

By: Guice

To: Judiciary B

HOUSE BILL NO. 637

1 AN ACT TO AMEND SECTION 31-3-1, MISSISSIPPI CODE OF 1972, TO
2 REVISE DEFINITIONS TO EXEMPT CERTAIN FIRE PROTECTION SPRINKLER
3 SYSTEM INSTALLERS FROM THE CERTIFICATION REQUIREMENTS OF THE STATE
4 BOARD OF CONTRACTORS; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. Section 31-3-1, Mississippi Code of 1972, is
7 amended as follows:

8 31-3-1. The following words, as used in this chapter, shall
9 have the meanings specified below:

10 "Board": The State Board of Contractors created under this
11 chapter.

12 "Contractor": Any person contracting or undertaking as prime
13 contractor, subcontractor or sub-subcontractor of any tier to do
14 any erection, building, construction, reconstruction, repair,
15 maintenance or related work on any public or private project;
16 however, "contractor" shall not include any owner of a dwelling or
17 other structure to be constructed, altered, repaired or improved
18 and not for sale, lease, public use or assembly. It is further
19 provided that nothing herein shall apply to:

20 (a) Any contract or undertaking on a public project by
21 a prime contractor, subcontractor or sub-subcontractor of any tier
22 involving erection, building, construction, reconstruction,
23 repair, maintenance or related work where such contract,
24 subcontract or undertaking is less than Fifty Thousand Dollars
25 (\$50,000.00);

26 (b) Any contract or undertaking on a private project by
27 a prime contractor, subcontractor or sub-subcontractor of any tier

28 involving erection, building, construction, reconstruction,
29 repair, maintenance or related work where such contract,
30 subcontract or undertaking is less than One Hundred Thousand
31 Dollars (\$100,000.00);

32 (c) Highway construction, highway bridges, overpasses
33 and any other project incidental to the construction of highways
34 which are designated as federal aid projects and in which federal
35 funds are involved;

36 (d) A residential project to be occupied by fifty (50)
37 or fewer families and not more than three (3) stories in height;

38 (e) A residential subdivision where the contractor is
39 developing either single-family or multi-family lots;

40 (f) A new commercial construction project not exceeding
41 seventy-five hundred (7500) square feet and not more than two (2)
42 stories in height; * * *

43 (g) Erection of a microwave tower built for the purpose
44 of telecommunication transmissions;

45 (h) Any contract or undertaking on a public project by
46 a prime contractor, subcontractor or sub-subcontractor of any tier
47 involving the construction, reconstruction, repair or maintenance
48 of technically specialized installations where such contract,
49 subcontract or undertaking is less than Five Thousand Dollars
50 (\$5,000.00);

51 (i) Any contract or undertaking on a private project by
52 a prime contractor, subcontractor or sub-subcontractor of any tier
53 involving the construction, reconstruction, repair or maintenance
54 of technically specialized installations where such contract,
55 subcontract or undertaking is less than Ten Thousand Dollars
56 (\$10,000.00); or

57 (j) Any contract or undertaking on a private or public
58 project by a prime contractor, subcontractor or sub-subcontractor
59 of any tier involving the construction, reconstruction, repair or
60 maintenance of technically specialized installations if performed
61 by a Mississippi contractor who has been in the business of
62 installing fire protection sprinkler systems for ten (10) or more
63 years on or before July 1, 2000.

64 "Certificate of responsibility": A certificate numbered and

65 held by a contractor issued by the board under the provisions of
66 this chapter after payment of the special privilege license tax
67 therefor levied under this chapter.

68 "Person": Any person, firm, corporation, joint venture or
69 partnership, association or other type of business entity.

70 "Private project": Any project for erection, building,
71 construction, reconstruction, repair, maintenance or related work
72 which is not funded in whole or in part with public funds.

73 "Public agency": Any board, commission, council or agency of
74 the State of Mississippi or any district, county or municipality
75 thereof, including school, hospital, airport and all other types
76 of governing agencies created by or operating under the laws of
77 this state.

78 "Public funds": Monies of public agencies, whether obtained
79 from taxation, donation or otherwise; or monies being expended by
80 public agencies for the purposes for which such public agencies
81 exist.

82 "Public project": Any project for erection, building,
83 construction, reconstruction, repair, maintenance or related work
84 which is funded in whole or in part with public funds.

85 "Technically specialized installations": Installations which
86 include, but are not limited to, fire protection sprinkler
87 systems.

88 SECTION 2. This act shall take effect and be in force from
89 and after July 1, 2000.