

SENATE NO. 189

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 Official
2 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
7 business association that holds or previously held a registration against which disciplinary
8 action was taken by the department and, if so, the name of the individual, corporation or
9 business association.

10 SECTION 2. Section 12 of said chapter 142A, as so appearing, is hereby amended by striking
11 out, in lines 1 to 3, inclusive, the words "No application for registration or renewal conforming

12 to the requirements of this chapter may be denied except for a finding by the administrator" and
13 inserting in place thereof the following words:- Applications for registration may be denied
14 following a hearing held in accordance with chapter 30A during which findings are made.

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

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

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

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

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

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

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