

**PROFESSIONAL LICENSING AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Mike Schultz**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies provisions of the Utah Construction Trades Licensing Act.

**Highlighted Provisions:**

This bill:

- ▶ modifies testing, course work, and experience requirements for certain contractor licenses.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**58-55-302**, as last amended by Laws of Utah 2017, Chapter 411

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **58-55-302** is amended to read:

**58-55-302. Qualifications for licensure.**

(1) Each applicant for a license under this chapter shall:

- (a) submit an application prescribed by the division;
- (b) pay a fee as determined by the department under Section **63J-1-504**;



28 (c) ~~[(f)]~~ meet the examination requirements established by this section and by rule by  
29 the commission with the concurrence of the director, [except that no examination, other than an  
30 examination as part of a 25-hour course described in Subsection (1)(e)(iii), is required for  
31 licensure as an apprentice electrician, apprentice plumber, or specialty contractor; or] which  
32 requirements include:

33 (i) for licensure as an apprentice electrician, apprentice plumber, or specialty  
34 contractor, no division-administered examination is required;

35 (ii) for licensure as a general building contractor, general engineering contractor,  
36 residential and small commercial contractor, general plumbing contractor, residential plumbing  
37 contractor, general electrical contractor, or residential electrical contractor, the only required  
38 division-administered examination is a division-administered examination that covers  
39 information from the 25-hour course described in Subsection (1)(e)(iii), which course may  
40 have been previously completed as part of applying for any other license under this chapter,  
41 and the five-hour business law course described in Subsection (1)(e)(iv); and

42 ~~[(f)]~~ (iii) if required in Section 58-55-304, ~~[the]~~ an individual qualifier must pass the  
43 required division-administered examination if the applicant is a business entity;

44 (d) if an apprentice, identify the proposed supervisor of the apprenticeship;

45 (e) if an applicant for a contractor's license:

46 (i) produce satisfactory evidence of financial responsibility, except for a construction  
47 trades instructor for whom evidence of financial responsibility is not required;

48 (ii) produce satisfactory evidence of:

49 (A) except as provided in Subsection (2)(a), and except that no employment experience  
50 is required for licensure as a specialty contractor, two years full-time paid employment  
51 experience in the construction industry, which employment experience ~~[may be related to any~~  
52 ~~contracting classification unless more specifically described in this section]~~, unless more  
53 specifically described in this section, may be related to any contracting classification and does  
54 not have to include supervisory experience; and

55 (B) knowledge of the principles of the conduct of business as a contractor, reasonably  
56 necessary for the protection of the public health, safety, and welfare;

57 (iii) except as otherwise provided by rule by the commission with the concurrence of  
58 the director, complete a 25-hour course established by rule by the commission with the

59 concurrence of the director, which is taught by an approved prelicensure course provider, and  
60 which course may include:

61 (A) construction business practices;

62 (B) bookkeeping fundamentals;

63 (C) mechanics lien fundamentals;

64 (D) other aspects of business and construction principles considered important by the  
65 commission with the concurrence of the director; and

66 (E) for no additional fee, ~~[an]~~ a provider-administered examination at the end of the  
67 25-hour course;

68 (iv) complete a five-hour business and law course established by rule by the  
69 commission with the concurrence of the director, which is taught by an approved prelicensure  
70 course provider, if an applicant for licensure as a general building contractor, general  
71 engineering contractor, residential and small commercial contractor, general plumbing  
72 contractor, residential plumbing contractor, general electrical contractor, or residential  
73 electrical contractor;

74 ~~[(iv)]~~ (v) (A) be a licensed master electrician if an applicant for an electrical  
75 contractor's license or a licensed master residential electrician if an applicant for a residential  
76 electrical contractor's license;

77 (B) be a licensed master plumber if an applicant for a plumbing contractor's license or  
78 a licensed master residential plumber if an applicant for a residential plumbing contractor's  
79 license; or

80 (C) be a licensed elevator mechanic and produce satisfactory evidence of three years  
81 experience as an elevator mechanic if an applicant for an elevator contractor's license; and

82 ~~[(v)]~~ (vi) when the applicant is an unincorporated entity, provide a list of the one or  
83 more individuals who hold an ownership interest in the applicant as of the day on which the  
84 application is filed that includes for each individual:

85 (A) the individual's name, address, birth date, and social security number; and

86 (B) whether the individual will engage in a construction trade; and

87 (f) if an applicant for a construction trades instructor license, satisfy any additional  
88 requirements established by rule.

