

Representative Cathy Tilton

Alaska State Legislature – House District 12



Sponsor Statement-HB81

HB81 – An Act relating to an exemption from the regulation of construction contractors

While other states in our nation are beginning to realize the benefits and necessity of constructing quality and energy efficient homes, residential construction in Alaska over the past twenty years has become a leader in innovation and affordability.

Following the housing market crash of the 1980's, the Alaska Legislature passed laws and standards raising the bar for homebuilders. Residential contractors were mandated to receive a state-licensed residential endorsement, bonding, and insurance. In addition, energy efficiency programs such as the Alaska Craftsman Home Program and energy ratings were established through the Alaska Housing Finance Corporation.

These efforts were successful. Alaska has become a home construction industry that offers many different quality options for buyers that are efficient and affordable.

But there are a growing number of individuals who have found exemptions in Alaska's statutes regarding requirements for licensing, bonding, and insurance. By avoiding licensing, bonding, and insurance requirements in the law, they are skirting the law and jeopardizing protections for consumers.

The exemption most commonly exploited is known as the "owner-builder exemption" in AS 08.18.161. Alaska law currently exempts anyone who wants to build their own home from contractor licensing requirements, but the wording of the exemption in statute creates an enforcement problem and allows abuse by those who are building homes for sale without the required state license.

The proposed bill would amend the law by removing the exemption for anyone who tries to construct homes for sale. In cases where an owner-builder finds that they need to sell their home for a legitimate reason, there is a provision for the Department of Labor to waive any enforcement action.

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