

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

14

By: Senator Beebe

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 17-22-101 TO PROVIDE THAT A PERSON IS NOT A CONTRACTOR FOR PURPOSES OF THE CONTRACTOR'S LICENSING LAW IF THE PERSON IS ACTING AS HIS OWN CONTRACTOR ON HIS OWN PROPERTY, AND TO PROVIDE THAT WHEN A PERSON CONTRACTS TO PROVIDE LABOR ONLY, OR MATERIAL ONLY, THE LABOR AND MATERIAL ARE NOT TO BE AGGREGATED FOR PURPOSES OF DETERMINING WHETHER THE PERSON IS A CONTRACTOR; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Subsection (a) of Arkansas Code 17-22-101 is hereby amended to read as follows:

"(a) As used in this chapter, unless the context otherwise requires, 'contractor' means any person, firm, partnership, copartnership, association, corporation, or other organization, or any combination thereof, who, for a fixed price, commission, fee, or wage, attempts to or submits a bid to construct, or contracts or undertakes to construct, or assumes charge, in a supervisory capacity or otherwise, or manages the construction, erection, alteration, or repair, or has or have constructed, erected, altered, or repaired, under his, their, or its direction, any building, apartment, condominium, highway, sewer, utility, grading, or any other improvement or structure on public or private property for lease, rent, resale, public access, or similar purpose, except single-family residences, when the cost of the work to be done, or done, in the State of Arkansas by the contractor, including, but not limited to, labor and materials, is twenty thousand dollars (\$20,000) or more. However, when a person or entity acts as a contractor in the construction, erection, alteration, or repair of his own, or its own property, such action shall not result in the person or entity being deemed a

contractor under this chapter. Furthermore, when a person or entity contracts to perform labor only, or furnish material only, the labor and material shall not be aggregated for the purpose of determining whether the person or entity is a contractor under this chapter."

SECTION 2. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.