cooperate in investigation by Registrar.
13. Failure to pay bills.

CONN.
GEN. STAT.
ch. 393 §
20-341gg

Department of
Consumer
Protection

Person doing construction, structural repair, structural alteration, dismantling or demolition of a structure or addition that exceeds statutory threshold limits.

No

1. Credit references.
2. References re work.
3. General liability insurance.
4. Certificate of good standing from Secretary of State if incorporated.

Major contractors

1. Conviction of a felony.
2. Gross incompetence.
3. Malpractice or unethical conduct.
4. Knowingly makes false, misleading, or deceptive representations regarding work.
5. Violation of regulations adopted under this chapter.
6. False statement in obtaining license.
7. Performing work beyond scope of license.

Conn.
Regs. §§
20:341gg-1
through 7

<p>HAW. REV. STAT. §§ 444-1 to 444-36</p>	<p>Contractors Licensing Board</p>	<p>Person who undertakes to improve any realty or construct, alter, repair, add to, subtract from, improve, move, or demolish any building, highway, road, railroad, excavation, or other structure, project, development, or improvement, including specialty contractors and subcontractors.</p>	<p>May be required</p>	<ol style="list-style-type: none"> 1. Workers compensation insurance. 2. Liability insurance. 3. Bond. 	<p>General engineering General building Specialty</p>	<p>2 years</p>	<p>8. Employ unlicensed contractor.</p> <ol style="list-style-type: none"> 1. Dishonest, fraudulent, or deceitful acts. 2. Unfair or deceptive practice. 3. Abandonment of project without legal excuse. 4. Diversion of funds. 5. Willful disregard of plans and specifications. 6. Willful violation of law. 7. Failure to keep records. 8. Misrepresentation of material fact in obtaining license. 9. Failure to complete project for agreed price. 10. Failure to pay bills. 11. Failure to carry workers compensation insurance. 12. Failure to complete with diligence.
<p>IDAHO CODE §§ 54-1901 to 54-1924</p>	<p>Public Works Contractors License Board</p>	<p>Person who undertakes any construction, repair, or reconstruction of any public work under contract with the state of Idaho or any agency or public or quasi public corporation.</p>	<p>Yes</p>	<p>Such degree of experience, and such general knowledge of the building, safety, health, and lien laws of the state, and of the rudimentary administrative principles of the contracting business, as may be deemed necessary by the board for the safety and</p>	<p>Eight classes based on amount of work licensee may bid on: Class Unlimited License \$5 million or more AAA— not more than \$5 million AA—up to \$3 million A—up to \$1,250</p>	<p>12 calendar months</p>	<ol style="list-style-type: none"> 1. Abandonment of project without legal excuse. 2. Diversion of funds or property received. 3. Willful disregard of plans or specifications. 4. Willful disregard of valid building laws, or safety, labor, or compensation insurance laws.

protection of the public; good character, shown by past performance of work and reputation for honesty and integrity; has never been refused a license or had a license revoked.

million
 B—up to \$600,000
 CC—up to \$400,000
 C- up to \$200,00
 D- up to \$50,000

- 5. Material misrepresentation in obtaining a license.
- 6. Aiding or abetting an unlicensed person to evade provisions of this chapter.
- 7. Material failure to comply with this chapter.
- 8. Knowingly entering into contract with unlicensed contractor on public works project.
- 9. Willful failure without legal excuse to finish project with reasonable diligence, causing material injury to another.
- 10. Willful failure to pay for materials or services.
- 11. Change in financial circumstances impairing financial responsibility.

IOWA CODE § 91C

Labor Commissioner, Division of Labor Services

Person who engages in business of construction.

No

Application and payment of fee; evidence of workers' compensation insurance; surety bond required for payment of taxes if out-of-state contractor for contracts.

1 year

- 1. Violation of requirement that contractor be registered.
- 2. Violation of requirement that registration information be substantially complete and accurate.
- 3. Failure to file bond with the division of labor services (if out of state contractor).

LA. REV.

