

HOUSE BILL NO. 1138

Introduced by

Industry, Business and Labor Committee

(At the request of the Secretary of State)

1 A BILL for an Act to amend and reenact section 43-07-04 of the North Dakota Century Code,
2 relating to contractor licenses.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 43-07-04 of the 1999 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **43-07-04. License - How obtained - Revocation.** To obtain a license under this
7 chapter, an applicant shall submit, on forms the registrar prescribes, an application under oath
8 containing a statement of the applicant's experience and qualifications as a contractor. A copy
9 of a certificate of insurance indicating liability coverage as proof that the applicant has secured
10 liability insurance, must be filed with the application and the contractor shall submit a statement
11 from the North Dakota workers compensation bureau that the contractor has secured workers'
12 compensation coverage satisfactory to the bureau along with such other information as may be
13 required by the registrar to assist the registrar in determining the applicant's fitness to act in the
14 capacity of a contractor. The application must contain a statement that the applicant desires
15 the issuance of a license under this chapter, and must specify the class of license sought. No
16 sooner than twenty days after sending written notice to a contractor at the contractor's last
17 known address, the registrar shall ~~use procedures of chapter 28-32 to revoke~~ classify as not in
18 good standing the license of any contractor who fails to:

- 19 1. Maintain liability insurance coverage required by this section or by section
20 43-07-10;
- 21 2. File, renew, or properly amend any fictitious name certificate required by chapter
22 45-11;
- 23 3. Maintain an active status of a corporation or registration as a foreign corporation;

- 1 4. Maintain an active status of a limited liability company or registration as a foreign
 - 2 limited liability company;
 - 3 5. File or renew a trade name registration as required by chapter 47-25;
 - 4 6. File or renew a limited liability partnership or foreign limited liability partnership as
 - 5 required by chapter 45-22; or
 - 6 7. File or renew a limited partnership or foreign limited partnership.
- 7 Any contractor who has been notified by the registrar that the contractor's license is not in good
8 standing shall cease soliciting or entering into new contract projects. If the contractor fails to
9 correct the deficiency specified in the notice by evidence satisfactory to the registrar within thirty
10 days of the date of the notice or if the contractor solicits or enters into new contract projects
11 while the contractor's license is not in good standing, the registrar shall use the procedures of
12 chapter 28-32 to revoke the license of the contractor.