89 (2) (a) If the applicant for a contractor's license described in Subsection (1) is a

90 building inspector, the applicant may satisfy Subsection (1)(e)(ii)(A) by producing satisfactory  
91 evidence of two years full-time paid employment experience as a building inspector, which  
92 shall include at least one year full-time experience as a licensed combination inspector.

93 (b) After approval of an applicant for a contractor's license by the applicable board and  
94 the division, the applicant shall file the following with the division before the division issues  
95 the license:

96 (i) proof of workers' compensation insurance which covers employees of the applicant  
97 in accordance with applicable Utah law;

98 (ii) proof of public liability insurance in coverage amounts and form established by rule  
99 except for a construction trades instructor for whom public liability insurance is not required;  
100 and

101 (iii) proof of registration as required by applicable law with the:

102 (A) Department of Commerce;

103 (B) Division of Corporations and Commercial Code;

104 (C) Unemployment Insurance Division in the Department of Workforce Services, for  
105 purposes of Title 35A, Chapter 4, Employment Security Act;

106 (D) State Tax Commission; and

107 (E) Internal Revenue Service.

108 (3) In addition to the general requirements for each applicant in Subsection (1),  
109 applicants shall comply with the following requirements to be licensed in the following  
110 classifications:

111 (a) (i) A master plumber shall produce satisfactory evidence that the applicant:

112 (A) has been a licensed journeyman plumber for at least two years and had two years of  
113 supervisory experience as a licensed journeyman plumber in accordance with division rule;

114 (B) has received at least an associate of applied science degree or similar degree  
115 following the completion of a course of study approved by the division and had one year of  
116 supervisory experience as a licensed journeyman plumber in accordance with division rule; or

117 (C) meets the qualifications determined by the division in collaboration with the board  
118 to be equivalent to Subsection (3)(a)(i)(A) or (B).

119 (ii) An individual holding a valid Utah license as a journeyman plumber, based on at  
120 least four years of practical experience as a licensed apprentice under the supervision of a

121 licensed journeyman plumber and four years as a licensed journeyman plumber, in effect  
122 immediately prior to May 5, 2008, is on and after May 5, 2008, considered to hold a current  
123 master plumber license under this chapter, and satisfies the requirements of this Subsection  
124 (3)(a) for the purpose of renewal or reinstatement of that license under Section 58-55-303.

125 (iii) An individual holding a valid plumbing contractor's license or residential  
126 plumbing contractor's license, in effect immediately prior to May 5, 2008, is on or after May 5,  
127 2008:

128 (A) considered to hold a current master plumber license under this chapter if licensed  
129 as a plumbing contractor and a journeyman plumber, and satisfies the requirements of this  
130 Subsection (3)(a) for purposes of renewal or reinstatement of that license under Section  
131 58-55-303; and

132 (B) considered to hold a current residential master plumber license under this chapter if  
133 licensed as a residential plumbing contractor and a residential journeyman plumber, and  
134 satisfies the requirements of this Subsection (3)(a) for purposes of renewal or reinstatement of  
135 that license under Section 58-55-303.

136 (b) A master residential plumber applicant shall produce satisfactory evidence that the  
137 applicant:

138 (i) has been a licensed residential journeyman plumber for at least two years and had  
139 two years of supervisory experience as a licensed residential journeyman plumber in  
140 accordance with division rule; or

141 (ii) meets the qualifications determined by the division in collaboration with the board  
142 to be equivalent to Subsection (3)(b)(i).

143 (c) A journeyman plumber applicant shall produce satisfactory evidence of:

144 (i) successful completion of the equivalent of at least four years of full-time training  
145 and instruction as a licensed apprentice plumber under supervision of a licensed master  
146 plumber or journeyman plumber and in accordance with a planned program of training  
147 approved by the division;

148 (ii) at least eight years of full-time experience approved by the division in collaboration  
149 with the Plumbers Licensing Board; or

150 (iii) satisfactory evidence of meeting the qualifications determined by the board to be  
151 equivalent to Subsection (3)(c)(i) or (c)(ii).