State

Person who

Yes, but

1. Financial statement

1. Building.

1 year

1. Dishonest or fraudulent

STAT. §§
37:2150–
37:2164

Licensing
Board for
Contractors

undertakes to or submits a bid to construct or supervise construction, alteration, repair, improvement, movement, demolition, or furnishing labor, for any building, highway, road, railroad, utility, grading, excavation, pipeline, housing, development, or other commercial construction of \$50,000 or more.

may be
waived

showing net worth of at least \$10,000.
2. Examination, unless waived.

2. Highway, street, and bridge.
3. Heavy construction.
4. Municipal and public works.
5. Electrical.
6. Mechanical.
7. Plumbing.
8. Hazardous materials.
9. Specialty.
10. Residential.

- act causing substantial damage to another.
2. Willful misrepresentation of material fact in obtaining license.
3. Willful failure to comply with this Chapter.
4. Entering into contract with unlicensed contractor.
5. Permitting contractor's license to be used by unlicensed person.
6. Failure to maintain a qualifying party to represent the licensee.
7. Insolvency or involuntary cessation of business.
8. Failure to continue to fulfill requirements for original licensure.
9. Problems relating to ability to engage in business of contracting, as demonstrated by prior experience.
10. Disqualification or debarment by any public entity.

<p>MISS. CODE §§ 31-3-1 to 31-3-23 Standard Specs. § S-102.01</p>	<p>State Board of Contractors</p>	<p>Person contracting or undertaking as prime contractor, subcontractor of any tier to do erection, building, construction, reconstruction, repair, maintenance, or related work on any public or private project.</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. Experience and ability. 2. Character. 3. Performance of previous contracts. 4. Financial condition. 5. Equipment. 6. Personnel. 7. Work completed and work on hand. 8. Default in complying with law. 9. Results of objective, standardized examinations. 		<p>1 year</p>	<p>Finding of nonresponsibility.</p>
<p>NEV. REV. STAT. §§ 624.040 – 624.361</p>	<p>State Contractors' Board</p>	<p>Person who for compensation undertakes or submits a bid to construct, alter, repair, add to, subtract from, improve, move, wreck, or demolish any building, highway, road, railroad, excavation, or other structure, project, development, or improvement.</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. Financial responsibility; experience; knowledge of building, safety, health, and state lien laws; and qualifications of the applicant. 2. Proof of industrial insurance. 3. Good character. 4. Surety bond. 	<p>General engineering General building Specialty</p>	<p>2 years</p>	<ol style="list-style-type: none"> 1. Abandonment of project. 2. Disregard of plans or specifications. 3. Diversion of funds. 4. Failure to maintain records. 5. Failure to maintain bond. 6. Failure to establish financial responsibility. 7. Misuse of license or evasion of law. 8. Acting beyond scope of license. 9. Contracting with unlicensed person. 10. Fraudulent or deceptive act; criminal conviction.
<p>N.C. GEN. STAT. §§ 87-1 to 15.1</p>	<p>State Licensing Board for General</p>	<p>Person who for compensation bids upon or constructs or manages construction</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. Good character. 2. Competency and ability. 	<p>Building Residential Highway</p>	<p>Expires on the first day of</p>	<ol style="list-style-type: none"> 1. Fraud or deceit in obtaining a license. 2. Gross negligence.

Contractors	of any building, highway, public utilities, grading or any improvement or structure costing \$30,000 or more.	<ol style="list-style-type: none"> 3. Integrity. 4. Financial responsibility. 5. Has not committed act that would be grounds for suspension or revocation of license. 6. Has not committed act of dishonesty, fraud, or deceit. 7. Has never been refused a license as a general contractor nor had such license revoked in any state. 8. Has not been convicted of felony involving moral turpitude, relating to building or contracting, or involving embezzlement or misappropriation of funds or property. 	Public Utilities Specialty	December after its issuance	<ol style="list-style-type: none"> 3. Incompetency. 4. Misconduct. 5. Willful violation of any provision of this Article. 		
N.D. CENT. CODE 43-07	Secretary of State	Person who constructs, repairs, alters, dismantles, or demolishes any highways, roads, streets, buildings, airports, dams, drainage or irrigation facilities, utilities, and all other structures, projects,	No	<ol style="list-style-type: none"> 1. Experience and qualifications, under oath. 2. Liability insurance. 3. Workers' compensation insurance. 	<p>Class A—no dollar limit.</p> <p>Class B—up to \$250,000.</p> <p>Class C—up to \$120,000.</p> <p>Class D—up to \$50,000.</p>	1 year	<ol style="list-style-type: none"> 1. Abandonment of contract without legal excuse. 2. Diversion of funds or property. 3. Committing any fraudulent act in which another is injured. 4. False statement in application for license.

developments, or improvements over \$2,000.

