
HOUSE BILL 1388

State of Washington 60th Legislature 2007 Regular Session

By Representatives McDonald, Ericks, Morrell, Ormsby and Moeller

Read first time 01/18/2007. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to a contractor's use of another contractor's
2 registration number; amending RCW 18.27.020; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 18.27.020 and 1997 c 314 s 3 are each amended to read
5 as follows:

6 (1) Every contractor shall register with the department.

7 (2) It is a misdemeanor for any contractor to:

8 (a) Advertise, offer to do work, submit a bid, or perform any work
9 as a contractor without being registered as required by this chapter;

10 (b) Advertise, offer to do work, submit a bid, or perform any work
11 as a contractor when the contractor's registration is suspended or
12 revoked;

13 (c) Use a false or expired registration number in purchasing or
14 offering to purchase an advertisement for which a contractor
15 registration number is required; or

16 (d) Transfer a valid registration to an unregistered contractor or
17 allow an unregistered contractor to work under a registration issued to
18 another contractor.

1 (3) It is a gross misdemeanor for any contractor to use the
2 registration number of another contractor to advertise, offer to do
3 work, submit a bid, or perform any work as a contractor.

4 (4) It is not unlawful for a general contractor to employ an
5 unregistered contractor who was registered at the time he or she
6 entered into a contract with the general contractor, unless the general
7 contractor or his or her representative has been notified in writing by
8 the department of labor and industries that the contractor has become
9 unregistered.

10 (~~(4)~~) (5) All misdemeanor and gross misdemeanor actions under
11 this chapter shall be prosecuted in the county where the (~~infraction~~)
12 misdemeanor or gross misdemeanor occurs.

13 (~~(5)~~) (6) A person is guilty of a separate misdemeanor or gross
14 misdemeanor for each day worked if, after the person receives a
15 citation from the department, the person works while unregistered, or
16 while his or her registration is suspended or revoked, or works under
17 a registration issued to another contractor. A person is guilty of a
18 separate misdemeanor or gross misdemeanor for each worksite on which he
19 or she violates subsection (2) or (3) of this section. Nothing in this
20 subsection applies to a registered contractor.

21 (~~(6)~~) (7) The director by rule shall establish a two-year audit
22 and monitoring program for a contractor not registered under this
23 chapter who becomes registered after receiving an infraction or
24 conviction under this chapter as an unregistered contractor. The
25 director shall notify the departments of revenue and employment
26 security of the infractions or convictions and shall cooperate with
27 these departments to determine whether any taxes or registration,
28 license, or other fees or penalties are owed the state.

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