- 152 (d) A residential journeyman plumber shall produce satisfactory evidence of:
- 153 (i) completion of the equivalent of at least three years of full-time training and
- 154 instruction as a licensed apprentice plumber under the supervision of a licensed residential
- 155 master plumber, licensed residential journeyman plumber, or licensed journeyman plumber in
- 156 accordance with a planned program of training approved by the division;
- 157 (ii) completion of at least six years of full-time experience in a maintenance or repair
- 158 trade involving substantial plumbing work; or
- 159 (iii) meeting the qualifications determined by the board to be equivalent to Subsection
- 160 (3)(d)(i) or (d)(ii).
- 161 (e) The conduct of licensed apprentice plumbers and their licensed supervisors shall be
- 162 in accordance with the following:
- 163 (i) while engaging in the trade of plumbing, a licensed apprentice plumber shall be
- 164 under the immediate supervision of a licensed master plumber, licensed residential master
- 165 plumber, licensed journeyman plumber, or a licensed residential journeyman plumber; and
- 166 (ii) a licensed apprentice plumber in the fourth through tenth year of training may work
- 167 without supervision for a period not to exceed eight hours in any 24-hour period, but if the
- 168 apprentice does not become a licensed journeyman plumber or licensed residential journeyman
- 169 plumber by the end of the tenth year of apprenticeship, this nonsupervision provision no longer
- 170 applies.
- 171 (f) A master electrician applicant shall produce satisfactory evidence that the applicant:
- 172 (i) is a graduate electrical engineer of an accredited college or university approved by
- 173 the division and has one year of practical electrical experience as a licensed apprentice
- 174 electrician;
- 175 (ii) is a graduate of an electrical trade school, having received an associate of applied
- 176 sciences degree following successful completion of a course of study approved by the division,
- 177 and has two years of practical experience as a licensed journeyman electrician;
- 178 (iii) has four years of practical experience as a journeyman electrician; or
- 179 (iv) meets the qualifications determined by the board to be equivalent to Subsection
- 180 (3)(f)(i), (ii), or (iii).
- 181 (g) A master residential electrician applicant shall produce satisfactory evidence that
- 182 the applicant:

183 (i) has at least two years of practical experience as a residential journeyman electrician;  
184 or

185 (ii) meets the qualifications determined by the board to be equivalent to this practical  
186 experience.

187 (h) A journeyman electrician applicant shall produce satisfactory evidence that the  
188 applicant:

189 (i) has successfully completed at least four years of full-time training and instruction as  
190 a licensed apprentice electrician under the supervision of a master electrician or journeyman  
191 electrician and in accordance with a planned training program approved by the division;

192 (ii) has at least eight years of full-time experience approved by the division in  
193 collaboration with the Electricians Licensing Board; or

194 (iii) meets the qualifications determined by the board to be equivalent to Subsection  
195 (3)(h)(i) or (ii).

196 (i) A residential journeyman electrician applicant shall produce satisfactory evidence  
197 that the applicant:

198 (i) has successfully completed two years of training in an electrical training program  
199 approved by the division;

200 (ii) has four years of practical experience in wiring, installing, and repairing electrical  
201 apparatus and equipment for light, heat, and power under the supervision of a licensed master,  
202 journeyman, residential master, or residential journeyman electrician; or

203 (iii) meets the qualifications determined by the division and applicable board to be  
204 equivalent to Subsection (3)(i)(i) or (ii).

205 (j) The conduct of licensed apprentice electricians and their licensed supervisors shall  
206 be in accordance with the following:

207 (i) ~~[A]~~ a licensed apprentice electrician shall be under the immediate supervision of a  
208 licensed master, journeyman, residential master, or residential journeyman electrician. An  
209 apprentice in the fourth year of training may work without supervision for a period not to  
210 exceed eight hours in any 24-hour period~~[-]~~;

211 (ii) ~~[A]~~ a licensed master, journeyman, residential master, or residential journeyman  
212 electrician may have under immediate supervision on a residential project up to three licensed  
213 apprentice electricians~~[-]~~; and

214 (iii) [A] a licensed master or journeyman electrician may have under immediate  
215 supervision on nonresidential projects only one licensed apprentice electrician.

