

## SB0148S02 compared with SB0148S01

~~{deleted text}~~ shows text that was in SB0148S01 but was deleted in SB0148S02.

inserted text shows text that was not in SB0148S01 but was inserted into SB0148S02.

**DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.**

~~{Senator Daniel McCay}~~Representative Joel Ferry proposes the following substitute bill:

### CONSTRUCTION REGISTRY AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Daniel McCay**

House Sponsor: ~~{~~ Joel Ferry

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#### 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;

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- ▶ grants rulemaking authority; and
- ▶ makes technical and conforming changes.

### Money Appropriated in this Bill:

~~{None}~~ This bill appropriates in fiscal year 2023:

- ▶ to Department of Commerce -- Commerce General Regulation:
  - from General Fund Restricted -- Commerce Service Account, \$74,400; and
  - from general Fund Restricted -- Commerce Service Account, One-time, \$67,100.

### Other Special Clauses:

None

### Utah Code Sections Affected:

ENACTS:

**58-55-701**, Utah Code Annotated 1953

**58-55-702**, Utah Code Annotated 1953

**58-55-703**, Utah Code Annotated 1953

**58-55-704**, Utah Code Annotated 1953

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

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

#### **Part 7. Construction Business Registry**

##### **58-55-701. Definitions.**

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

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

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

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

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

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

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

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(b) is indexed by:

(i) the name of the licensed contractor;

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

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

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

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

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

(i) before entry into the Construction Business Registry, specify the licensed contractor's contact information that the licensed contractor wants included in the Construction Business Registry;

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

(iii) amend the licensed contractor's contact information in the Construction Business Registry at any time.

(b) If a licensed contractor does not specify the licensed contractor's contact information for the Construction Business Registry, the division shall include in the Construction Business Registry only public contact information for the licensed contractor.

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

### **58-55-703. Fees.**

The division may establish a fee for the entry of a licensed contractor's contact information into the Construction Business Registry, in accordance with Section 63J-1-504, to assist in offsetting the cost of creating, administering, and maintaining the Construction Business Registry.

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

### **58-55-704. Rulemaking.**

The division may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish and maintain the Construction Business Registry in accordance with this part.

### **Section 5. Appropriation.**

The following sums of money are appropriated for the fiscal year beginning July 1,

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2022, and ending June 30, 2023. These are additions to amounts previously appropriated for fiscal year 2023. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

To Department of Commerce -- Commerce General Regulation

From General Fund Restricted -- Commerce Service Account \$74,400

From General Fund Restricted -- Commerce Service Account,

One-Time \$67,100

Schedule of Programs:

Occupational and Professional Licensing \$141,500

The Legislature intends that:

(1) under Utah Code Section 63J-1-603, appropriations under this section not lapse at the close of fiscal year 2023; and

(2) the use of any nonlapsing funds is limited to Occupational and Professional Licensing.