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LAW/RWH

P.L.2013, CHAPTER 144, *approved August 19, 2013*

Senate, No. 2363 (*Second Reprint*)

1 AN ACT concerning home improvement contractors and
2 supplementing P.L.2004, c.16 (C.56:8-136 et seq.).
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
6

7 1. a. Every contractor required to register under the
8 “Contractors’ Registration Act” P.L.2004, c.16 (C.56:8-136 et seq.)
9 shall ²**[wear]** have in his possession² an identification badge,
10 issued pursuant to subsection b. of this section, whenever the
11 contractor is performing, or engaging, or attempting to engage, in
12 the business of making or selling home improvements. The
13 identification badge shall be plainly visible and worn on the upper
14 left corner of his torso ²when the contractor is performing, or
15 engaging, or attempting to engage, in the business of selling home
16 improvements².

17 b. Upon the application of a registered contractor, the director
18 shall issue ², or cause to be issued,² a personalized identification
19 badge to the contractor. The identification badge shall include a
20 color photograph of the contractor’s face, the contractor’s name, the
21 contractor’s registration number, and the name of the contractor’s
22 business displayed in a manner that will be plainly visible and
23 permit recognition when worn by the contractor. ¹The badge shall
24 include a statement, written in such a way as to be plainly visible
25 when worn by the contractor, that the badge is not for an electrical
26 contractor, plumbing contractor or HVACR contractor license.¹
27 The identification badge shall be made in such a way and of such
28 material that any attempt to alter the badge will result in it being
29 immediately, permanently and obviously ruined. The photograph
30 included on the identification badge shall be taken no more than
31 four weeks before the date upon which the identification badge is
32 issued. A contractor shall apply for and obtain a new identification
33 badge at least once every six years.

34 c. The director may charge the contractor a reasonable fee to
35 cover the costs of the identification badge issued pursuant to this
36 section.

37 ¹d. A contractor who has been issued an identification badge
38 pursuant to subsection b. of this section and whose registration has

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SCM committee amendments adopted February 4, 2013.

²Assembly ARP committee amendments adopted May 6, 2013.

1 been suspended, revoked, or has not been renewed, shall, within
2 three days of that suspension, revocation or nonrenewal, surrender
3 the identification badge to the director.

4 e. A person who knowingly exhibits or displays an
5 identification badge issued pursuant to subsection b. of this section
6 and is not at that time registered as a contractor pursuant to the
7 “Contractors’ Registration Act,” P.L.2004, c.16 (C.56:8-136 et
8 seq.), including any contractor who has had his registration
9 revoked, suspended, or not renewed, is guilty of a crime of the
10 fourth degree.¹

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12 2. This act shall take effect on the ²[first] ²365th² day ²[of the
13 fourth month next]² following the date of enactment.

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18 Requires home improvement contractors to display State-issued
19 identification badge; requires surrender in certain circumstances;
20 imposes penalty for improper display of badge.

SENATE, No. 2363

STATE OF NEW JERSEY
215th LEGISLATURE

INTRODUCED NOVEMBER 29, 2012

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Co-Sponsored by:

Senator Gill

SYNOPSIS

Requires home improvement contractors to display State-issued identification badge.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/5/2013)

1 AN ACT concerning home improvement contractors and
2 supplementing P.L.2004, c.16 (C.56:8-136 et seq.).
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
6

7 1. a. Every contractor required to register under the
8 "Contractors' Registration Act" P.L.2004, c.16 (C.56:8-136 et seq.)
9 shall wear an identification badge, issued pursuant to subsection b.
10 of this section, whenever the contractor is performing, or engaging,
11 or attempting to engage, in the business of making or selling home
12 improvements. The identification badge shall be plainly visible and
13 worn on the upper left corner of his torso.