216 (k) An alarm company applicant shall:

217 (i) have a qualifying agent who is an officer, director, partner, proprietor, or manager of  
218 the applicant who:

219 (A) demonstrates 6,000 hours of experience in the alarm company business;

220 (B) demonstrates 2,000 hours of experience as a manager or administrator in the alarm  
221 company business or in a construction business; and

222 (C) passes an examination component established by rule by the commission with the  
223 concurrence of the director;

224 (ii) if a corporation, provide:

225 (A) the names, addresses, dates of birth, social security numbers, and fingerprint cards  
226 of all corporate officers, directors, and those responsible management personnel employed  
227 within the state or having direct responsibility for managing operations of the applicant within  
228 the state; and

229 (B) the names, addresses, dates of birth, social security numbers, and fingerprint cards  
230 of all shareholders owning 5% or more of the outstanding shares of the corporation, except this  
231 shall not be required if the stock is publicly listed and traded;

232 (iii) if a limited liability company, provide:

233 (A) the names, addresses, dates of birth, social security numbers, and fingerprint cards  
234 of all company officers, and those responsible management personnel employed within the  
235 state or having direct responsibility for managing operations of the applicant within the state;  
236 and

237 (B) the names, addresses, dates of birth, social security numbers, and fingerprint cards  
238 of all individuals owning 5% or more of the equity of the company;

239 (iv) if a partnership, provide the names, addresses, dates of birth, social security  
240 numbers, and fingerprint cards of all general partners, and those responsible management  
241 personnel employed within the state or having direct responsibility for managing operations of  
242 the applicant within the state;

243 (v) if a proprietorship, provide the names, addresses, dates of birth, social security  
244 numbers, and fingerprint cards of the proprietor, and those responsible management personnel



245 employed within the state or having direct responsibility for managing operations of the  
246 applicant within the state;

247 (vi) if a trust, provide the names, addresses, dates of birth, social security numbers, and  
248 fingerprint cards of the trustee, and those responsible management personnel employed within  
249 the state or having direct responsibility for managing operations of the applicant within the  
250 state;

251 (vii) be of good moral character in that officers, directors, shareholders described in  
252 Subsection (3)(k)(ii)(B), partners, proprietors, trustees, and responsible management personnel  
253 have not been convicted of a felony, a misdemeanor involving moral turpitude, or any other  
254 crime that when considered with the duties and responsibilities of an alarm company is  
255 considered by the board to indicate that the best interests of the public are served by granting  
256 the applicant a license;

257 (viii) document that none of the applicant's officers, directors, shareholders described  
258 in Subsection (3)(k)(ii)(B), partners, proprietors, trustees, and responsible management  
259 personnel have been declared by any court of competent jurisdiction incompetent by reason of  
260 mental defect or disease and not been restored;

261 (ix) document that none of the applicant's officers, directors, shareholders described in  
262 Subsection (3)(k)(ii)(B), partners, proprietors, and responsible management personnel are  
263 currently suffering from habitual drunkenness or from drug addiction or dependence;

264 (x) file and maintain with the division evidence of:

265 (A) comprehensive general liability insurance in form and in amounts to be established  
266 by rule by the commission with the concurrence of the director;

267 (B) workers' compensation insurance that covers employees of the applicant in  
268 accordance with applicable Utah law; and

269 (C) registration as is required by applicable law with the:

270 (I) Division of Corporations and Commercial Code;

271 (II) Unemployment Insurance Division in the Department of Workforce Services, for  
272 purposes of Title 35A, Chapter 4, Employment Security Act;

273 (III) State Tax Commission; and

274 (IV) Internal Revenue Service; and

275 (xi) meet with the division and board.

- 276 (l) Each applicant for licensure as an alarm company agent shall:
- 277 (i) submit an application in a form prescribed by the division accompanied by
- 278 fingerprint cards;
- 279 (ii) pay a fee determined by the department under Section [63J-1-504](#);
- 280 (iii) be of good moral character in that the applicant has not been convicted of a felony,
- 281 a misdemeanor involving moral turpitude, or any other crime that when considered with the
- 282 duties and responsibilities of an alarm company agent is considered by the board to indicate
- 283 that the best interests of the public are served by granting the applicant a license;
- 284 (iv) not have been declared by any court of competent jurisdiction incompetent by
- 285 reason of mental defect or disease and not been restored;
- 286 (v) not be currently suffering from habitual drunkenness or from drug addiction or
- 287 dependence; and
- 288 (vi) meet with the division and board if requested by the division or the board.
- 289 (m) (i) Each applicant for licensure as an elevator mechanic shall:
- 290 (A) provide documentation of experience and education credits of not less than three
- 291 years work experience in the elevator industry, in construction, maintenance, or service and
- 292 repair; and
- 293 (B) satisfactorily complete a written examination administered by the division
- 294 established by rule under Section [58-1-203](#); or
- 295 (C) provide certificates of completion of an apprenticeship program for elevator
- 296 mechanics, having standards substantially equal to those of this chapter and registered with the
- 297 United States Department of Labor Bureau Apprenticeship and Training or a state
- 298 apprenticeship council.
- 299 (ii) (A) If an elevator contractor licensed under this chapter cannot find a licensed
- 300 elevator mechanic to perform the work of erecting, constructing, installing, altering, servicing,
- 301 repairing, or maintaining an elevator, the contractor may:
- 302 (I) notify the division of the unavailability of licensed personnel; and
- 303 (II) request the division issue a temporary elevator mechanic license to an individual
- 304 certified by the contractor as having an acceptable combination of documented experience and
- 305 education to perform the work described in this Subsection (3)(m)(ii)(A).
- 306 (B) (I) The division may issue a temporary elevator mechanic license to an individual

