

S.B. 44

CONSTRUCTION TRADES LICENSING REVISIONS

Senator **John L. Valentine** proposes the following amendments:

1. Page 18, Lines 529 through 544:

529 ~~[(4)] (5)~~ (a) ~~[If an applicant for licensure as a contractor or a licensee applying for~~
530 ~~renewal or reinstatement of a contractor's license is an unincorporated entity, the]~~ ~~{The}~~ For an
applicant or a licensee described in Subsection (1) that is an unincorporated entity, the division
531 ~~{may}~~ shall ~~{require}~~ consider the person financial information of each individual who
holds an ownership interest in ~~{+}~~ the ~~{+}~~ ~~{an}~~ unincorporated entity
532 ~~{applicant or licensee}~~ to ~~{demonstrate}~~ determine the financial responsibility ~~{to the~~
division and the
533 commission} of the applicant or the licensee .
534 (b) In accordance with Subsection ~~[(2)] (3)~~, the division may audit ~~{an owner's}~~ the
financial information of an owner in connection with a
535 ~~{+}~~ demonstration of ~~{+}~~ financial responsibility ~~[under Subsection (4)(a)]~~ described in
Subsection 5(a) at any time , including
536 requesting ~~{-}~~
537 ~~—— (i) the applicant or licensee to provide a current list of owners meeting the~~
538 ~~requirements of Subsection 58-55-302(1)(c)(iv); and }~~
539 ~~{(ii)}~~ a credit report for each owner.
540 (c) If , based on the personal financial information provided by an owner described in Subsection
~~[(4)] (5)(a)~~ ~~{fails to demonstrate financial~~
541 ~~responsibility under this section}~~ , the division concludes that the applicant or the licensee lacks
financial responsibility sufficient to successfully engage in business as a contractor , the division may:
542 (i) prohibit the ~~{licensee or}~~ owner from engaging in a construction trade; ~~{or}~~
(ii) prohibit the applicant or the licensee from engaging in a construction trade, unless the owner
dissociates from the applicant or the licensee within 10 days after the day on which the division
determines that, based on the owner's personal financial information, the applicant or the licensee lacks
financial responsibility sufficient to successfully engage in business as a contractor; or
543 ~~{(ii)}~~ (iii) require the owner, applicant, or licensee to submit a bond in an amount and form
544 determined by the commission with the concurrence of the director.