

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

FILED SENATE
Mar 17, 2021
S.B. 316
PRINCIPAL CLERK

S

D

SENATE BILL DRS45151-NB-40

Short Title: Gen. Contractors/Plumbing/Electr. Exempt. (Public)

Sponsors: Senators Jarvis, Johnson, and Britt (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW FOR CERTAIN EXEMPTIONS FOR PLUMBING, HEATING, FIRE
3 SPRINKLER, AND ELECTRICAL CONTRACTORS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1.(a) G.S. 87-1.1 reads as rewritten:

6 "**§ 87-1.1. Exception for licensees under Article 2 or 4.**

7 G.S. 87-1 shall not apply to a licensee under Article 2 or 4 of this Chapter of the General
8 Statutes, G.S. 87-43 shall not apply to a licensee under Article 2 of this Chapter of the General
9 Statutes, and G.S. 87-21(a)(5) shall not apply to a licensee under Article 4 of this Chapter of the
10 General Statutes when the licensee is bidding and contracting directly with the owner of a public
11 building project ~~if~~ if all of the following apply:

12 ~~(i)(1)~~ a-A licensed general contractor performs all work that falls within the
13 classifications in G.S. 87-10(b) and the State Licensing Board of General
14 Contractor's ~~rules; and~~ rules.

15 ~~(ii)(2)~~ the-The total amount of the general contracting work so classified does not
16 exceed a percentage of the total bid price pursuant to rules established by the-
17 Board; and the Board.

18 ~~(iii)(3)~~ a-A licensee with the appropriate license under Article 2 or Article 4 of this
19 Chapter performs all work that falls within the classifications in Article 2 and
20 Article 4 of this Chapter.

21 (4) The total amount of the work that falls under either Article 2 or Article 4 of
22 this Chapter does not exceed the percentage of the total bid price pursuant to
23 rules established by the State Board of Examiners of Plumbing, Heating, and
24 Fire Sprinkler Contractors and the State Board of Examiners of Electrical
25 Contractors."

26 SECTION 1.(b) G.S. 87-21 is amended by adding a new subsection to read:

27 "(m) The provisions of this Article shall not apply to a licensee under Article 4 of this
28 Chapter, when the Article 4 licensee is bidding and contracting directly with the owner of a
29 building project if all of the following apply:

30 (1) A licensed contractor under Article 2 performs all work that falls within the
31 classifications in G.S. 87-21 and rules established by the State Board of
32 Examiners of Plumbing, Heating, and Fire Sprinkler Contractors.

33 (2) The total amount of the work performed under G.S. 87-21 does not exceed a
34 percentage of the total bid price pursuant to rules established by the Board.



1 (3) A licensee with the appropriate license under Article 4 of this Chapter
2 performs all work that falls within the classification in Article 4 of this
3 Chapter."

4 **SECTION 1.(c)** G.S. 87-43.1 is amended by adding a new subdivision to read:

5 **"§ 87-43.1. Exceptions.**

6 The provisions of this Article shall not apply:

7 ...
8 (11) To a licensee under Article 2 of this Chapter, when the Article 2 licensee is
9 bidding and contracting directly with the owner of a building project if all of
10 the following apply:

11 a. A licensed contractor under Article 4 performs all work that falls
12 within the classifications in Article 4 of this Chapter and rules
13 established by the State Board of Examiners of Electrical Contractors.

14 b. A licensee with the appropriate license under Article 2 of this Chapter
15 performs all work that falls within the classification in Article 2 of this
16 Chapter.

17 c. The total amount of the work performed under Article 4 of this Chapter
18 does not exceed a percentage of the total bid price pursuant to rules
19 established by the Board."

20 **SECTION 2.** The State Licensing Board for General Contractors; State Board of
21 Examiners of Plumbing, Heating, and Fire Sprinkler Contractors; and State Board of Examiners
22 of Electrical Contractors may adopt temporary rules to implement the provisions of this act.

23 **SECTION 3.** This act becomes effective October 1, 2021.