14 b. Upon the application of a registered contractor, the director
15 shall issue a personalized identification badge to the contractor.
16 The identification badge shall include a color photograph of the
17 contractor's face, the contractor's name, the contractor's
18 registration number, and the name of the contractor's business,
19 displayed in a manner that will be plainly visible and permit
20 recognition when worn by the contractor. The identification badge
21 shall be made in such a way and of such material that any attempt to
22 alter the badge will result in it being immediately, permanently and
23 obviously ruined. The photograph included on the identification
24 badge shall be taken no more than four weeks before the date upon
25 which the identification badge is issued. A contractor shall apply
26 for and obtain a new identification badge at least once every six
27 years.

28 c. The director may charge the contractor a reasonable fee to
29 cover the costs of the identification badge issued pursuant to this
30 section.
31

32 2. This act shall take effect on the first day of the fourth month
33 next following the date of enactment.
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36 STATEMENT
37

38 This bill supplements the "Contractors' Registration Act" to
39 require home improvement contractors to wear a State-issued
40 identification badge whenever the contractor is performing, or
41 engaging, or attempting to engage, in the business of making or
42 selling home improvements.

43 The bill requires the Director of the Division of Consumer
44 Affairs in the Department of Law and Public Safety to issue an
45 identification badge upon application by the registered home
46 improvement contractor. The identification badge must include a
47 color photograph of the contractor's face, the contractor's name, the
48 contractor's registration number, and the name of the contractor's

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1 business, displayed in a manner that will be plainly visible and
2 permit recognition when worn by the contractor. The bill permits
3 the director to charge the home improvement contractor a fee to
4 cover the costs of the identification badge.

5 This bill is intended to protect consumers from individuals
6 fraudulently representing themselves as home improvement
7 contractors when they are not properly registered under the
8 "Contractors' Registration Act."

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 2363

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 4, 2013

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 2363.

This bill, as amended, supplements the "Contractors' Registration Act" to require home improvement contractors to wear a State-issued identification badge whenever the contractor is performing, or engaging, or attempting to engage, in the business of making or selling home improvements.

The bill requires the Director of the Division of Consumer Affairs in the Department of Law and Public Safety to issue an identification badge upon application by the registered home improvement contractor. The identification badge must include a color photograph of the contractor's face, the contractor's name, the contractor's registration number, and the name of the contractor's business, displayed in a manner that will be plainly visible and permit recognition when worn by the contractor. The bill also provides that the identification badge shall include a statement clarifying that the badge is not for an electrical contractor, plumbing contractor or HVACR contractor license. The bill permits the director to charge the home improvement contractor a fee to cover the costs of the identification badge.

The amended bill requires a contractor whose registration has been suspended, revoked, or has not been renewed, to surrender, within 3 days of that suspension, revocation or nonrenewal, the identification badge to the director. Additionally, the bill provides that any person who knowingly exhibits or displays an identification badge and is not at that time registered as a contractor, including any contractor who has had his registration revoked, suspended, or not renewed, is guilty of a crime of the fourth degree.

This bill is intended to protect consumers from individuals fraudulently representing themselves as home improvement contractors when they are not properly registered under the "Contractors' Registration Act."

Committee Amendments

The committee amended the bill to provide that:

- the identification badge created pursuant to the bill shall include a statement clarifying that the badge is not for an electrical contractor, plumbing contractor or HVACR contractor license;

- a contractor whose registration has been suspended, revoked, or has not been renewed, shall, within 3 days of that suspension, revocation or nonrenewal, surrender the identification badge to the director; and

- a person who knowingly exhibits or displays an identification badge and is not at that time registered as a contractor, including any contractor who has had his registration revoked, suspended, or not renewed, is guilty of a crime of the fourth degree.

ASSEMBLY REGULATED PROFESSIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 2363

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 6, 2013

The Assembly Regulated Professions Committee reports favorably and with committee amendments Senate Bill No. 2363 (1R).

This bill, as amended, supplements the "Contractors' Registration Act" to require a home improvement contractor to have in his possession a State-issued identification badge whenever the contractor is performing, or engaging, or attempting to engage, in the business of making or selling home improvements. The identification badge shall be plainly visible, however, and worn on the upper left corner of his torso when the contractor is performing, or engaging, or attempting to engage, in the business of selling home improvements.

