

AMENDED IN SENATE AUGUST 31, 2010

AMENDED IN SENATE AUGUST 2, 2010

AMENDED IN SENATE JUNE 23, 2010

AMENDED IN ASSEMBLY APRIL 28, 2010

AMENDED IN ASSEMBLY APRIL 26, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2390

Introduced by Assembly Member ~~Buchanan~~ *Torrigo*
(Principal coauthor: Assembly Member ~~Torrigo~~)

February 19, 2010

An act to amend Section 3300 of, and to add Section 4104.6 to, the Public Contract Code, relating to public contracts. An act to amend Section 7108.5 of the Business and Professions Code, to amend Section 3252 of, and to add Section 9560 to, the Civil Code, and to amend Sections 10262 and 10262.5 of, to amend, repeal, and add Section 10261 of, and to add and repeal Section 7201 of, the Public Contract Code, relating to works of improvement.

LEGISLATIVE COUNSEL'S DIGEST

AB 2390, as amended, ~~Buchanan~~ *Torrigo*. ~~Public works: bidding practices: licenses and workers' compensation insurance. Works of improvement: progress payments: notice: retention proceeds.~~

(1) Existing law requires that, for private and public works of improvement, and in a public works contract, a prime contractor or subcontractor pay to any subcontractor, not later than 10 days after receipt of each progress payment, unless otherwise agreed to in writing,

the respective amount allowed the contractor on account of the work performed by the subcontractors, to the extent of each contractor's interest therein, as prescribed.

This bill would, instead, require that those amounts be paid not later than 7 days after receipt of each progress payment.

(2) Existing law requires, with regard to a contract entered into on or after January 1, 1995, in order to enforce a claim upon any payment bond given in connection with a public work, that a claimant give the 20-day public works bond preliminary notice, as provided. Existing law further authorizes a claimant, if the 20-day public works preliminary bond notice was not given as prescribed by statute, to enforce a claim by giving written notice to the surety and the bond principal, as provided, within 15 days after recordation of a notice of completion, or if no notice of completion has been recorded, within 75 days after completion of the work of improvement.

This bill would, instead, with regard to a contract entered into on or after January 1, 2011, require that the written notice to be given to the surety and the bond principal be given prior to the completion, as defined, of the project, or recordation of a notice of completion, as specified.

(3) Existing law authorizes the Department of General Services, or any other department with authority to enter into contracts, to contract with suppliers for goods and services and for public works. Existing law provides that in a contract relating to the construction of a public work of improvement between the public entity and original contractor, the original contractor and a subcontractor, and in a contract between a subcontractor and any subcontractor thereunder, the percentage of retention proceeds withheld cannot exceed the percentage specified in the contract between the public entity and the original contractor.

This bill would instead, until January 1, 2015, prohibit retention proceeds from exceeding 5% of the payment, as specified, for those contracts entered into on or after January 1, 2011, between a public entity, as defined, and an original contractor, between an original contractor and a subcontractor, and between all subcontractors thereunder.

(4) Existing law contains various provisions relating to contracts for the performance of public works of improvement, including provisions for the payment of progress payments and the disbursing and withholding of retention proceeds. Existing law prohibits progress payments upon these contracts from being made in excess of 95% of

the percentage of actual work completed plus a like percentage of the value of material delivered, as specified, and requires the Department of General Services to withhold not less than 5% of the contract price until final completion and acceptance of the project.

This bill would instead prohibit progress payments upon these contracts from being made in excess of 100% of the percentage of actual work completed, and would require the Department of General Services to withhold not more than 5% of the contract price until final completion and acceptance of the project, except as specified.

(5) The bill would incorporate additional changes made by SB 189 contingent upon the enactment of that bill.

