

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

McGee, Thomas (SEN)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to home improvement contractor registration.

PETITION OF:

NAME:

McGee, Thomas (SEN)

DISTRICT/ADDRESS:

Third Essex and Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00189 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO HOME IMPROVEMENT CONTRACTOR REGISTRATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 10 of chapter 142A of the General Laws, as appearing in the 2004
2 Official Edition, is hereby amended by adding the following 2 clauses:-

3 (d) whether the applicant is or was an officer, partner or venturer of an applicant who
4 previously applied for registration and, if so, the name and business address of the corporation,
5 partnership, or venture.

6 (e) whether the applicant is or was an employee of an individual, corporation or other business
7 association that holds or previously held a registration against which disciplinary action was taken by the
8 department and, if so, the name of the individual, corporation or business association.

9 SECTION 2. Section 12 of said chapter 142A, as so appearing, is hereby amended by striking out,
10 in lines 1 to 3, inclusive, the words "No application for registration or renewal conforming to the
11 requirements of this chapter may be denied except for a finding by the administrator" and inserting in

12 place thereof the following words:- Applications for registration may be denied following a hearing held
13 in accordance with chapter 30A during which findings are made.

14 SECTION 3. Section 15 of said chapter 142A, as so appearing, is hereby amended by striking
15 out, in lines 2 to 4, inclusive, the words “, upon recommendation by the advisory board and in
16 accordance with procedures and on the grounds set forth in section eleven” and inserting in place
17 thereof the following words:- or his designee in accordance with chapter 30A.

18 SECTION 4. Section 18 of said chapter 142A, as so appearing, is hereby amended by inserting
19 before the first paragraph the following paragraph:-

20 An interested party to a contract formed with a contractor or subcontractor
21 registered pursuant to section 9 may file a complaint against the registrant alleging violations of this
22 with the department. The complaint shall be on a form issued by the department and may include a
23 short statement of the facts constituting the complaint. A filing fee as determined by the commissioner
24 shall be charged for each complaint filed by an interested party.

25 SECTION 5. Said section 18 of said chapter 142A, as so appearing, is hereby further amended by
26 striking out, in line 7, the words "two thousand dollars" and inserting in place thereof the following
27 figure:- \$5,000.

28 SECTION 6. Said chapter 142A is hereby further amended by adding the following section:-

29 Section 22. The department of public safety may expend an amount not to exceed \$685,000 in
30 revenues collected from fees for the issuance and renewal of home improvement contractor
31 registrations and for the issuance and renewal of construction supervisor licenses for the purposes of
32 undertaking and supporting enforcement efforts, investigations, adjudications and audits including, but
33 not limited to, the employment of complaint investigators, hearings officers and support staff; provided,

34 however, that notwithstanding any general or special law to the contrary, for the purpose of
35 accommodating timing discrepancies between the receipt of retained revenues and related
36 expenditures, the department may incur expenses and the comptroller may certify for payment
37 amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported
38 in the state accounting system.

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