

2003 SESSION

SENATE SUBSTITUTE

032153516

SENATE BILL NO. 1290

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Joint Conference Committee
on February 21, 2003)

(Patron Prior to Substitute—Senator Puckett)

A *BILL to amend and reenact § 54.1-1101 of the Code of Virginia, relating to the Board for Contractors; certificates of occupancy.*

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-1101 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-1101. Exemptions.

The provisions of this chapter shall not apply to:

1. Any governmental agency performing work with its own forces;

2. Work bid upon or undertaken for the armed services of the United States under the Armed Services Procurement Act;

3. Work bid upon or undertaken for the United States government on land under the exclusive jurisdiction of the federal government either by statute or deed of cession;

4. Work bid upon or undertaken for the Department of Transportation on the construction, reconstruction, repair or improvement of any highway or bridge;

5. Any other persons who may be specifically excluded by other laws but only to such an extent as such laws provide;

6. Any material supplier who renders advice concerning use of products sold and who does not provide construction or installation services;

7. Any person who performs or supervises the construction, removal, repair or improvement of no more than one building for retail use, one building for commercial use and one residence upon his own real property and for his own use during any twenty-four-month period; *however, no residence constructed under this exemption shall be sold to a third party purchaser for value without a final certificate of occupancy having been issued by the local building official unless the purchaser has acknowledged in writing that the certificate of occupancy has not been issued at the time of his purchase;*

8. Any person who performs or supervises the construction, removal, repair or improvement of a house upon his own real property as a bona fide gift to a member of his immediate family provided such member lives in the house. For purposes of this section, "immediate family" includes one's mother, father, son, daughter, brother, sister, grandchild, grandparent, mother-in-law and father-in-law; and

9. Any person who performs or supervises the construction, removal, repair or improvement of industrial or manufacturing facilities for his own use.

All other contractors performing work for any government or for any governmental agency are subject to the provisions of this chapter and are required to be licensed as provided herein.

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