307 certified under Subsection (3)(m)(ii)(A)(II) upon application by the individual, accompanied by  
308 the appropriate fee as determined by the department under Section 63J-1-504.

309 (II) The division shall specify the time period for which the license is valid and may  
310 renew the license for an additional time period upon its determination that a shortage of  
311 licensed elevator mechanics continues to exist.

312 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
313 division may make rules establishing when Federal Bureau of Investigation records shall be  
314 checked for applicants as an alarm company or alarm company agent.

315 (5) To determine if an applicant meets the qualifications of Subsections (3)(k)(vii) and  
316 (3)(l)(iii), the division shall provide an appropriate number of copies of fingerprint cards to the  
317 Department of Public Safety with the division's request to:

318 (a) conduct a search of records of the Department of Public Safety for criminal history  
319 information relating to each applicant for licensure as an alarm company or alarm company  
320 agent and each applicant's officers, directors, shareholders described in Subsection  
321 (3)(k)(ii)(B), partners, proprietors, and responsible management personnel; and

322 (b) forward to the Federal Bureau of Investigation a fingerprint card of each applicant  
323 requiring a check of records of the Federal Bureau of Investigation for criminal history  
324 information under this section.

325 (6) The Department of Public Safety shall send to the division:

326 (a) a written record of criminal history, or certification of no criminal history record, as  
327 contained in the records of the Department of Public Safety in a timely manner after receipt of  
328 a fingerprint card from the division and a request for review of Department of Public Safety  
329 records; and

330 (b) the results of the Federal Bureau of Investigation review concerning an applicant in  
331 a timely manner after receipt of information from the Federal Bureau of Investigation.

332 (7) (a) The division shall charge each applicant for licensure as an alarm company or  
333 alarm company agent a fee, in accordance with Section 63J-1-504, equal to the cost of  
334 performing the records reviews under this section.

335 (b) The division shall pay the Department of Public Safety the costs of all records  
336 reviews, and the Department of Public Safety shall pay the Federal Bureau of Investigation the  
337 costs of records reviews under this section.

338 (8) Information obtained by the division from the reviews of criminal history records of  
339 the Department of Public Safety and the Federal Bureau of Investigation shall be used or  
340 disseminated by the division only for the purpose of determining if an applicant for licensure as  
341 an alarm company or alarm company agent is qualified for licensure.

342 (9) (a) An application for licensure under this chapter shall be denied if:

343 (i) the applicant has had a previous license, which was issued under this chapter,  
344 suspended or revoked within two years before the date of the applicant's application;

345 (ii) (A) the applicant is a partnership, corporation, or limited liability company; and

346 (B) any corporate officer, director, shareholder holding 25% or more of the stock in the  
347 applicant, partner, member, agent acting as a qualifier, or any person occupying a similar  
348 status, performing similar functions, or directly or indirectly controlling the applicant has  
349 served in any similar capacity with any person or entity which has had a previous license,  
350 which was issued under this chapter, suspended or revoked within two years before the date of  
351 the applicant's application;

352 (iii) (A) the applicant is an individual or sole proprietorship; and

353 (B) any owner or agent acting as a qualifier has served in any capacity listed in  
354 Subsection (9)(a)(ii)(B) in any entity which has had a previous license, which was issued under  
355 this chapter, suspended or revoked within two years before the date of the applicant's  
356 application; or

357 (iv) (A) the applicant includes an individual who was an owner, director, or officer of  
358 an unincorporated entity at the time the entity's license under this chapter was revoked; and

359 (B) the application for licensure is filed within 60 months after the revocation of the  
360 unincorporated entity's license.

