

FIRST REGULAR SESSION

# HOUSE BILL NO. 1348

## 103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CASTEEL.

2796H.02I

JOSEPH ENGLER, Chief Clerk

### AN ACT

To amend chapter 324, RSMo, by adding thereto sixteen new sections relating to registration of certain contractors, with penalty provisions.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 324, RSMo, is amended by adding thereto sixteen new sections, to be known as sections 324.800, 324.805, 324.810, 324.815, 324.820, 324.825, 324.830, 324.835, 324.1025, 324.1030, 324.1035, 324.1040, 324.1045, 324.1050, 324.1055, and 324.1060, to read as follows:

**324.800. As used in sections 324.800 to 324.835, the following terms mean:**

(1) "Division", the division of professional registration within the department of commerce and insurance;

(2) "Registrant", a roofing contractor that is granted a registration issued under sections 324.800 to 324.835. A registrant shall not be the individual or individuals comprising the ownership or management of the registration, except for a sole proprietor;

(3) "Roofing contracting", the business of constructing, reconstructing, altering, maintaining, and repairing roofs and waterproofing as related to roofing. The term "roofing contracting" shall not include:

(a) The demolition of a structure or the cleanup of construction waste and debris that contains roofing material; or

(b) Working under the direct supervision of a roofing contractor as an employee, day laborer, or contract laborer;

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15           (4) "Roofing contractor", a business entity, including a sole proprietor,  
16 partnership, limited liability company, or corporation incorporated or registered to do  
17 business under the laws of this state, that is engaged in roofing contracting;

18           (5) "Statewide registration", a valid registration issued under sections 324.800 to  
19 324.835 that allows a registrant to practice in any jurisdiction regardless of local  
20 requirements.

          324.805. 1. The division shall adopt, implement, rescind, amend, and administer  
2 such rules as may be necessary to carry out the provisions of sections 324.800 to 324.835.  
3 Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
4 under the authority delegated in this section shall become effective only if it complies  
5 with and is subject to all of the provisions of chapter 536 and, if applicable, section  
6 536.028. This section and chapter 536 are nonseverable and if any of the powers vested  
7 with the general assembly pursuant to chapter 536 to review, to delay the effective date,  
8 or to disapprove and annul a rule are subsequently held unconstitutional, then the grant  
9 of rulemaking authority and any rule proposed or adopted after August 28, 2025, shall  
10 be invalid and void.

11           2. For the purpose of sections 324.800 to 324.835, the division shall:

12           (1) Employ, within the limits of the appropriations for such purpose, employees  
13 as are necessary to carry out the provisions of sections 324.800 to 324.835;

14           (2) Exercise all administrative functions;

15           (3) Establish all applicable fees, set at an amount that shall not substantially  
16 exceed the cost of administering sections 324.800 to 324.835; and

17           (4) Deposit all fees collected under sections 324.800 to 324.835 by transmitting  
18 such funds to the department of revenue for deposit to the state treasury to the credit of  
19 the Missouri roofing contracting fund.

          324.810. The applicant for a roofing contractor registration shall satisfy the  
2 following requirements:

3           (1) Provide the following information:

4           (a) The full name of the applicant, including any name under which the  
5 applicant is doing business;

6           (b) The phone number, any email addresses and website addresses, and any  
7 other contact information of the applicant;

8           (c) The address of any office of the applicant, including any branch, satellite, or  
9 other office location other than the main office, where the applicant conducts business;  
10 and

11           (d) If the applicant is not an individual, the name and contact information of the  
12 individual completing the application on behalf of the applicant;

- 13           (2) Provide proof of liability insurance;  
14           (3) Have registered and maintained filings with the secretary of state to do  
15 business in this state;  
16           (4) Have obtained a sales tax license with the department of revenue and provide  
17 the tax identification number; and  
18           (5) Provide proof of workers' compensation insurance if required under chapter  
19 287.

