

**ASSEMBLY, No. 383**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblyman EDWARD H. THOMSON**

**District 30 (Monmouth and Ocean)**

**SYNOPSIS**

Revises "Contractors' Registration Act" to include water remediation services.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1   **AN ACT** concerning home improvement contractors and amending  
2       P.L.2004, c.16.

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4       **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

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7       1.   Section 2 of P.L.2004, c.16 (C.56:8-137) is amended to read  
8 as follows:

9       2.   As used in this act:

10       "Contractor" means a person engaged in the business of making  
11 or selling home improvements and includes a corporation,  
12 partnership, association and any other form of business organization  
13 or entity, and its officers, representatives, agents and employees.

14       "Director" means the Director of the Division of Consumer  
15 Affairs in the Department of Law and Public Safety.

16       "Division" means the Division of Consumer Affairs in the  
17 Department of Law and Public Safety.

18       "Home improvement" means the remodeling, altering,  
19 renovating, repairing, restoring, modernizing, moving, demolishing,  
20 or otherwise improving or modifying of the whole or any part of  
21 any residential or non-commercial property. Home improvement  
22 shall also include insulation installation, removal of saturated or  
23 water-damaged materials and other similar water-damage  
24 remediation, and the conversion of existing commercial structures  
25 into residential or non-commercial property.

26       "Home improvement contract" means an oral or written  
27 agreement for the performance of a home improvement between a  
28 contractor and an owner, tenant or lessee, of a residential or  
29 noncommercial property, and includes all agreements under which  
30 the contractor is to perform labor or render services for home  
31 improvements, or furnish materials in connection therewith.

32       "Residential or non-commercial property" means any single or  
33 multi-unit structure used in whole or in part as a place of residence,  
34 and all structures appurtenant thereto, and any portion of the lot or  
35 site on which the structure is situated which is devoted to the  
36 residential use of the structure.

37 (cf: P.L.2004, c.16, s.2)

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39       2.   This act shall take effect immediately.

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## STATEMENT

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44       This bill amends the "Contractors' Registration Act" to include,  
45 within the definition of "home improvement," the removal of  
46 saturated or water-damaged materials and other similar water-  
47 damage remediation.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1       It has come to the sponsor's attention that certain businesses  
2     conducting water remediation services in the wake of superstorm  
3     Sandy are not in compliance with the "Contractors' Registration  
4     Act." While the definition of home improvement under current law  
5     is broad, this bill is intended to ensure that any person conducting  
6     water remediation services must comply with the provisions of the  
7     "Contractors' Registration Act," including the requirements that  
8     such persons register with the Division of Consumer Affairs, secure  
9     liability insurance, and that certain contracts for water remediation  
10    services be in writing.