~~Existing law requires a public entity, the University of California, and the California State University to specify for inclusion in any plans and notice prepared for a public project the classification of the contractor's license, which a contractor is required to possess at the time a contract is awarded.~~

~~This bill would, instead, require the contractor to possess that license at the time the contractor makes a bid or offer to perform the work, and would also require a contractor to possess current workers' compensation insurance at that time.~~

~~The Subletting and Subcontracting Fair Practices Act requires the entity taking bids for public works to specify that any person making a bid or offer set forth the name and location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor, or a subcontractor who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work according to specifications, in an amount in excess of one-half of 1% of the prime contractor's total bid, or in the case of bids or offers for the construction of streets or highways, including bridges, in an amount in excess of one-half of 1% of the prime contractor's total bid or \$10,000, whichever is greater.~~

~~This bill would require the contractor whose bid was accepted to provide to the awarding authority, within 5 business days of the notice of the award, each subcontractor's name and business location, the current, valid license number issued by the State of California, and proof of current workers' compensation insurance of each subcontractor that was listed in the contractor's bid.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *Section 7108.5 of the Business and Professions*
2 *Code is amended to read:*

3 7108.5. (a) ~~This section applies to all private works of~~
4 ~~improvement and to all public works of improvement, except where~~
5 ~~Section 10262 of the Public Contract Code applies.~~

6 ~~(b) Except as provided in subdivision (c), a~~ prime contractor
7 ~~or subcontractor shall pay to any subcontractor, not later than 10~~
8 ~~seven days of after receipt of each progress payment, unless~~
9 ~~otherwise agreed to in writing, the respective amounts allowed the~~
10 ~~contractor on account of the work performed by the subcontractors,~~
11 ~~to the extent of each subcontractor’s interest therein. A prime~~
12 ~~contractor or subcontractor that fails to comply with this~~
13 ~~subdivision shall be subject to a penalty, payable to the~~
14 ~~subcontractor, of 2 percent of the amount due per month for every~~
15 ~~month that payment is not made as required under this subdivision.~~

16 ~~(e) If~~
17 *In the event that there is a good faith dispute over all or any*
18 *portion of the amount due on a progress payment from the prime*
19 *contractor or subcontractor to a subcontractor, then the prime*
20 *contractor or subcontractor may withhold no more than 150 percent*
21 *of the disputed amount.*

22 ~~(d) A~~
23 *(b) Any violation of this section shall constitute a cause for*
24 *disciplinary action and shall subject the licensee to a penalty,*
25 *payable to the subcontractor, of 2 percent of the amount due per*
26 *month for every month that payment is not made.*

27 ~~(e)~~
28 *(c) In any action for the collection of funds wrongfully withheld,*
29 *the prevailing party shall be entitled to his or her attorney’s fees*
30 *and costs.*

31 ~~(f)~~
32 *(d) The sanctions authorized under this section shall be separate*
33 *from, and in addition to, all other remedies, either civil,*
34 *administrative, or criminal.*

35 *(e) This section applies to all private works of improvement and*
36 *to all public works of improvement, except where Section 10262*
37 *of the Public Contract Code applies.*

38 SEC. 2. *Section 3252 of the Civil Code is amended to read:*

1 3252. (a) With regard to a contract entered into on or after
2 January 1, 1995, in order to enforce a claim upon any payment
3 bond given in connection with a public work, a claimant shall give
4 the 20-day public works preliminary bond notice as provided in
5 Section 3098.

6 (b) ~~¶(1)~~ *On and after January 1, 1995, and before January 1,*
7 *2011, if the 20-day public work preliminary bond notice was not*
8 *given as provided in Section 3098, a claimant may enforce a claim*
9 *by giving written notice to the surety and the bond principal as*
10 *provided in Section 3227 within 15 days after recordation of a*
11 *notice of completion. If no notice of completion has been recorded,*
12 *the time for giving written notice to the surety and the bond*
13 *principal is extended to 75 days after completion of the work of*
14 *improvement.*

15 (2) *On and after January 1, 2011, if the 20-day public works*
16 *preliminary bond notice was not given as provided in Section 3098,*
17 *a claimant may enforce a claim by giving written notice to the*
18 *surety and bond principal, as provided in Section 3227, prior to*
19 *completion, as defined in Section 3086, of the project, or*
20 *recordation of a notice of completion.*

21 (c) *This section shall not apply to a laborer, or any other person*
22 *exempt from the requirement of giving a preliminary notice under*
23 *Section 3098.*

24 SEC. 2.3. *Section 3252 of the Civil Code is amended to read:*

25 3252. (a) With regard to a contract entered into on or after
26 January 1, 1995, in order to enforce a claim upon any payment
27 bond given in connection with a public work, a claimant shall give
28 the 20-day public works preliminary bond notice as provided in
29 Section 3098.