          324.815. 1. Political subdivisions shall not be prohibited from establishing their  
2 own local requirements for roofing contractors but shall recognize a statewide  
3 registration for a registered roofing contractor in lieu of local requirements for the  
4 purposes of performing roofing contracting work or obtaining permits to perform such  
5 work within such political subdivision. No political subdivision shall require the holder  
6 of a statewide registration to obtain a local business or occupational license that requires  
7 the passage of any examination or the satisfaction of any special requirements to assess  
8 proficiency or mastery of roofing contracting. The holder of a statewide registration  
9 shall be deemed eligible to perform roofing contracting work and to obtain permits to  
10 perform such work from any political subdivision within the state of Missouri.

11           2. If a political subdivision does not recognize a statewide registration in lieu of  
12 local requirements for the purposes of performing roofing contracting work or  
13 obtaining permits to perform such work within the political subdivision, a registrant  
14 may file a complaint with the division. The division shall perform an investigation into  
15 the complaint, and if the division finds that the political subdivision failed to recognize a  
16 statewide registration in accordance with this section, the division shall notify the  
17 political subdivision that the political subdivision has violated the provisions of this  
18 section and has thirty days to comply with this section. If after thirty days the political  
19 subdivision still does not recognize a statewide registration, the division shall notify the  
20 director of the department of revenue, who shall withhold any moneys the noncompliant  
21 political subdivision would otherwise be entitled to from local sales tax, as defined in  
22 section 32.085, until the director has received notice from the division that the political  
23 subdivision is in compliance with this section. Upon the political subdivision coming  
24 into compliance with the provisions of this section, the division shall notify the director  
25 of the department of revenue, who shall disburse all funds held under this subsection.  
26 Moneys held by the director of the department of revenue under this subsection shall  
27 not be deemed to be state funds and shall not be commingled with any funds of the state.

          324.820. There is hereby created in the state treasury the "Missouri Roofing  
2 Contracting Fund", which shall consist of moneys collected under sections 324.800 to  
3 324.835. The state treasurer shall be custodian of the fund and may approve

4 disbursements from the fund in accordance with sections 30.170 and 30.180. Upon  
5 appropriation, moneys in the fund shall be used solely for the administration of sections  
6 324.800 to 324.835. The provisions of section 33.080 to the contrary notwithstanding,  
7 moneys in this fund shall not be transferred and placed to the credit of general revenue  
8 until the amount in the fund at the end of the biennium exceeds three times the amount  
9 of the appropriation from the fund for the preceding fiscal year. The amount, if any, in  
10 the fund that shall lapse is that amount in the fund that exceeds the appropriate multiple  
11 of the appropriations from the fund for the preceding fiscal year. The state treasurer  
12 shall invest moneys in the fund in the same manner as other funds are invested. Any  
13 interest and moneys earned on such investments shall be credited to the fund.

324.825. 1. Registrations issued under sections 324.800 to 324.835 shall be  
2 renewed once every five years. The division shall mail a renewal notice to the last  
3 known address of each registrant prior to the renewal date. Failure to provide the  
4 division with the information required for renewal or to pay the required fee after such  
5 notice shall result in the registration being declared inactive. The registrant shall not  
6 practice until he or she applies for reinstatement and pays the required fees. The  
7 registration shall be restored if the application for reinstatement is received within two  
8 years of the renewal date.

9 2. Upon request, the division may grant inactive status if the registrant:

10 (1) Does not hold itself out as possessing a registration required under sections  
11 324.800 to 324.835 in this state; and

12 (2) Does not maintain any continuing competency requirements established by  
13 the division.

324.830. 1. The division may refuse to issue or renew or may suspend any  
2 registration required under sections 324.800 to 324.835 for one or any combination of  
3 causes stated in subsection 4 of this section. The division shall notify the applicant in  
4 writing of the reasons for the refusal and shall advise the applicant of his or her right to  
5 file a complaint with the administrative hearing commission as provided by chapter 621.

6 2. The division shall publish via electronic media and update on a weekly basis a  
7 list of roofing contractors with valid statewide registration, a list of current enforcement  
8 actions against registrants, and the procedures for filing grievances against registrants.

9 3. The permitting authority of each political subdivision may suspend a roofing  
10 contractor's work in that political subdivision for a period of up to thirty days while a  
11 complaint is being forwarded by the permitting authority to the division for  
12 adjudication.

