

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1034

Short Title: Contractors/Public Contracts.

(Public)

Sponsors: Representative Michaux.

Referred to: Business and Labor.

April 19, 1993

A BILL TO BE ENTITLED

AN ACT TO ALLOW PUBLIC CONTRACTS INVOLVING LESS THAN FIFTY THOUSAND DOLLARS TO BE AWARDED TO NONLICENSED CONTRACTORS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 87-1 reads as rewritten:

"§ 87-1. 'General contractor' defined; exceptions.

For the purpose of this Article any person or firm or corporation who for a fixed price, commission, fee, or wage, undertakes to bid upon or to construct or who undertakes to superintend or manage, on his own behalf or for any person, firm, or corporation that is not licensed as a general contractor pursuant to this Article, the construction of any building, highway, public utilities, grading or any improvement or structure where the cost of the undertaking is thirty thousand dollars (\$30,000) or more, or undertakes to erect a North Carolina labeled manufactured modular building meeting the North Carolina State Building Code, shall be deemed to be a "general contractor" engaged in the business of general contracting in the State of North Carolina.

This section shall not apply to persons or firms or corporations furnishing or erecting industrial equipment, power plan equipment, radial brick chimneys, and monuments.

This section shall not apply to any person or firm or corporation who constructs or alters a building on land owned by that person, firm or corporation provided such building is intended solely for occupancy by that person and his family, firm, or corporation after completion; and provided further that, if such building is not occupied solely by such person and his family, firm, or corporation for at least 12 months following completion, it shall be presumed that the person, firm, or corporation did not

1 intend such building solely for occupancy by that person and his family, firm, or
2 corporation.

3 This section shall not apply to any person engaged in the business of farming who
4 constructs or alters a building on land owned by that person and used in the business of
5 farming, when such building is intended for use by that person after completion.

6 This section shall not apply to contractors performing construction or repair work
7 under a contract awarded under G.S. 143-131."

8 Sec. 2. This act is effective upon ratification.