

SENATE No. 148

The Commonwealth of Massachusetts

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

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

14 may be denied following a hearing held in accordance with chapter 30A during which findings
15 are made.

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

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

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

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

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

33 Section 22. The department of public safety may expend an amount not to exceed
34 \$685,000 in revenues collected from fees for the issuance and renewal of home improvement

35 contractor registrations and for the issuance and renewal of construction supervisor licenses for
36 the purposes of undertaking and supporting enforcement efforts, investigations, adjudications
37 and audits including, but not limited to, the employment of complaint investigators, hearings
38 officers and support staff; provided, however, that notwithstanding any general or special law to
39 the contrary, for the purpose of accommodating timing discrepancies between the receipt of
40 retained revenues and related expenditures, the department may incur expenses and the
41 comptroller may certify for payment amounts not to exceed the lower of this authorization or the
42 most recent revenue estimate as reported in the state accounting system.