13 4. The division may cause a complaint to be filed with the administrative hearing  
14 commission as provided by chapter 621 against any registrant holding a registration

15 required by sections 324.800 to 324.835 or any person who has failed to renew or has  
16 surrendered his or her registration for any one or any combination of the following  
17 causes:

18 (1) The final adjudication and finding of guilty, or the entering of a plea of guilty  
19 or nolo contendere, in a criminal prosecution under the laws of any state, of the United  
20 States, or of any country for any offense directly related to the duties and  
21 responsibilities of the occupation, as set forth in section 324.012, regardless of  
22 whether a sentence is imposed;

23 (2) Use of fraud, deception, misrepresentation, or bribery in securing any  
24 registration issued under sections 324.800 to 324.835 or in obtaining permission to take  
25 any examination given or required under sections 324.800 to 324.835;

26 (3) Obtaining or attempting to obtain any fee, charge, tuition, or other  
27 compensation by fraud, deception, or misrepresentation;

28 (4) Incompetence, misconduct, gross negligence, fraud, misrepresentation, or  
29 dishonesty in the performance of the functions and duties of any profession regulated by  
30 sections 324.800 to 324.835;

31 (5) Violation of, or assisting or enabling any person to violate, any provision of  
32 sections 324.800 to 324.835 or any lawful rule adopted under sections 324.800 to  
33 324.835;

34 (6) Impersonation of any person holding a registration or allowing any person to  
35 use his or her registration;

36 (7) Final adjudication of a person as insane or incompetent by a court of  
37 competent jurisdiction;

38 (8) Assisting or enabling any person to practice or offer to practice any  
39 profession regulated by sections 324.800 to 324.835 who is not registered and currently  
40 eligible to practice under sections 324.800 to 324.835; or

41 (9) Issuance of a certificate of registration based upon a material mistake of fact.

42 5. After the filing of such complaint, the proceedings shall be conducted in  
43 accordance with the provisions of chapter 621. Upon a finding by the administrative  
44 hearing commission that the grounds provided in subsection 4 of this section for  
45 disciplinary action are met, the division may, singly or in combination, censure or place  
46 the person named in the complaint on probation with such terms and conditions as the  
47 division deems appropriate for a period not to exceed five years, or may suspend, for a  
48 period not to exceed three years, or revoke the registration.

49 6. An individual whose registration has been revoked shall wait at least one year  
50 from the date of revocation to apply for reregistration. Reregistration shall be at the

51 discretion of the division after compliance with all requirements of sections 324.800 to  
52 324.835 relative to the previous registration of the applicant.

324.835. 1. Any person who knowingly violates any provision of sections 324.800  
2 to 324.835 is guilty of a class B misdemeanor.

3 2. Any officer or agent of a corporation or member or agent of a partnership or  
4 association who knowingly and personally participates in or is an accessory to any  
5 violation of sections 324.800 to 324.835 is guilty of a class B misdemeanor.

6 3. The division may cause a complaint to be filed for any violation of sections  
7 324.800 to 324.835 in any court of competent jurisdiction and perform such other acts as  
8 may be necessary to enforce the provisions of sections 324.800 to 324.835.

324.1025. As used in sections 324.1025 to 324.1060, the following terms mean:

2 (1) "Accredited school", any educational institution that offers an associate's  
3 degree or higher degree in renewable energy technology or solar photovoltaic  
4 installation and that is accredited by the Accrediting Commission for Community  
5 and Junior Colleges, the Council on Occupational Education, or a certifying entity  
6 recognized by the division;

7 (2) "Certifying entity", the nongovernmental agency or association that certifies  
8 or registers individuals who have completed academic and training requirements or that  
9 accredits schools or programs;

10 (3) "Division", the division of professional registration within the department of  
11 commerce and insurance;

12 (4) "Qualified employee", a full-time employee of a solar contractor that meets a  
13 qualification in subsection 2 of section 324.1035;

14 (5) "Registrant", a solar contractor that is granted a registration issued under  
15 sections 324.1025 to 324.1060. A registrant shall not be the individual or individuals  
16 comprising the ownership or management of the registration, except for a sole  
17 proprietor;

