

# ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 600

AMENDMENT NO. A2  
(to be filled in by  
Principal Clerk)

H600-ABR-52 [v.3]

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Amends Title [NO]  
Fifth Edition

Date \_\_\_\_\_, 2023

Senator Johnson

1 moves to amend the bill on page 36, lines 18–19, by inserting between those lines:

2  
3 **"INCREASE THE PROJECT COST MINIMUM FOR APPLICABILITY OF GENERAL**  
4 **CONTRACTOR LICENSING REQUIREMENTS AND EXEMPT SIGN**  
5 **MANUFACTURING COMPANIES FROM GC LICENSING REQUIREMENT**

6 **SECTION 33.1.(a)** G.S. 87-1 reads as rewritten:

7 **"§ 87-1. "General contractor" defined; exceptions.**

8 (a) For the purpose of this Article any person or firm or corporation who for a fixed price,  
9 commission, fee, or wage, undertakes to bid upon or to construct or who undertakes to  
10 superintend or manage, on his own behalf or for any person, firm, or corporation that is not  
11 licensed as a general contractor pursuant to this Article, the construction of any building,  
12 highway, public utilities, grading or any improvement or structure where the cost of the  
13 undertaking is ~~thirty-four~~ thirty-four thousand dollars ~~(\$30,000)~~ (\$40,000) or more, or undertakes to erect  
14 a North Carolina labeled manufactured modular building meeting the North Carolina State  
15 Building Code, shall be deemed to be a "general contractor" engaged in the business of general  
16 contracting in the State of North Carolina.

17 (b) This section shall not apply to the following:

- 18 (1) Persons, firms, or corporations furnishing or erecting industrial equipment,  
19 power ~~plan~~ plant equipment, radial brick chimneys, and monuments.  
20 (2) Any person, firm, or corporation who constructs or alters a building on land  
21 owned by that person, firm, or corporation provided (i) the building is  
22 intended solely for occupancy by that person and his family, firm, or  
23 corporation after completion; and (ii) the person, firm, or corporation  
24 complies with G.S. 87-14. If the building is not occupied solely by the person  
25 and his family, firm, or corporation for at least 12 months following  
26 completion, it shall be presumed that the person, firm, or corporation did not  
27 intend the building solely for occupancy by that person and his family, firm,  
28 or corporation.  
29 (3) Any person engaged in the business of farming who constructs or alters a  
30 building on land owned by that person and used in the business of farming,  
31 when the building is intended for use by that person after completion.



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1           (4) Any person, firm, or corporation constructing, furnishing, or erecting signs,  
2           awnings, or related architectural features when the person, firm, or corporation  
3           is UL Certified."

4           **SECTION 33.1.(b)** G.S. 87-14 reads as rewritten:

5           "**§ 87-14. Regulations as to issue of building permits.**

6           (a) Any person, firm, or corporation, upon making application to the building inspector  
7           or other authority of any incorporated city, town, or county in North Carolina charged with the  
8           duty of issuing building or other permits for the construction of any building, highway, sewer,  
9           grading, or any improvement or structure where the cost is to be ~~thirty-four~~ thousand dollars  
10          (~~\$30,000~~)-(\$40,000) or more, shall, before being entitled to a permit, satisfy the following:

11          (1) Furnish satisfactory proof to the inspector or authority that the applicant  
12          seeking the permit or another person contracting to superintend or manage the  
13          construction is licensed under this Article to carry out or superintend the  
14          construction or is exempt from licensure under G.S. 87-1(b). If an applicant  
15          claims an exemption from licensure pursuant to G.S. 87-1(b)(2), the applicant  
16          for the building permit shall execute a verified affidavit attesting to the  
17          following:

- 18           a. That the applicant is the owner of the property on which the building  
19           is being constructed and, if the applicant is a firm or corporation, that  
20           the person submitting the application is an owner, officer, or member  
21           of the firm or corporation that owns the property.  
22           b. That the applicant will personally superintend and manage all aspects  
23           of the construction of the building and that the duty will not be  
24           delegated to any other person not licensed under this Article.  
25           c. That the applicant will be personally present for all inspections  
26           required by the North Carolina State Building Code, unless the plans  
27           for the building were drawn and sealed by an architect licensed  
28           pursuant to Chapter 83A of the General Statutes.

29          The building inspector or other authority shall transmit a copy of the affidavit  
30          to the Board, which shall verify that the applicant was validly entitled to claim  
31          the exemption under G.S. 87-1(b)(2). If the Board determines that the  
32          applicant was not entitled to claim the exemption under G.S. 87-1(b)(2), the  
33          building permit shall be revoked pursuant to G.S. 160D-1115.

