

House Committee on Commerce, Labor, and Economic Development

Wednesday, February 14, 2018

Testimony Re: HB 2532

HB 2532 was written at the request of City Attorney for Arkansas City, KS, Tamara Niles.

When commercial landlords requested permits to work on roofs on their own property it was discovered the language of K.S.A. 2017 Supp. 50-6, 129 did not clearly define if a commercial owner had the same rights of the residential or farm property owner who performs their own work. However, Section 1 amendment of 2017 states the actual owner of commercial, residential, or farm property owner who physically performs, or has employees who perform, roofing services on such owner's own dwellings located on the residential or farm property owned by such person without the assistance of any registered roofing contractor.

Note: the sentence begins by defining who qualifies for the exemption, but then does not list the word commercial in the continuation of the definition of the exemption to apply to the actual building owned.

Upon discovery of the ambiguous language in K.S.A. 2017 Supp. 50-6,129 concerning the Kansas Roofing Contractors Registration Act, the City of Arkansas City requested an Attorney General Opinion.

The Attorney General opinion issued on November 20, 2017, states the ambiguity in K.S.A. 2017 Supp. 50-6,129(a)(1) makes it unclear whether a property owner may perform, or may cause employees to perform roofing services on commercial properties he or she owns without complying with the KRRA registration requirements.

In what appears to be an error of omission in the 2017 bill, I thereby request passage of HB 2532 to insert the word commercial in to the sentence to make Sec. 1, (1), clear of the intent of last year's revision of the Kansas Roofing Contractors Registration Act.



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