

By: Mettetal, White (29th), Canon, Kirby,  
Thames, Dickerson

To: Business and  
Financial  
Institutions

SENATE BILL NO. 2755

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 on or before July 1,  
63 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 of  
86 fire protection sprinkler systems.

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