
SUBSTITUTE HOUSE BILL 1749

State of Washington

64th Legislature

2015 Regular Session

By House Labor (originally sponsored by Representatives MacEwen, Manweller, and Condotta)

READ FIRST TIME 02/20/15.

1 AN ACT Relating to contractor registration requirements for
2 owners of property; and amending RCW 18.27.010.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 18.27.010 and 2007 c 436 s 1 are each amended to
5 read as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1)(a) "Contractor" includes any person, firm, corporation, or
9 other entity who or which, in the pursuit of an independent business
10 undertakes to, or offers to undertake, or submits a bid to,
11 construct, alter, repair, add to, subtract from, improve, develop,
12 move, wreck, or demolish any building, highway, road, railroad,
13 excavation or other structure, project, development, or improvement
14 attached to real estate or to do any part thereof including the
15 installation of carpeting or other floor covering, the erection of
16 scaffolding or other structures or works in connection therewith, the
17 installation or repair of roofing or siding, performing tree removal
18 services, or cabinet or similar installation; or, who, to do similar
19 work upon his or her own property, employs members of more than one
20 trade upon a single job or project or under a single building permit
21 except as otherwise provided in this chapter.

1 **(b)** "Contractor" also includes a consultant acting as a general
2 contractor.

3 **(c)** "Contractor" also includes any person, firm, corporation, or
4 other entity covered by this subsection (1), whether or not
5 registered as required under this chapter or who are otherwise
6 required to be registered or licensed by law, who offer to sell their
7 property without occupying or using the structures, projects,
8 developments, or improvements for more than one year from the date
9 the structure, project, development, or improvement was substantially
10 completed or abandoned. A person, firm, corporation, or other entity
11 is not a contractor under this subsection (1)(c) if the person, firm,
12 corporation, or other entity contracts with a registered general
13 contractor and does not superintend the work.

14 (2) "Department" means the department of labor and industries.

15 (3) "Director" means the director of the department of labor and
16 industries or designated representative employed by the department.

17 (4) "Filing" means delivery of a document that is required to be
18 filed with an agency to a place designated by the agency.

19 (5) "General contractor" means a contractor whose business
20 operations require the use of more than one building trade or craft
21 upon a single job or project or under a single building permit. A
22 general contractor also includes one who superintends, or consults
23 on, in whole or in part, work falling within the definition of a
24 contractor.

25 (6) "Notice of infraction" means a form used by the department to
26 notify contractors that an infraction under this chapter has been
27 filed against them.

28 (7) "Partnership" means a business formed under Title 25 RCW.

29 (8) "Registration cancellation" means a written notice from the
30 department that a contractor's action is in violation of this chapter
31 and that the contractor's registration has been revoked.

32 (9) "Registration suspension" means either an automatic
33 suspension as provided in this chapter, or a written notice from the
34 department that a contractor's action is a violation of this chapter
35 and that the contractor's registration has been suspended for a
36 specified time, or until the contractor shows evidence of compliance
37 with this chapter.

38 (10) "Residential homeowner" means an individual person or
39 persons owning or leasing real property:

1 (a) Upon which one single-family residence is to be built and in
2 which the owner or lessee intends to reside upon completion of any
3 construction; or

4 (b) Upon which there is a single-family residence to which
5 improvements are to be made and in which the owner or lessee intends
6 to reside upon completion of any construction.

7 (11) "Service," except as otherwise provided in RCW 18.27.225 and
8 18.27.370, means posting in the United States mail, properly
9 addressed, postage prepaid, return receipt requested, or personal
10 service. Service by mail is complete upon deposit in the United
11 States mail to the last known address provided to the department.

12 (12) "Specialty contractor" means a contractor whose operations
13 do not fall within the definition of "general contractor". A
14 specialty contractor may only subcontract work that is incidental to
15 the specialty contractor's work.

16 (13) "Substantial completion" means the same as "substantial
17 completion of construction" in RCW 4.16.310.

18 (14) "Unregistered contractor" means a person, firm, corporation,
19 or other entity doing work as a contractor without being registered
20 in compliance with this chapter. "Unregistered contractor" includes
21 contractors whose registration is expired, revoked, or suspended.
22 "Unregistered contractor" does not include a contractor who has
23 maintained a valid bond and the insurance or assigned account
24 required by RCW 18.27.050, and whose registration has lapsed for
25 thirty or fewer days.

26 (15) "Unsatisfied final judgment" means a judgment or final tax
27 warrant that has not been satisfied either through payment, court
28 approved settlement, discharge in bankruptcy, or assignment under RCW
29 19.72.070.

30 (16) "Verification" means the receipt and duplication by the
31 city, town, or county of a contractor registration card that is
32 current on its face, checking the department's contractor
33 registration database, or calling the department to confirm that the
34 contractor is registered.

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