

PROPOSED
SENATE AMENDMENTS TO H.B. 2749
(Reference to House engrossed bill)

1 Page 4, line 16, strike "low income" insert "LOW-INCOME"

2 Page 13, line 3, strike "(a)"

3 Line 5, after "RESIDENTIAL" strike remainder of line insert "STRUCTURE UNDER
4 THE ROOF. For the purposes of this paragraph:"

5 Line 10, after "~~42-12004,~~" strike remainder of line

6 Strike lines 11 through 13, insert:

7 "(a) FOR EXISTING PROPERTY THAT IS NOT UNDER THE ROOF OF THE
8 EXISTING RESIDENTIAL STRUCTURE, this paragraph does not apply if the
9 contract amount is more than ~~twenty-five~~ FIFTEEN percent of the most recent
10 full cash value established under chapter 13, article 2 of this title as of
11 the date of any bid for the work or the date of the contract, whichever is
12 higher."

13 Line 16, after the period insert "FOR THE PURPOSES OF THIS SUBDIVISION:"

14 Strike lines 17 through 32, insert:

15 ~~(c)~~ (i) Project elements may not be artificially separated from a
16 contract to cause a project to qualify as an alteration. The department
17 has the burden of proof that project elements have been artificially
18 separated from a contract.

19 ~~(d)~~ (ii) If a project for which the owner and the person performing
20 the work reasonably believed, at the inception of the contract, would be
21 treated as an alteration under this paragraph and, on completion of the
22 project, the project exceeded the applicable threshold described in ~~either~~
23 THIS subdivision ~~(a) or (b) of this paragraph~~ by ~~no~~ NOT more than
24 twenty-five percent of the applicable threshold for any reason, the work
25 performed under the contract qualifies as an alteration.

1 ~~(e)~~ (iii) A change order that directly relates to the scope of work
2 of the original contract shall be treated as part of the original contract,
3 and the contract amount shall include any amount attributable to a change
4 order that directly relates to the scope of work of the original contract.

5 ~~(f)~~ (b) Alteration"

6 Page 13, line 33, strike "(b)"

7 Page 14, line 12, strike "PROPERTY" insert "RESIDENTIAL STRUCTURE UNDER THE ROOF"

8 Page 15, between lines 8 and 9, insert:

9 "12. "RESIDENTIAL", FOR THE PURPOSES OF PARAGRAPH 1 OF THIS
10 SUBSECTION, MEANS PROPERTY THAT IS PROPERLY CLASSIFIED AS CLASS TWO
11 PROPERTY UNDER SECTION 42-12002, PARAGRAPH 1, SUBDIVISION (c) OR PARAGRAPH
12 2, SUBDIVISION (c) AND THAT IS USED FOR RESIDENTIAL PURPOSES, CLASS THREE
13 PROPERTY UNDER SECTION 42-12003 OR CLASS FOUR PROPERTY UNDER SECTION
14 42-12004."

15 Amend title to conform

DAVID GOWAN

2749GOWAN.docx
03/28/2022
08:52 AM
C: ED