GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H **D**

HOUSE DRH50170-LU-45 (02/17)

Short Title:	Clarify Definition of General Contractor.	(Public)
Sponsors:	Representatives Justice and Owens (Primary Sponsors).	
Referred to:		

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE DEFINITION OF A GENERAL CONTRACTOR.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 87-1 reads as rewritten:

"**§ 87-1. "General contractor" defined; exceptions.**

For the purpose of this Article any person or firm or corporation who for a fixed price, commission, fee, or wage, undertakes to bid upon or to construct or who undertakes to superintend or manage, on his own behalf or for any person, firm, or corporation that is not licensed as a general contractor pursuant to this Article, the construction of any building, highway, public utilities, grading or any improvement or structure where the cost of the undertaking is thirty thousand dollars ($30,000) or more, or undertakes to erect a North Carolina labeled manufactured modular building meeting the North Carolina State Building Code, shall be deemed to be a "general contractor" engaged in the business of general contracting in the State of North Carolina. General contractor also includes any person, firm, or corporation performing design/build work within the limits of the classification of license held under this Article.

This section shall not apply to persons or firms or corporations furnishing or erecting industrial equipment, power plan equipment, radial brick chimneys, and monuments.

This section shall not apply to any person or firm or corporation who constructs or alters a building on land owned by that person, firm or corporation provided such building is intended solely for occupancy by that person and his family, firm, or corporation after completion; and provided further that, if such building is not occupied solely by such person and his family, firm, or corporation for at least 12 months following completion, it shall be presumed that the person, firm, or corporation did not intend such building solely for occupancy by that person and his family, firm, or corporation.

This section shall not apply to any person engaged in the business of farming who constructs or alters a building on land owned by that person and used in the business of farming, when such building is intended for use by that person after completion."

SECTION 2. This act is effective when it becomes law.