The bill requires the Director of the Division of Consumer Affairs in the Department of Law and Public Safety to issue, or cause to be issued, an identification badge upon application by the registered home improvement contractor. The identification badge must include a color photograph of the contractor's face, the contractor's name, the contractor's registration number, and the name of the contractor's business, displayed in a manner that will be plainly visible and permit recognition when worn by the contractor. The bill also provides that the identification badge shall include a statement clarifying that the badge is not for an electrical contractor, plumbing contractor or HVACR contractor license. The bill permits the director to charge the home improvement contractor a fee to cover the costs of the identification badge.

The bill requires a contractor whose registration has been suspended, revoked, or has not been renewed, to surrender, within 3 days of that suspension, revocation or nonrenewal, the identification badge to the director. Additionally, the bill provides that any person who knowingly exhibits or displays an identification badge and is not at that time registered as a contractor, including any contractor who has had his registration revoked, suspended, or not renewed, is guilty of a crime of the fourth degree.

COMMITTEE AMENDMENTS:

The amendments require that a contractor have in his possession, rather than wear, an identification badge, when performing, or engaging, or attempting to engage in the business of making home improvements. The amendments specify, however, that when a contractor is performing, or engaging, or attempting to engage, in the business of selling home improvements, that contractor's identification badge shall be plainly visible and worn on the upper left corner of his torso.

In addition, the amendments state that the Director of the Division of Consumer Affairs shall either issue, or cause to be issued, the personalized identification badges that are to be provided to contractors. The bill initially stipulated that the director would issue such identification badges.

Furthermore, the amendments provide that the bill shall take effect on the 365th day following the date of enactment, rather than on the first day of the fourth month next following the date of enactment.

This bill, as amended by the committee, is identical to Assembly Bill No. 4025 with amendments, which was also reported favorably today by the committee.

ASSEMBLY, No. 4025

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED APRIL 29, 2013

Sponsored by:

Assemblyman THOMAS P. GIBLIN

District 34 (Essex and Passaic)

Assemblyman JOSEPH CRYAN

District 20 (Union)

SYNOPSIS

Requires home improvement contractors to display State-issued identification badge; requires surrender in certain circumstances; imposes penalty for improper display of badge.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/7/2013)

1 AN ACT concerning home improvement contractors and
2 supplementing P.L.2004, c.16 (C.56:8-136 et seq.).

3

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

6

7 1. a. Every contractor required to register under the
8 “Contractors’ Registration Act” P.L.2004, c.16 (C.56:8-136 et seq.)
9 shall wear an identification badge, issued pursuant to subsection b.
10 of this section, whenever the contractor is performing, or engaging,
11 or attempting to engage, in the business of making or selling home
12 improvements. The identification badge shall be plainly visible and
13 worn on the upper left corner of his torso.

14 b. Upon the application of a registered contractor, the director
15 shall issue a personalized identification badge to the contractor.
16 The identification badge shall include a color photograph of the
17 contractor’s face, the contractor’s name, the contractor’s
18 registration number, and the name of the contractor’s business
19 displayed in a manner that will be plainly visible and permit
20 recognition when worn by the contractor. The badge shall include a
21 statement, written in such a way as to be plainly visible when worn
22 by the contractor, that the badge is not for an electrical contractor,
23 plumbing contractor or HVACR contractor license. The
24 identification badge shall be made in such a way and of such
25 material that any attempt to alter the badge will result in it being
26 immediately, permanently and obviously ruined. The photograph
27 included on the identification badge shall be taken no more than
28 four weeks before the date upon which the identification badge is
29 issued. A contractor shall apply for and obtain a new identification
30 badge at least once every six years.

31 c. The director may charge the contractor a reasonable fee to
32 cover the costs of the identification badge issued pursuant to this
33 section.

34 d. A contractor who has been issued an identification badge
35 pursuant to subsection b. of this section and whose registration has
36 been suspended, revoked, or has not been renewed, shall, within
37 three days of that suspension, revocation or nonrenewal, surrender
38 the identification badge to the director.