34          (2) Furnish proof that the applicant has in effect Workers' Compensation  
35          insurance as required by Chapter 97 of the General Statutes.

36          ...

37          (a1) Any person, firm, or corporation, upon making application to the building inspector  
38          or other authority of any incorporated city, town, or county in North Carolina charged with the  
39          duty of issuing building permits pursuant to G.S. 160D-1110 for any improvements for which  
40          the combined cost is to be ~~thirty-four~~ thousand dollars (~~\$30,000~~)-(\$40,000) or more, other than  
41          for improvements to an existing single-family residential dwelling unit as defined in  
42          G.S. 87-15.5(7) that the owner occupies as a residence, or for the addition of an accessory  
43          building or accessory structure as defined in the North Carolina Uniform Residential Building

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1 Code, the use of which is incidental to that residential dwelling unit, shall be required to provide  
2 to the building inspector or other authority the name, physical and mailing address, telephone  
3 number, facsimile number, and email address of the lien agent designated by the owner pursuant  
4 to G.S. 44A-11.1(a).

5 ...."

6 **SECTION 33.1.(c)** G.S. 143-138(b5) reads as rewritten:

7 "(b5) Permit Exclusion for Certain Minor Activities. – No permit shall be required under  
8 the Code or any local variance thereof approved under subsection (e) for any construction,  
9 installation, repair, replacement, or alteration performed in accordance with the current edition  
10 of the North Carolina State Building Code and costing ~~twenty thousand dollars (\$20,000)~~ forty  
11 thousand dollars (\$40,000) or less in any single family residence, farm building, or commercial  
12 building unless the work involves any of the following:

- 13 (1) The addition, repair, or replacement of load bearing structures. However, no  
14 permit is required for replacements of windows, doors, exterior siding, or the  
15 pickets, railings, stair treads, and decking of porches and exterior decks that  
16 otherwise meet the requirements of this subsection.
- 17 (2) The addition or change in the design of plumbing. However, no permit is  
18 required for replacements otherwise meeting the requirements of this  
19 subsection that do not change size or capacity.
- 20 (3) The addition, replacement or change in the design of heating, air conditioning,  
21 or electrical wiring, appliances, or equipment, other than a like-kind  
22 replacement of electrical devices and lighting fixtures.
- 23 (4) The use of materials not permitted by the North Carolina State Building Code.
- 24 (5) The addition (excluding replacement) of roofing.
- 25 (6) Any changes to which the North Carolina Fire ~~Prevention~~ Code applies."

26 **SECTION 33.1.(d)** G.S. 143-138(b21) reads as rewritten:

27 "(b21) Exclusion for Certain Minor Activities in Commercial Buildings and Structures. – No  
28 permit shall be required under the Code or any local variance thereof approved under subsection  
29 (e) of this section for any construction, installation, repair, replacement, or alteration performed  
30 in accordance with the current edition of the North Carolina State Building Code costing ~~twenty~~  
31 ~~thousand dollars (\$20,000)~~ forty thousand dollars (\$40,000) or less in any commercial building  
32 or structure unless the work involves any of the activities described in subdivisions (1) through  
33 (6) of subsection (b5) of this section. For the purpose of determining applicability of permit  
34 exclusions for a commercial building or structure under this subsection, subsection (b5) of this  
35 section, and G.S. 160D-1110(c), cost is the total cost of work, including all building addition,  
36 demolition, alteration, and repair work, occurring on the property within 12 consecutive months."

37 **SECTION 33.1.(e)** G.S. 160D-1110(c) reads as rewritten:

38 "(c) No permit issued under Article 9 or 9C of Chapter 143 of the General Statutes is  
39 required for any construction, installation, repair, replacement, or alteration performed in  
40 accordance with the current edition of the North Carolina State Building Code costing ~~twenty~~  
41 ~~thousand dollars (\$20,000)~~ forty thousand dollars (\$40,000) or less in any single-family  
42 residence, farm building, or commercial building unless the work involves any of the following:

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- 1 (1) The addition, repair, or replacement of load-bearing structures. However, no  
2 permit is required for replacement of windows, doors, exterior siding, or the  
3 pickets, railings, stair treads, and decking of porches and exterior decks that  
4 otherwise meet the requirements of this subsection.
- 5 (2) The addition or change in the design of plumbing. However, no permit is  
6 required for replacements otherwise meeting the requirements of this  
7 subsection that do not change size or capacity.
- 8 (3) The addition, replacement, or change in the design of heating,  
9 air-conditioning, or electrical wiring, devices, appliances, or equipment, other  
10 than like-kind replacement of electrical devices and lighting fixtures.
- 11 (4) The use of materials not permitted by the North Carolina State Building Code.
- 12 (5) The addition (excluding replacement) of roofing."
- 13 (6) Any changes to which the North Carolina Fire ~~Prevention~~-Code applies."