30 (b) ~~¶~~ *On and after January 1, 1995, and before January 1,*
31 *2011, with regard to a project completed on or before December*
32 *31, 2010, if the 20-day public work preliminary bond notice was*
33 *not given as provided in Section 3098, a claimant may enforce a*
34 *claim by giving written notice to the surety and the bond principal*
35 *as provided in Section 3227 within 15 days after recordation of a*
36 *notice of completion. If no notice of completion has been recorded,*
37 *the time for giving written notice to the surety and the bond*
38 *principal is extended to 75 days after completion of the work of*
39 *improvement.*

1 (c) Commencing January 1, 2011, and except as provided in
 2 subdivision (b), if the 20-day public works preliminary bond notice
 3 was not given as provided in Section 3098, a claimant may enforce
 4 a claim by giving written notice to the surety and bond principal,
 5 as provided in Section 3227, prior to completion, as defined in
 6 Section 3086, of the project, or recordation of notice of completion,
 7 whichever is later. Prior to completion or recordation of a notice
 8 of completion, every public entity shall provide written notice of
 9 pending completion to each subcontractor that has provided a
 10 20-day preliminary bond notice as provided in Section 3098.

11 (d) This section shall not apply to a laborer, or any other person
 12 exempt from the requirement of giving a preliminary notice under
 13 Section 3098.

14 (e) This section shall remain in effect only until July 1, 2012,
 15 and as of that date is repealed.

16 SEC. 2.5. Section 9560 is added to the Civil Code, to read:

17 9560. (a) In order to enforce a claim against a payment bond,
 18 a claimant shall give the preliminary notice provided in Chapter
 19 3 (commencing with Section 9300).

20 (b) If preliminary notice was not given as provided in Chapter
 21 3 (commencing with Section 9300), a claimant may enforce a claim
 22 by giving written notice to the surety and the bond principal prior
 23 to completion of the work of improvement, or recordation of notice
 24 of completion, whichever is later.

25 (c) Prior to completion of a work of improvement or recordation
 26 of a notice of completion, a public entity shall give notice of
 27 pending completion to each subcontractor that has given
 28 preliminary notice as provided in Chapter 3 (commencing with
 29 Section 9300). The notice of pending completion shall comply with
 30 the requirements of Chapter 2 (commencing with Section 8100)
 31 of Title 1.

32 (d) This section shall not apply to a laborer, or any other person
 33 exempt from the requirement of giving a preliminary notice under
 34 Chapter 3 (commencing with Section 9300).

35 SEC. 3. Section 7201 is added to the Public Contract Code, to
 36 read:

37 7201. (a) (1) This section shall apply with respect to all
 38 contracts entered into on or after January 1, 2011, between a
 39 public entity and an original contractor, between an original
 40 contractor and a subcontractor, and between all subcontractors

1 *thereunder, relating to the construction of any public work of*
2 *improvement.*

3 *(2) Under no circumstances shall any provision of this section*
4 *be construed to limit the ability of any public entity to withhold*
5 *150 percent of the value of any disputed amount of work from the*
6 *final payment, as provided for in subdivision (c) of Section 7107.*
7 *In the event of a good faith dispute, nothing in this section shall*
8 *be construed to require a public entity to pay for work that is not*
9 *approved or accepted in accordance with the proper plans or*
10 *specifications.*

11 *(3) For purposes of this section, “public entity” means the state,*
12 *including every state agency, office, department, division, bureau,*
13 *board, or commission, the California State University, the*
14 *University of California, a city, county, city and county, including*
15 *chartered cities and chartered counties, district, special district,*
16 *public authority, political subdivision, public corporation, or*
17 *nonprofit transit corporation wholly owned by a public agency*
18 *and formed to carry out the purposes of the public agency.*

19 *(b) (1) The retention proceeds withheld from any payment by*
20 *a public entity from the original contractor, by the original*
21 *contractor from any subcontractor, and by a subcontractor from*
22 *any subcontractor thereunder shall not exceed 5 percent of the*
23 *payment. In no event shall the total retention proceeds withheld*
24 *exceed 5 percent of the contract price. In a contract between the*
25 *original contractor and a subcontractor, and in a contract between*
26 *a subcontractor and any subcontractor thereunder, the percentage*
27 *of the retention proceeds withheld shall not exceed the percentage*
28 *specified in the contract between the public entity and the original*
29 *contractor.*