18 (6) "Solar contracting", the business of installing, erecting, or maintaining solar  
19 energy systems;

20 (7) "Solar contractor", a business entity, including a sole proprietor,  
21 partnership, limited liability company, or corporation incorporated or registered to  
22 do business under the laws of this state, that is engaged in solar contracting;

23 (8) "Solar energy device", a device used to collect and convert solar energy into  
24 electricity or thermal energy, including photovoltaic cells or panels;

25 (9) "Solar energy system", a solar energy device to be installed on a residential  
26 building that has the primary purpose of providing for the collection and distribution of  
27 solar energy for the generation of electricity; that produces at least one kilowatt, and not

28 more than five megawatts, alternating current rated peak electricity; and that meets any  
29 criteria established by the public service commission;

30 (10) "Statewide registration", a valid registration issued under sections 324.1025  
31 to 324.1060 that allows a registrant to practice in any jurisdiction regardless of local  
32 requirements.

324.1030. 1. The division shall adopt, implement, rescind, amend, and  
2 administer such rules as may be necessary to carry out the provisions of sections  
3 324.1025 to 324.1060. Any rule or portion of a rule, as that term is defined in section  
4 536.010, that is created under the authority delegated in this section shall become  
5 effective only if it complies with and is subject to all of the provisions of chapter 536 and,  
6 if applicable, section 536.028. This section and chapter 536 are nonseverable and if any  
7 of the powers vested with the general assembly pursuant to chapter 536 to review, to  
8 delay the effective date, or to disapprove and annul a rule are subsequently held  
9 unconstitutional, then the grant of rulemaking authority and any rule proposed or  
10 adopted after August 28, 2025, shall be invalid and void.

11 2. For the purpose of sections 324.1025 to 324.1060, the division shall:

12 (1) Employ, within the limits of the appropriations for such purpose, employees  
13 as are necessary to carry out the provisions of sections 324.1025 to 324.1060;

14 (2) Exercise all administrative functions;

15 (3) Establish all applicable fees, set at an amount that shall not substantially  
16 exceed the cost of administering sections 324.1025 to 324.1060;

17 (4) Deposit all fees collected under sections 324.1025 to 324.1060 by transmitting  
18 such funds to the department of revenue for deposit to the state treasury to the credit of  
19 the Missouri solar contracting fund; and

20 (5) Approve or disapprove certifying entities and accredited schools for  
21 professions within the solar contracting industry included in the scope of sections  
22 324.1025 to 324.1060.

23 3. The division may terminate recognition of any certifying entity and any  
24 accredited school included in the scope of sections 324.1025 to 324.1060 following a  
25 subsequent review of the certification or registration procedures of that certifying entity.

324.1035. 1. The applicant for a solar contractor registration shall satisfy the  
2 following requirements:

3 (1) Provide the following information:

4 (a) The full name of the applicant, including any name under which the  
5 applicant is doing business;

6 (b) The phone number, any email addresses and website addresses, and any  
7 other contact information of the applicant;

(c) The address of any office of the applicant, including any branch, satellite, or other office location other than the main office, where the applicant conducts business; and

(d) The qualified employee's name and contact information along with the qualification of the qualified employee as provided by subsection 2 of this section;

(2) Provide proof of liability insurance;

(3) Have registered and maintained filings with the secretary of state to do business in this state;

(4) Have obtained a sales tax license with the department of revenue and provide the tax identification number; and

(5) Provide proof of workers' compensation insurance if required under chapter 287.

2. The applicant for a solar contractor registration shall have at least one qualified employee who continually meets at least one of the following requirements:

(1) Holds a residential and commercial photovoltaic systems certificate from Solar Energy International;

(2) Holds a photovoltaic installer specialist board certification or a solar heating installer board certification from the North American Board of Certified Energy Practitioners;

(3) Holds a PV system installer certification from UL Solutions' photovoltaic system installer program;

(4) Holds a certificate of completion from the Solar Ready Vets Network of the United States Department of Energy; or

(5) Holds an associate's degree or higher degree in a renewable energy technology or solar photovoltaic installation from an accredited school.