39 e. A person who knowingly exhibits or displays an
40 identification badge issued pursuant to subsection b. of this section
41 and is not at that time registered as a contractor pursuant to the
42 “Contractors’ Registration Act,” P.L.2004, c.16 (C.56:8-136 et
43 seq.), including any contractor who has had his registration
44 revoked, suspended, or not renewed, is guilty of a crime of the
45 fourth degree.

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47 2. This act shall take effect on the first day of the fourth month
48 next following the date of enactment.

STATEMENT

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This bill supplements the "Contractors' Registration Act" to require home improvement contractors to wear a State-issued identification badge whenever the contractor is performing, or engaging, or attempting to engage, in the business of making or selling home improvements.

The bill requires the Director of the Division of Consumer Affairs in the Department of Law and Public Safety to issue an identification badge upon application by the registered home improvement contractor. The identification badge must include a color photograph of the contractor's face, the contractor's name, the contractor's registration number, and the name of the contractor's business, displayed in a manner that will be plainly visible and permit recognition when worn by the contractor. The bill also provides that the identification badge shall include a statement clarifying that the badge is not for an electrical contractor, plumbing contractor or HVACR contractor license. The bill permits the director to charge the home improvement contractor a fee to cover the costs of the identification badge.

The bill requires a contractor whose registration has been suspended, revoked, or has not been renewed, to surrender, within 3 days of that suspension, revocation or nonrenewal, the identification badge to the director. Additionally, the bill provides that any person who knowingly exhibits or displays an identification badge and is not at that time registered as a contractor, including any contractor who has had his registration revoked, suspended, or not renewed, is guilty of a crime of the fourth degree.

This bill is intended to protect consumers from individuals fraudulently representing themselves as home improvement contractors when they are not properly registered under the "Contractors' Registration Act."

ASSEMBLY REGULATED PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4025

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 6, 2013

The Assembly Regulated Professions Committee reports favorably and with committee amendments Assembly Bill No. 4025.

This bill, as amended, supplements the "Contractors' Registration Act" to require a home improvement contractor to have in his possession a State-issued identification badge whenever the contractor is performing, or engaging, or attempting to engage, in the business of making or selling home improvements. The identification badge shall be plainly visible, however, and worn on the upper left corner of his torso when the contractor is performing, or engaging, or attempting to engage, in the business of selling home improvements.

The bill requires the Director of the Division of Consumer Affairs in the Department of Law and Public Safety to issue, or cause to be issued, an identification badge upon application by the registered home improvement contractor. The identification badge must include a color photograph of the contractor's face, the contractor's name, the contractor's registration number, and the name of the contractor's business, displayed in a manner that will be plainly visible and permit recognition when worn by the contractor. The bill also provides that the identification badge shall include a statement clarifying that the badge is not for an electrical contractor, plumbing contractor or HVACR contractor license. The bill permits the director to charge the home improvement contractor a fee to cover the costs of the identification badge.

The bill requires a contractor whose registration has been suspended, revoked, or has not been renewed, to surrender, within 3 days of that suspension, revocation or nonrenewal, the identification badge to the director. Additionally, the bill provides that any person who knowingly exhibits or displays an identification badge and is not at that time registered as a contractor, including any contractor who has had his registration revoked, suspended, or not renewed, is guilty of a crime of the fourth degree.

COMMITTEE AMENDMENTS:

The amendments require that a contractor have in his possession, rather than wear, an identification badge, when performing, or engaging, or attempting to engage in the business of making home improvements. The amendments specify, however, that when a contractor is performing, or engaging, or attempting to engage, in the business of selling home improvements, that contractor's identification badge shall be plainly visible and worn on the upper left corner of his torso.

In addition, the amendments state that the Director of the Division of Consumer Affairs shall either issue, or cause to be issued, the personalized identification badges that are to be provided to contractors. The bill initially stipulated that the director would issue such identification badges.

Furthermore, the amendments provide that the bill shall take effect on the 365th day following the date of enactment, rather than on the first day of the fourth month next following the date of enactment.

This bill, as amended by the committee, is identical to Senate Bill No. 2363 (1R) with amendments, which was also reported favorably today by the committee.