

1 Section 1151.22 A. Any contract entered into under the Roofing
2 Contractor Registration Act shall include a statement that all
3 individuals performing work under the contract are covered by
4 workers' compensation insurance.

5 B. ~~If the individuals performing work under the contract are~~
6 ~~not covered by an affidavit of exemption for~~ workers' compensation
7 ~~insurance, the contractor shall provide a written statement to the~~
8 ~~homeowner advising that the individuals performing work under the~~
9 ~~contract are not covered by workers' compensation insurance, which~~
10 is used by a legitimately exempt person, it shall be signed by all
11 parties to the contract and attached to the contract and it shall be
12 used only for new residential construction projects. All commercial
13 projects and any maintenance or repair to an existing residential
14 structure shall require all individuals performing work on such
15 project to be covered by workers' compensation insurance as
16 employees of the person registered under the Roofing Contractor
17 Registration Act. However, any day laborer who can show proof of
18 being covered by workers' compensation insurance under the temporary
19 labor agency for whom he or she is hired-out may provide an
20 affidavit from the temporary labor agency to meet the requirement of
21 this section for authority to use an affidavit of exemption. No
22 roofing contractor required to be registered under the Roofing
23 Contractor Registration Act shall hire any out-of-state company or
24 person or use any person or independent contractor that is not

1 registered under the Roofing Contractor Registration Act with the
2 required workers' compensation insurance or who is not deemed his or
3 her employee for purposes of workers' compensation insurance.

4 C. In no event shall a homeowner be held liable for injury or
5 death to any person who performs work under a contract with a person
6 required by law to be registered under the Roofing Contractor
7 Registration Act and have workers' compensation on all persons
8 performing work on the roofing project.

9 SECTION 2. This act shall become effective November 1, 2015.

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11 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, LABOR, AND RETIREMENT
12 LAWS, dated 03/25/2015 - DO PASS, As Amended.

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