361 (b) An application for licensure under this chapter shall be reviewed by the appropriate  
362 licensing board prior to approval if:

363 (i) the applicant has had a previous license, which was issued under this chapter,  
364 suspended or revoked more than two years before the date of the applicant's application;

365 (ii) (A) the applicant is a partnership, corporation, or limited liability company; and

366 (B) any corporate officer, director, shareholder holding 25% or more of the stock in the  
367 applicant, partner, member, agent acting as a qualifier, or any person occupying a similar  
368 status, performing similar functions, or directly or indirectly controlling the applicant has

369 served in any similar capacity with any person or entity which has had a previous license,  
370 which was issued under this chapter, suspended or revoked more than two years before the date  
371 of the applicant's application; or

372 (iii) (A) the applicant is an individual or sole proprietorship; and

373 (B) any owner or agent acting as a qualifier has served in any capacity listed in  
374 Subsection (9)(b)(ii)(B) in any entity which has had a previous license, which was issued under  
375 this chapter, suspended or revoked more than two years before the date of the applicant's  
376 application.

377 (10) (a) (i) A licensee that is an unincorporated entity shall file an ownership status  
378 report with the division every 30 days after the day on which the license is issued if the licensee  
379 has more than five owners who are individuals who:

380 (A) own an interest in the contractor that is an unincorporated entity;

381 (B) own, directly or indirectly, less than an 8% interest, as defined by rule made by the  
382 division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, in the  
383 unincorporated entity; and

384 (C) engage, or will engage, in a construction trade in the state as owners of the  
385 contractor described in Subsection (10)(a)(i)(A).

386 (ii) If the licensee has five or fewer owners described in Subsection (10)(a)(i), the  
387 licensee shall provide the ownership status report with an application for renewal of licensure.

388 (b) An ownership status report required under this Subsection (10) shall:

389 (i) specify each addition or deletion of an owner:

390 (A) for the first ownership status report, after the day on which the unincorporated  
391 entity is licensed under this chapter; and

392 (B) for a subsequent ownership status report, after the day on which the previous  
393 ownership status report is filed;

394 (ii) be in a format prescribed by the division that includes for each owner, regardless of  
395 the owner's percentage ownership in the unincorporated entity, the information described in  
396 Subsection(1)(e)[~~(v)~~](vi);

397 (iii) list the name of:

398 (A) each officer or manager of the unincorporated entity; and

399 (B) each other individual involved in the operation, supervision, or management of the

400 unincorporated entity; and

401 (iv) be accompanied by a fee set by the division in accordance with Section 63J-1-504  
402 if the ownership status report indicates there is a change described in Subsection (10)(b)(i).

403 (c) The division may, at any time, audit an ownership status report under this  
404 Subsection (10):

405 (i) to determine if financial responsibility has been demonstrated or maintained as  
406 required under Section 58-55-306; and

407 (ii) to determine compliance with Subsection 58-55-501(24), (25), or (27) or  
408 Subsection 58-55-502(8) or (9).

409 (11) (a) An unincorporated entity that provides labor to an entity licensed under this  
410 chapter by providing an individual who owns an interest in the unincorporated entity to engage  
411 in a construction trade in Utah shall file with the division:

412 (i) before the individual who owns an interest in the unincorporated entity engages in a  
413 construction trade in Utah, a current list of the one or more individuals who hold an ownership  
414 interest in the unincorporated entity that includes for each individual:

415 (A) the individual's name, address, birth date, and social security number; and

416 (B) whether the individual will engage in a construction trade; and

417 (ii) every 30 days after the day on which the unincorporated entity provides the list  
418 described in Subsection (11)(a)(i), an ownership status report containing the information that  
419 would be required under Subsection (10) if the unincorporated entity were a licensed  
420 contractor.

421 (b) When filing an ownership list described in Subsection (11)(a)(i) or an ownership  
422 status report described in Subsection (11)(a)(ii), an unincorporated entity shall pay a fee set by  
423 the division in accordance with Section 63J-1-504.

424 (12) This chapter may not be interpreted to create or support an express or implied  
425 independent contractor relationship between an unincorporated entity described in Subsection  
426 (10) or (11) and the owners of the unincorporated entity for any purpose, including income tax  
427 withholding.

428 (13) A social security number provided under Subsection (1)(e)~~(f)~~(vi) is a private  
429 record under Subsection 63G-2-302(1)(i).