3. A qualified employee shall represent only one registrant at one time.

4. An electrical contractor holding a statewide license in good standing under sections 324.900 to 324.945 shall be automatically eligible for registration as a solar contractor upon notice to the division and shall be exempt from the requirements of paragraph (d) of subdivision (1) of subsection 1 of this section and of subsection 2 of this section. Any further requirements may be waived for electrical contractors holding a statewide license upon rules adopted by the division.

324.1040. 1. Political subdivisions shall not be prohibited from establishing their own local requirements for solar contractors but shall recognize a statewide registration for a registered solar contractor in lieu of local requirements for the purposes of performing solar contracting work or obtaining permits to perform such work within such political subdivision. No political subdivision shall require the holder of a



6 statewide registration to obtain a local business or occupational license that requires the  
7 passage of any examination or the satisfaction of any special requirements to assess  
8 proficiency or mastery of solar contracting. The holder of a statewide registration shall  
9 be deemed eligible to perform solar contracting work and to obtain permits to perform  
10 such work from any political subdivision within the state of Missouri.

11       2. If a political subdivision does not recognize a statewide registration in lieu of  
12 local requirements for the purposes of performing solar contracting work or obtaining  
13 permits to perform such work within the political subdivision, a registrant may file a  
14 complaint with the division. The division shall perform an investigation into the  
15 complaint, and if the division finds that the political subdivision failed to recognize a  
16 statewide registration in accordance with this section, the division shall notify the  
17 political subdivision that the political subdivision has violated the provisions of this  
18 section and has thirty days to comply with this section. If after thirty days the political  
19 subdivision still does not recognize a statewide registration, the division shall notify the  
20 director of the department of revenue, who shall withhold any moneys the noncompliant  
21 political subdivision would otherwise be entitled to from local sales tax, as defined in  
22 section 32.085, until the director has received notice from the division that the political  
23 subdivision is in compliance with this section. Upon the political subdivision coming  
24 into compliance with the provisions of this section, the division shall notify the director  
25 of the department of revenue, who shall disburse all funds held under this subsection.  
26 Moneys held by the director of the department of revenue under this subsection shall  
27 not be deemed to be state funds and shall not be commingled with any funds of the state.

28       3. If a political subdivision only recognizes the statewide registration for the  
29 purposes of performing solar contracting work, the political subdivision may use the  
30 Solar Automated Permit Processing Platform established by the United States  
31 Department of Energy for any safety and code compliance permits issued to registrants.

      324.1045. There is hereby created in the state treasury the "Missouri Solar  
2 Contracting Fund", which shall consist of moneys collected under sections 324.1025 to  
3 324.1060. The state treasurer shall be custodian of the fund and may approve  
4 disbursements from the fund in accordance with sections 30.170 and 30.180. Upon  
5 appropriation, moneys in the fund shall be used solely for the administration of sections  
6 324.1025 to 324.1060. The provisions of section 33.080 to the contrary notwithstanding,  
7 moneys in this fund shall not be transferred and placed to the credit of general revenue  
8 until the amount in the fund at the end of the biennium exceeds three times the amount  
9 of the appropriation from the fund for the preceding fiscal year. The amount, if any, in  
10 the fund that shall lapse is that amount in the fund that exceeds the appropriate multiple  
11 of the appropriations from the fund for the preceding fiscal year. The state treasurer

12 shall invest moneys in the fund in the same manner as other funds are invested. Any  
13 interest and moneys earned on such investments shall be credited to the fund.

324.1050. 1. Registrations issued under sections 324.1025 to 324.1060 shall be  
2 renewed once every five years. The division shall mail a renewal notice to the last  
3 known address of each registrant prior to the renewal date. Failure to provide the  
4 division with the information required for renewal or to pay the required fee after such  
5 notice shall result in the registration being declared inactive. The registrant shall not  
6 practice until he or she applies for reinstatement and pays the required fees. The  
7 registration shall be restored if the application for reinstatement is received within two  
8 years of the renewal date.

9 2. Upon request, the division may grant inactive status if the registrant:

10 (1) Does not hold itself out as possessing a registration required under sections  
11 324.1025 to 324.1060 in this state; and

12 (2) Does not maintain any continuing competency requirements established by  
13 the division.