30 *(2) This subdivision shall not apply if the contractor provides*
31 *written notice to the subcontractor, pursuant to subdivision (c) of*
32 *Section 4108, prior to, or at, the time that the bid is requested,*
33 *that bonds may be required, and the subcontractor subsequently*
34 *is unable or refuses to furnish to the contractor a performance*
35 *and payment bond issued by an admitted surety insurer.*

36 *(3) Notwithstanding any other provision of this subdivision, the*
37 *retention proceeds withheld from any payment by an awarding*
38 *entity set forth in paragraphs (1) to (5), inclusive, of subdivision*
39 *(a) of Section 10106, from the original contractor, by the original*
40 *contractor from any subcontractor, and by a subcontractor from*

1 any subcontractor thereunder may exceed 5 percent on specific
 2 projects where the director of the department has made a finding
 3 prior to the bid that the project is substantially complex and
 4 therefore requires a higher retention amount than 5 percent and
 5 the department includes both this finding and the actual retention
 6 amount in the bid documents. In a contract between the original
 7 contractor and a subcontractor, and in a contract between a
 8 subcontractor and any subcontractor thereunder, the percentage
 9 of the retention proceeds withheld shall not exceed the percentage
 10 specified in the contract between the department and the original
 11 contractor.

12 (4) Notwithstanding any other provision of this subdivision, the
 13 retention proceeds withheld from any payment by the awarding
 14 entity of a city, county, city and county, including chartered cities
 15 and chartered counties, district, special district, public authority,
 16 political subdivision, public corporation, or nonprofit transit
 17 corporation wholly owned by a public agency and formed to carry
 18 out the purposes of the public agency, from the original contractor,
 19 by the original contractor from any subcontractor, and by a
 20 subcontractor from any subcontractor thereunder may exceed 5
 21 percent on specific projects where the governing body of the public
 22 entity has approved a finding by a majority vote during a properly
 23 noticed and normally scheduled public hearing and prior to bid
 24 that the project is substantially complex and therefore requires a
 25 higher retention amount than 5 percent and the awarding entity
 26 includes both this finding and the actual retention amount in the
 27 bid documents. In a contract between the original contractor and
 28 a subcontractor, and in a contract between a subcontractor and
 29 any subcontractor thereunder, the percentage of the retention
 30 proceeds withheld shall not exceed the percentage specified in the
 31 contract between the department and the original contractor.

32 (c) A party identified in subdivision (a) shall not require any
 33 other party to waive any provision of this section.

34 (d) This section shall remain in effect only until January 1, 2015,
 35 and as of that date is repealed.

36 SEC. 4. Section 10261 of the Public Contract Code is amended
 37 to read:

38 10261. (a) Payments upon contracts shall be made as the
 39 department prescribes upon estimates made and approved by the
 40 department, but progress payments shall not be made in excess of

1 95 100 percent of the percentage of actual work completed plus a
2 like percentage of the value of material delivered on the ground
3 or stored subject to or under the control of the state, and unused,
4 except as otherwise provided in this section. The department shall
5 withhold not less more than 5 percent of the contract price until
6 final completion and acceptance of the project. However, at any
7 time after 95 percent of the work has been completed, the
8 department may reduce the funds withheld to an amount not less
9 than 125 percent of the estimated value of the work yet to be
10 completed, as determined by the department, if the reduction has
11 been approved, in writing, by the surety on the performance bond
12 and by the surety on the payment bond. The Controller shall draw
13 his or her warrants upon estimates so made and approved by the
14 department and the Treasurer shall pay them. The funds may be
15 released by electronic transfer if that procedure is requested by the
16 contractor, in writing, and if the public entity has, in place at the
17 time of the request, the mechanism for the transfer.

