

ASSEMBLY BILL

No. 433

Introduced by Assembly Member Gordon

February 15, 2013

An act to amend Sections 7026.12 and 7057 of the Business and Professions Code, relating to contractors.

LEGISLATIVE COUNSEL'S DIGEST

AB 433, as introduced, Gordon. Contractors: fire protection systems.

The Contractors' State License Law provides for the licensure and regulation of contractors by the Contractors' State License Board within the Department of Consumer Affairs. Existing law provides that the installation of a fire protection system may be performed only by a contractor holding a fire protection contractor classification, or by an owner-builder of an owner-occupied, single-family dwelling, as specified.

This bill would additionally authorize the installation of a residential fire protection system for a one- or 2-family dwelling by a contractor holding a fire protection contractor classification or a plumbing contractor classification, as defined in the regulations of the board. The bill would make a conforming change.

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

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

- 1 SECTION 1. Section 7026.12 of the Business and Professions
- 2 Code is amended to read:

1 7026.12. ~~The~~ (a) Except as provided in subdivision (b), the
 2 installation of a fire protection system, excluding an electrical
 3 alarm system, shall be performed only by ~~a~~ either of the following:

4 (1) A contractor holding a fire protection contractor
 5 classification, as defined in the regulations of the board ~~or by an~~.

6 (2) An owner-builder of an owner-occupied, single-family
 7 dwelling, if not more than two single-family dwellings on the same
 8 parcel are constructed within one year, plans are submitted to, and
 9 approved by, the city, county, or city and county authority, and
 10 the city, county, or city and county authority inspects and approves
 11 the installation.

12 (b) A residential fire protection system for a one- or two-family
 13 dwelling may be installed by a contractor holding a fire protection
 14 contractor classification or a plumbing contractor classification,
 15 as defined in the regulations of the board. A “one- or two-family
 16 dwelling” is a residential group R-3 occupancy, as defined in
 17 Section 310.1 of Part 2 of Title 24 of the California Building Code.

18 SEC. 2. Section 7057 of the Business and Professions Code is
 19 amended to read:

20 7057. (a) Except as provided in this section, a general building
 21 contractor is a contractor whose principal contracting business is
 22 in connection with any structure built, being built, or to be built,
 23 for the support, shelter, and enclosure of persons, animals, chattels,
 24 or movable property of any kind, requiring in its construction the
 25 use of at least two unrelated building trades or crafts, or to do or
 26 superintend the whole or any part thereof.

27 This does not include anyone who merely furnishes materials
 28 or supplies under Section 7045 without fabricating them into, or
 29 consuming them in the performance of, the work of the general
 30 building contractor.

31 (b) A general building contractor may take a prime contract or
 32 a subcontract for a framing or carpentry project. However, a general
 33 building contractor shall not take a prime contract for any project
 34 involving trades other than framing or carpentry unless the prime
 35 contract requires at least two unrelated building trades or crafts
 36 other than framing or carpentry, or unless the general building
 37 contractor holds the appropriate license classification or
 38 subcontracts with an appropriately licensed contractor to perform
 39 the work. A general building contractor shall not take a subcontract
 40 involving trades other than framing or carpentry, unless the

1 subcontract requires at least two unrelated trades or crafts other
2 than framing or carpentry, or unless the general building contractor
3 holds the appropriate license classification. The general building
4 contractor ~~may~~ *shall* not count framing or carpentry in calculating
5 the two unrelated trades necessary in order for the general building
6 contractor to be able to take a prime contract or subcontract for a
7 project involving other trades.

8 (c) ~~No~~ A general building contractor shall *not* contract for any
9 project that includes the ~~“C-16” Fire Protection classification a~~
10 ~~fire protection system~~ as provided for in Section 7026.12, or the
11 “C-57” Well Drilling classification as provided for in Section
12 13750.5 of the Water Code, unless the general building contractor
13 holds the appropriate license classification, or subcontracts with
14 the appropriately licensed contractor.

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