14 **SECTION 33.1.(f)** G.S. 160D-1110(d) reads as rewritten:

15 "(d) A local government shall not ~~require~~ do any of the following:

- 16 (1) Require more than one building permit for the complete installation or  
17 replacement of any natural gas, propane gas, or electrical appliance on an  
18 existing structure when the installation or replacement is performed by a  
19 person licensed under G.S. 87-21 or G.S. 87-43. The cost of the building  
20 permit for such work shall not exceed the cost of any one individual trade  
21 permit issued by that local government, nor shall the local government  
22 increase the costs of any fees to offset the loss of revenue caused by this  
23 provision.
- 24 (2) Require more than one building permit for simultaneous projects at the time  
25 of the application located at the same address and subject to the North Carolina  
26 Residential Code."

27 **SECTION 33.1.(g)** G.S. 160D-1110(g) reads as rewritten:

28 "(g) No building permit shall be issued pursuant to subdivision (1) of subsection (a) of this  
29 section where the cost of the work is ~~thirty-four~~ thirty-four thousand dollars ~~(\$30,000)-(\$40,000)~~ or more,  
30 other than for improvements to an existing single-family residential dwelling unit as defined in  
31 G.S. 87-15.5(7) that the owner occupies as a residence, or for the addition of an accessory  
32 building or accessory structure as defined in the North Carolina Uniform Residential Building  
33 Code, the use of which is incidental to that residential dwelling unit, unless the name, physical  
34 and mailing address, telephone number, facsimile number, and electronic mail address of the lien  
35 agent designated by the owner pursuant to G.S. 44A-11.1(a) is conspicuously set forth in the  
36 permit or in an attachment thereto. The building permit may contain the lien agent's electronic  
37 mail address. The lien agent information for each permit issued pursuant to this subsection shall  
38 be maintained by the inspection department in the same manner and in the same location in which  
39 it maintains its record of building permits issued. Where the improvements to a real property  
40 leasehold are limited to the purchase, transportation, and setup of a manufactured home, as  
41 defined in G.S. 143-143.9(6), the purchase price of the manufactured home shall be excluded in  
42 determining whether the cost of the work is ~~thirty-four~~ thirty-four thousand dollars ~~(\$30,000)-(\$40,000)~~ or  
43 more."

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- 1           **SECTION 33.1.(h)** G.S. 44A-11.1(a) reads as rewritten:  
2           "(a) With regard to any improvements to real property to which this Article is applicable  
3 for which the costs of the undertaking are ~~thirty-four~~ thirty-four thousand dollars (~~\$30,000~~) (\$40,000) or  
4 more, either at the time that the original building permit is issued or, in cases in which no building  
5 permit is required, at the time the contract for the improvements is entered into with the owner,  
6 the owner shall designate a lien agent no later than the time the owner first contracts with any  
7 person to improve the real property. Provided, however, that the owner is not required to  
8 designate a lien agent for improvements to an existing single-family residential dwelling unit as  
9 defined in G.S. 87-15.5(7) that is occupied by the owner as a residence, or for the addition of an  
10 accessory building or accessory structure as defined in the North Carolina Uniform Residential  
11 Building Code, the use of which is incidental to that residence. The owner shall deliver written  
12 notice of designation to its designated lien agent by any method authorized in G.S. 44A-11.2(f),  
13 and shall include in its notice the street address, tax map lot and block number, reference to  
14 recorded instrument, or any other description that reasonably identifies the real property for the  
15 improvements to which the lien agent has been designated, and the owner's contact information.  
16 Designation of a lien agent pursuant to this section does not make the lien agent an agent of the  
17 owner for purposes of receiving a Claim of Lien on Real Property, a Notice of Claim of Lien  
18 upon Funds, a Notice of Subcontract, or for any purpose other than the receipt of notices to the  
19 lien agent required under G.S. 44A-11.2."  
20           **SECTION 33.1.(i)** G.S. 89D-12(c) reads as rewritten:  
21           "(c) A landscape contractor licensed under this Chapter is not required to be licensed as a  
22 general contractor under Article 1 of Chapter 87 of the General Statutes if the licensed landscape  
23 contractor is performing landscape construction or contracting work valued at an amount greater  
24 than ~~thirty-four~~ thirty-four thousand dollars (~~\$30,000~~) (\$40,000)."  
25           **SECTION 33.1.(j)** This section becomes effective October 1, 2023, and subsections  
26 (b) through (g) of this section apply to permit applications for construction, installation, repair,  
27 replacement, remodeling, renovation, or alteration projects submitted on or after that date."

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

**The official copy of this document, with signatures  
and vote information, is available in the  
Senate Principal Clerk's Office**