

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

LCB File No. R094-07

Effective January 30, 2008

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

AUTHORITY: §1, NRS 338.1389, 338.147, 624.100, 624.220, 624.253, 624.280, 624.282 and 624.283; §2, NRS 624.100 and 624.283; §3, NRS 624.100.

A REGULATION relating to contractors; revising the amounts of fees for certain biennial licenses and certificates; requiring the State Contractors' Board to notify a licensee if the Board prescribes a shorter or longer period of validity for the license of the licensee; revising the changes in the membership of a limited-liability company for which a licensee must submit an application to the Board; and providing other matters properly relating thereto.

Section 1. NAC 624.130 is hereby amended to read as follows:

624.130 The Board will charge and collect the following fees:

To issue a duplicate license	\$25
To issue a duplicate identification card	10
To issue a duplicate certificate of eligibility.....	50
To consider an application for a change in the name of the licensee	250
To consider an application regarding a conversion of the licensee conducted pursuant to chapter 92A of NRS	300
To consider an application for an increase of a licensee's monetary limit for a single project	75

To supply a pamphlet containing the statutes and regulations relating to contractors	5
To supply a report containing information regarding not more than 500 current licensees	100
To supply a report containing information regarding more than 500 current licensees	200
To consider a request for a permanent increase or decrease of a licensee's monetary limit.....	250
To consider a request to change the qualified person or corporate officer <i>other principal</i> listed on a license	250
To consider a request to broaden a license to include the entire classification or other specific subclassifications within the classification.....	250
To issue or renew a license	300 600
For an annual administrative fee if the applicant or licensee has established a cash deposit with the Board	100 200
To issue or renew an inactive license	150 300
To consider an application for the issuance of a license for a classification in which the applicant is not licensed.....	300
To issue a certificate of eligibility	500
To renew a certificate of eligibility	300
For photocopies (per page)	1
To charge for returned checks	25

Sec. 2. NAC 624.630 is hereby amended to read as follows:

624.630 1. ~~Each year the~~ *The* Board will mail to each licensee, at his address of record, an application for the renewal of his license. Except as otherwise provided in subsection 2, the licensee must return the completed application to the Board not later than the 30th day of the month in which the license expires. *If the Board prescribes a shorter or longer period of validity for the licensee pursuant to NRS 624.283, the Board will notify the licensee of that fact.*

2. If the Board has requested that a licensee submit a financial statement with his application for renewal, the licensee must return to the Board, not later than the first day of the month in which the license expires, a completed application, the renewal fee and:

(a) If the monetary limit of the license is less than \$1,000,000:

(1) A current financial statement prepared by an independent certified public accountant;

(2) A current financial statement submitted on a form prescribed by the Board and accompanied by an affidavit that verifies the accuracy of the financial statement; or

(3) A current financial statement prepared using accounting software in accordance with generally accepted accounting principles and accompanied by an affidavit that verifies the accuracy of the financial statement; or

(b) If the monetary limit of the license is \$1,000,000 or more, a financial statement that is prepared and reviewed or audited by a certified public accountant within 1 year before the filing of the application.

3. If a licensee fails:

(a) To renew his license before it expires, a late fee will be charged at the rate of one-half the renewal fee as set forth in NAC 624.130.

(b) To attempt renewal within the first 6 months of the new license ~~[year,]~~ *biennium*, the Board will deny, revoke or refuse to renew the license. In either situation, he must apply for a new license.

4. If a licensee has filed a timely application for renewal, accompanied by the required fee, but necessary information is lacking, the Board will conditionally renew the license until the information is received. If the information is not received within a reasonable time, the Board will deny the renewal.

5. If the completed application for renewal contains information which warrants the action, the Board will impose or reduce the limits upon the license, or remove a classification or subclassification from the license.

Sec. 3. NAC 624.665 is hereby amended to read as follows:

624.665 A licensee shall submit an application to the Board for any change in its:

1. Officers or directors, if the licensee is a corporation;
2. General partners, if the licensee is a limited partnership; or
3. ~~[Members or managers,]~~ *Managers or managing members*, if the licensee is a limited-liability company,

↪ before or within 30 days after such a change is made.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R094-07**

The State Contractors' Board adopted regulations assigned LCB File No. R094-07 which pertain to chapter 624 of the Nevada Administrative Code.

INFORMATIONAL STATEMENT

1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

A workshop and hearing notice to amend NAC 624 clarifying the requirements for contractors to be eligible to qualify for a certificate of eligibility was posted September 24, 2007 at the following locations: Washoe County Court House; Washoe County Library; Reno City Hall; Las Vegas City Hall; Sawyer State Building; Clark County Library and Offices of the Contractors' Board in Reno and Las Vegas. In addition, the notice was posted on the agency's web site and mailed to approximately 135 interested individuals. The workshop was held October 19, 2007 and the hearing held October 30, 2007. At the workshop it was determined to remove the change in fee for renewal of a certificate of eligibility and allow them to continue to renew on an annual basis. No members of the industry or public attended the workshop or hearing. Any interested person may write to the Board at 9670 Gateway Drive, Suite 100, Reno, Nevada to obtain any documents relating to the workshop or hearing.

2. The number of persons who:

- (a) **Attended each workshop & hearing: 0 (workshop); 0 (hearing)**
- (b) **Testified at each workshop: 0**
- (c) **Testified at hearing: 0**
- (c) **Submitted to the agency written comments: 0**

3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses by the notice posting, web site and direct mail.

4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The regulation was changed to continue renewing certificates of eligibility on an annual basis.

5. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) **Both adverse and beneficial effects; and**
- (b) **Both immediate and long-term effects**

- (a) The proposed revisions should have no adverse economic effect on the industry both immediately and long-term.
- (b) The estimated effect on the public both immediate and long term should be minimal since the regulation simply provides for biennial rather than annual renewal of a contractor's license.

6. The estimated cost to the agency for enforcement of the adopted regulation.

The cost to the agency for enforcement of the proposed regulation should be minimal.

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

There are no other state or government agency regulations which the proposed amendments duplicate.