18 *(b) Notwithstanding this section, when the director of the*
19 *department has made a finding prior to the bid that a specified*
20 *project is substantially complex and therefore requires a higher*
21 *retention amount than 5 percent and the department includes both*
22 *this finding and the actual retention amount in the bid documents,*
23 *then payments upon contracts by the department shall be made as*
24 *the department prescribes upon estimates made and approved by*
25 *the department, but progress payments shall not be made in excess*
26 *of 95 percent of the percentage of actual work completed, plus a*
27 *like percentage of the value of material delivered on the ground*
28 *or stored, subject to, or under the control of the state, and unused,*
29 *except as otherwise provided in this section. At any time after 95*
30 *percent of the work has been completed, the department may*
31 *reduce the funds withheld to an amount not less than 125 percent*
32 *of the estimated value of the work yet to be completed, as*
33 *determined by the department, if the reduction has been approved,*
34 *in writing, by the surety on the performance bond and by the surety*
35 *on the payment bond. The Controller shall draw his or her*
36 *warrants upon estimates so made and approved by the department*
37 *and the Treasurer shall pay them with funds appropriated therefor.*
38 *The funds may be released by electronic transfer if that procedure*
39 *is requested by the contractor, in writing, and if the public entity*

1 *has, in place at the time of the request, the mechanism for the*
2 *transfer.*

3 *(c) This section shall remain in effect only until January 1, 2015,*
4 *and as of that date is repealed.*

5 *SEC. 5. Section 10261 is added to the Public Contract Code,*
6 *to read:*

7 *10261. (a) On and after January 1, 2015, payments upon*
8 *contracts shall be made as the department prescribes upon*
9 *estimates made and approved by the department, but progress*
10 *payments shall not be made in excess of 95 percent of the*
11 *percentage of actual work completed plus a like percentage of the*
12 *value of material delivered on the ground or stored subject to or*
13 *under the control of the state, and unused, except as otherwise*
14 *provided in this section. The department shall withhold not less*
15 *than 5 percent of the contract price until final completion and*
16 *acceptance of the project. However, at any time after 95 percent*
17 *of the work has been completed, the department may reduce the*
18 *funds withheld to an amount not less than 125 percent of the*
19 *estimated value of the work yet to be completed, as determined by*
20 *the department, if the reduction has been approved, in writing, by*
21 *the surety on the performance bond and by the surety on the*
22 *payment bond. The Controller shall draw his or her warrants upon*
23 *estimates so made and approved by the department and the*
24 *Treasurer shall pay them. The funds may be released by electronic*
25 *transfer if that procedure is requested by the contractor, in writing,*
26 *and if the public entity has, in place at the time of the request, the*
27 *mechanism for the transfer.*

28 *(b) This section shall become operative on January 1, 2015.*

29 *SEC. 6. Section 10262 of the Public Contract Code is amended*
30 *to read:*

31 *10262. The contractor shall pay to his or her subcontractors,*
32 *within ~~10~~ seven days of receipt of each progress payment, the*
33 *respective amounts allowed the contractor on account of the work*
34 *performed by his or her subcontractors, to the extent of each*
35 *subcontractor's interest therein. The payments to subcontractors*
36 *shall be based on estimates made pursuant to Section 10261. Any*
37 *diversion by the contractor of payments received for prosecution*
38 *of a contract, or failure to reasonably account for the application*
39 *or use of the payments constitutes ground for actions proscribed*
40 *in Section 10253, in addition to disciplinary action by the*

1 ~~Contractors'~~ *Contractors* State License Board. The subcontractor
2 shall notify, in writing, the ~~Contractors'~~ *Contractors* State License
3 Board and the department of any payment less than the amount or
4 percentage approved for the class or item of work as set forth in
5 Section 10261.

6 *SEC. 7. Section 10262.5 of the Public Contract Code is*
7 *amended to read:*

8 10262.5. (a) Notwithstanding any other ~~provision of~~ law, a
9 prime contractor or subcontractor shall pay to any subcontractor,
10 not later than ~~10~~ *seven* days ~~of~~ *after* receipt of each progress
11 payment, the respective amounts allowed the contractor on account
12 of the work performed by the subcontractors, to the extent of each
13 subcontractor's interest therein. In the event that there is a good
14 faith dispute over all or any portion of the amount due on a progress
15 payment from the prime contractor or subcontractor to a
16 subcontractor, then the prime contractor or subcontractor may
17 withhold no more than 150 percent of the disputed amount.

18 Any contractor who violates this section shall pay to the
19 subcontractor a penalty of 2 percent of the amount due per month
20 for every month that payment is not made. In any action for the
21 collection of funds wrongfully withheld, the prevailing party shall
22 be entitled to his or her attorney's fees and costs.

