

Senator Daniel McCay proposes the following substitute bill:

CONSTRUCTION REGISTRY AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

House Sponsor: Joel Ferry

LONG TITLE

General Description:

This bill enacts provisions for the creation and maintenance of the Construction Business Registry.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ directs the Division of Occupational and Professional Licensing (division) to establish and maintain a database, the Construction Business Registry, of contact information for licensed contractors;
- ▶ establishes the parameters of the Construction Business Registry;
- ▶ permits the division to establish a fee in relation to the Construction Business Registry;
- ▶ grants rulemaking authority; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None



26 **Utah Code Sections Affected:**

27 ENACTS:

28 [58-55-701](#), Utah Code Annotated 1953

29 [58-55-702](#), Utah Code Annotated 1953

30 [58-55-703](#), Utah Code Annotated 1953

31 [58-55-704](#), Utah Code Annotated 1953



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

34 Section 1. Section **58-55-701** is enacted to read:

35 **Part 7. Construction Business Registry**

36 **58-55-701. Definitions.**

37 As used in this part, "licensed contractor" means a person licensed under this chapter.

38 Section 2. Section **58-55-702** is enacted to read:

39 **58-55-702. Construction Business Registry.**

40 (1) The division shall establish and maintain the Construction Business Registry as
41 described in this section.

42 (2) The Construction Business Registry shall consist of a database of contact
43 information for licensed contractors.

44 (3) Beginning January 1, 2023, the division shall ensure that the Construction Business
45 Registry:

46 (a) is accessible to the public through an Internet website; and

47 (b) is indexed by:

48 (i) the name of the licensed contractor;

49 (ii) the name of the licensed contractor's licensed business;

50 (iii) the classification of the licensed contractor, as described in Section [58-55-301](#); and

51 (iv) any other identifier that the division considers reasonably appropriate.

52 (4) The division may link or otherwise associate the Construction Business Registry
53 with the State Construction Registry under Title 38, Chapter 1a, Part 2, State Construction
54 Registry.

55 (5) (a) The division shall establish a process for a licensed contractor to:

56 (i) before entry into the Construction Business Registry, specify the licensed

57 contractor's contact information that the licensed contractor wants included in the Construction
58 Business Registry;

59 (ii) opt out of participation in the Construction Business Registry at any time; or

60 (iii) amend the licensed contractor's contact information in the Construction Business

61 Registry at any time.

62 (b) If a licensed contractor does not specify the licensed contractor's contact

63 information for the Construction Business Registry, the division shall include in the

64 Construction Business Registry only public contact information for the licensed contractor.

65 Section 3. Section **58-55-703** is enacted to read:

66 **58-55-703. Fees.**

67 The division may establish a fee for the entry of a licensed contractor's contact

68 information into the Construction Business Registry, in accordance with Section [63J-1-504](#), to

69 assist in offsetting the cost of creating, administering, and maintaining the Construction

70 Business Registry.

71 Section 4. Section **58-55-704** is enacted to read:

72 **58-55-704. Rulemaking.**

73 The division may make rules, in accordance with Title 63G, Chapter 3, Utah

74 Administrative Rulemaking Act, to establish and maintain the Construction Business Registry

75 in accordance with this part.