324.1055. 1. The division may refuse to issue or renew or may suspend any  
2 registration required under sections 324.1025 to 324.1060 for one or any combination of  
3 causes stated in subsection 4 of this section. The division shall notify the applicant in  
4 writing of the reasons for the refusal and shall advise the applicant of his or her right to  
5 file a complaint with the administrative hearing commission as provided by chapter 621.

6 2. The division shall publish via electronic media and update on a weekly basis a  
7 list of solar contractors with valid statewide registration, a list of current enforcement  
8 actions against registrants, and the procedures for filing grievances against registrants.

9 3. The permitting authority of each political subdivision may suspend a solar  
10 contractor's work in that political subdivision for a period of up to thirty days while a  
11 complaint is being forwarded by the permitting authority to the division for  
12 adjudication.

13 4. The division may cause a complaint to be filed with the administrative hearing  
14 commission as provided by chapter 621 against any registrant holding a registration  
15 required by sections 324.1025 to 324.1060 or any person who has failed to renew or has  
16 surrendered his or her registration for any one or any combination of the following  
17 causes:

18 (1) The final adjudication and finding of guilty, or the entering of a plea of guilty  
19 or nolo contendere, in a criminal prosecution under the laws of any state, of the United  
20 States, or of any country for any offense directly related to the duties and  
21 responsibilities of the occupation, as set forth in section 324.012, regardless of  
22 whether a sentence is imposed;

23           (2) Use of fraud, deception, misrepresentation, or bribery in securing any  
24 registration issued under sections 324.1025 to 324.1060 or in obtaining permission to  
25 take any examination given or required under sections 324.1025 to 324.1060;

26           (3) Obtaining or attempting to obtain any fee, charge, tuition, or other  
27 compensation by fraud, deception, or misrepresentation;

28           (4) Incompetence, misconduct, gross negligence, fraud, misrepresentation, or  
29 dishonesty in the performance of the functions and duties of any profession regulated by  
30 sections 324.1025 to 324.1060;

31           (5) Violation of, or assisting or enabling any person to violate, any provision of  
32 sections 324.1025 to 324.1060 or any lawful rule adopted under sections 324.1025 to  
33 324.1060;

34           (6) Impersonation of any person holding a registration or allowing any person to  
35 use his or her registration;

36           (7) Final adjudication of a person as insane or incompetent by a court of  
37 competent jurisdiction;

38           (8) Assisting or enabling any person to practice or offer to practice any  
39 profession regulated by sections 324.1025 to 324.1060 who is not registered and  
40 currently eligible to practice under sections 324.1025 to 324.1060; or

41           (9) Issuance of a certificate of registration based upon a material mistake of fact.

42           5. After the filing of such complaint, the proceedings shall be conducted in  
43 accordance with the provisions of chapter 621. Upon a finding by the administrative  
44 hearing commission that the grounds provided in subsection 4 of this section for  
45 disciplinary action are met, the division may, singly or in combination, censure or place  
46 the person named in the complaint on probation with such terms and conditions as the  
47 division deems appropriate for a period not to exceed five years, or may suspend, for a  
48 period not to exceed three years, or revoke the registration.

49           6. An individual whose registration has been revoked shall wait at least one year  
50 from the date of revocation to apply for reregistration. Reregistration shall be at the  
51 discretion of the division after compliance with all requirements of sections 324.1025 to  
52 324.1060 relative to the previous registration of the applicant.

          324.1060. 1. Any person who knowingly violates any provision of sections  
2 324.1025 to 324.1060 is guilty of a class B misdemeanor.

3           2. Any officer or agent of a corporation or member or agent of a partnership or  
4 association who knowingly and personally participates in or is an accessory to any  
5 violation of sections 324.1025 to 324.1060 is guilty of a class B misdemeanor.

6           **3. The division may cause a complaint to be filed for any violation of sections**  
7 **324.1025 to 324.1060 in any court of competent jurisdiction and perform such other acts**  
8 **as may be necessary to enforce the provisions of sections 324.1025 to 324.1060.**

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