23 (b) This section shall not be construed to limit or impair any
24 contractual, administrative, or judicial remedies otherwise available
25 to a contractor or a subcontractor in the event of a dispute involving
26 late payment or nonpayment by a contractor or deficient
27 subcontract performance or nonperformance by a subcontractor.

28 (c) On or before September 1 of each year, the head of each
29 state agency shall submit to the Legislature a report on the number
30 and dollar volume of written complaints received from
31 subcontractors and prime contractors on contracts in excess of
32 three hundred thousand dollars (\$300,000), relating to violations
33 of this section.

34 *SEC. 8. Section 2.3 of this bill incorporates amendments to*
35 *Section 3252 of the Civil Code proposed by both this bill and SB*
36 *189. It shall only become operative if (1) both bills are enacted*
37 *and become effective on or before January 1, 2011, (2) each bill*
38 *amends Section 3252 of the Civil Code, and (3) this bill is enacted*
39 *after SB 189, in which case Section 2 of this bill shall not become*
40 *operative.*

1 *SEC. 9. Section 2.5 adds Section 9560 to the Civil Code, with*
2 *additional changes as proposed by SB 189. Section 2.5 of this bill*
3 *shall only become operative if (1) this bill and SB 189 are enacted*
4 *and become effective on or before January 1, 2011, (2) SB 189*
5 *repeals Title 15 (commencing with Section 3082) of Part 4 of*
6 *Division 3 of the Civil Code and this bill amends Section 3252 of*
7 *the Civil Code, and (3) this bill is enacted after SB 189, in which*
8 *case Section 2 of this bill shall remain operative only until July 1,*
9 *2012, at which time Section 2.5 shall become operative and Section*
10 *9560 as added to the Civil Code by Section 20.2 of SB 189 shall*
11 *not become operative.*

12 ~~SECTION 1. Section 3300 of the Public Contract Code is~~
13 ~~amended to read:~~

14 ~~3300. (a) Any public entity, as defined in Section 1100, the~~
15 ~~University of California, and the California State University shall~~
16 ~~specify the classification of the contractor's license, which a~~
17 ~~contractor shall possess at the time the contractor makes a bid or~~
18 ~~offer to perform the work. The specification shall be included in~~
19 ~~any plans prepared for a public project and in any notice inviting~~
20 ~~bids required pursuant to this code. This requirement shall apply~~
21 ~~only with respect to contractors that contract directly with the~~
22 ~~public entity.~~

23 ~~(b) A contractor shall possess current workers' compensation~~
24 ~~insurance at the time the contractor makes a bid or offer to perform~~
25 ~~the work.~~

26 ~~(c) A contractor who is not awarded a public contract because~~
27 ~~of the failure of an entity, as defined in subdivision (a), to comply~~
28 ~~with that subdivision shall not receive damages for the loss of the~~
29 ~~contract.~~

30 ~~(d) This section shall not apply to a contractor that submits a~~
31 ~~bid or offer as a joint venture, pursuant to Section 7029.1 of the~~
32 ~~Business and Professions Code.~~

33 ~~(e) This section shall not apply to an applicant or licensee as~~
34 ~~described in subdivision (b) of Section 7125 of the Business and~~
35 ~~Professions Code.~~

36 ~~SEC. 2. Section 4104.6 is added to the Public Contract Code,~~
37 ~~to read:~~

38 ~~4104.6. (a) A contractor whose bid is accepted shall provide~~
39 ~~to the awarding authority, within five business days of the notice~~
40 ~~of award, the name, business location, current contractor's license~~

1 ~~number issued by the State of California, and proof of current~~
2 ~~workers' compensation insurance of each subcontractor listed by~~
3 ~~the contractor in the bid pursuant to Section 4104.~~

4 ~~(b) (1) Any subcontractor not listed by the contractor pursuant~~
5 ~~to paragraph (1) of subdivision (a) of Section 4104, who is~~
6 ~~subsequently contracted to perform work, shall, prior to~~
7 ~~commencing work, provide the awarding authority with its name,~~
8 ~~business location, current contractor's license number issued by~~
9 ~~the State of California, and proof of current workers' compensation~~
10 ~~insurance.~~

11 ~~(2) The requirement to provide proof of current workers'~~
12 ~~compensation insurance shall not apply to an applicant or licensee~~
13 ~~as described in subdivision (b) of Section 7125 of the Business~~
14 ~~and Professions Code.~~

O