<p>S.C. CODE §§ 40-11-5 to 40-11-430</p>	<p>Contractor's Licensing Board</p>	<p>General or mechanical contracting work, the cost of which is greater than \$5,000.</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. Financial condition and bank reference. 2. Qualifying party who is full time employee and certified in classification. 	<p>General Mechanical groups setting contract limits are based on contractor's net worth.</p>	<p>2 years</p>	<ol style="list-style-type: none"> 1. Negligence or incompetence. 2. Abandonment of a contract without legal excuse. 3. Fraud or deceit in obtaining a license or certification. 4. Violation of licensing laws. 5. Conviction of forgery, embezzlement, or similar crime. 6. Conviction of crime involving moral turpitude in connection with contract. 7. False, misleading, or deceptive advertising. 8. Failure to obtain a building permit. 9. Failure to maintain net worth requirements. 10. Contracting outside classification.
<p>TENN. CODE §§ 62-6-101 to 62-6-132</p>	<p>State Board for Licensing Contractors</p>	<p>Person who undertakes to or submits bid to construct or supervise construction, alteration, repair, improvement, movement, demolition, or furnishing labor to install material or equipment for any building, highway,</p>	<p>Written and/or oral</p>	<ol style="list-style-type: none"> 1. Letter of reference from past client, employer, or codes administration official. 2. Financial statement. 3. Affidavit that applicant is not performing construction work 	<ol style="list-style-type: none"> 1. Commercial 2. Industrial 3. Heavy 4. Highway 5. Municipal & Utility 6. Mechanical 7. Electrical 8. Environmental 	<p>2 years</p>	<ol style="list-style-type: none"> 1. Gross negligence. 2. Incompetence. 3. Fraud, dishonest dealing, and/or misconduct in contracting. 4. Failure to observe the terms and conditions of license.

		railroad, sewer, grading, excavation, pipeline, public utility structure, housing, or improvement; \$25,000 or more.		and has not offered to perform work exceeding \$25,000.	9. Residential		
UTAH CODE §§ 58-55-101 to 58-55-604	Construction Services Commission	Any person who for compensation other than wages as an employee undertakes any work in the construction, plumbing, or electrical trade.	Yes	1. Financial responsibility. 2. Knowledge and experience in the construction industry and knowledge of the principles of contracting business reasonably necessary for protection of the public.	1. General building. 2. General engineering. 3. Electrical. 4. Plumbing. 5. Residential. 6. Specialty.	2 years	1. Unlawful or unprofessional conduct.
VA. CODE §§ 54.1-1100 to 54.1-1117 18 VA. ADMIN CODE § 50.22	Board for Contractors	Person that for compensation undertakes to bid upon contracts for performing, managing, or superintending the construction, removal, repair, or improvement of any building or structure.	Oral or written	1. Past performance record. 2. Compliance with contracting and business laws. 3. Financial information.	Class A—single projects of \$120,000 or more, or total in one year or \$750,000 or more. Class B—single projects \$7,500 but less than \$12,000, or total in one year between \$150,000 and \$500,000. Class C—projects over \$1,000 but less than \$7,500.	2 years	Violation of statutes or regulations governing licensed contractors.
WASH. REV. CODE §§	Department of Labor and	Person who as independent business	No	1. Workers' compensation	General	2 years	1. Unsatisfied final judgment for work within scope of

18.27.010-340

Industries

undertakes to or submits a bid to construct, alter, repair, add to, subtract from, improve, move, wreck or demolish, for another, any building, highway, road, railroad, excavation or other structure, project, development, or improvement.

insurance.

2. Insurance or financial responsibility.
3. Surety bond.

Specialty

this chapter.

2. Not maintaining valid unified business identifier number for department of revenue.
3. Loss of insurance.
4. Loss of surety bond.

