

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

January 25, 2024
Date

Committee on Business Affairs & Labor.

After consideration on the merits, the Committee recommends the following:

HB24-1083 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 2, line 4, strike "**Construction**" and substitute
2 "**Residential construction**".

3 Page 2, strike lines 7 and 8.

4 Reletter succeeding paragraphs accordingly.

5 Page 2, after line 11 insert:

6 "(b) "RESIDENTIAL CONSTRUCTION LIABILITY POLICY" MEANS AN
7 INSURANCE POLICY, INCLUDING A COMMERCIAL GENERAL LIABILITY
8 POLICY, AN ERRORS AND OMISSIONS POLICY, A DIRECTORS AND OFFICERS
9 POLICY, A CONTRACTOR-CONTROLLED INSURANCE PROGRAM, AN
10 OWNER-CONTROLLED INSURANCE PROGRAM, OR ANY OTHER INSURANCE
11 POLICY, WHETHER UNDERLYING, EXCESS, OR UMBRELLA, THAT MAY COVER
12 OCCURRENCES OF DAMAGE OR INJURY DURING THE POLICY PERIOD AND
13 THAT MAY INSURE A CONSTRUCTION PROFESSIONAL FOR LIABILITY ARISING
14 FROM RESIDENTIAL CONSTRUCTION-RELATED WORK, INCLUDING:

15 (I) WHEN A CONSTRUCTION PROFESSIONAL MAY BE ENTITLED TO
16 A DEFENSE OR INDEMNITY AS AN ADDITIONAL INSURED UNDER ANOTHER
17 CONSTRUCTION PROFESSIONAL'S LIABILITY INSURANCE POLICY; OR

18 (II) WHEN A CONSTRUCTION PROFESSIONAL MAY BE ENTITLED TO
19 A DEFENSE OR INDEMNITY AS AN ENROLLED CONSTRUCTION PROFESSIONAL
20 UNDER AN OWNER-CONTROLLED INSURANCE PROGRAM OR A
21 CONTRACTOR-CONTROLLED INSURANCE PROGRAM."

22 Reletter succeeding paragraphs accordingly.

- 1 Page 2, line 12, strike "HAS THE MEANING SET FORTH IN", and substitute
- 2 "MEANS A MULTIFAMILY RESIDENTIAL PROJECT, INCLUDING PROJECTS
- 3 WITH MORE THAN TWO ADJOINED UNITS OFFERED FOR INDIVIDUAL SALE."

- 4 Page 2, strike line 13.

- 5 Page 3, line 1, before "CONSTRUCTION" insert "RESIDENTIAL".

- 6 Page 3, line 4, before "CONSTRUCTION" insert "RESIDENTIAL PROPERTY
- 7 DEVELOPERS"

- 8 Page 3, line 6, strike "AT A MINIMUM:" and substitute "TO THE EXTENT
- 9 POSSIBLE:"

- 10 Page 3, line 7, before "CONSTRUCTION" insert "RESIDENTIAL".

- 11 Page 3, line 10, before "CONSTRUCTION" insert "RESIDENTIAL".

- 12 Page 3, line 11, strike "FIVE" and substitute "THREE".

- 13 Page 3, line 12, strike "FACTORS, CLASSIFICATIONS," and substitute
- 14 "CLASSIFICATIONS, LOSS COST MULTIPLIERS,"

- 15 Page 3, line 13, before "CONSTRUCTION" insert "RESIDENTIAL".

- 16 Page 3, line 17, after "PROJECTS;" add "AND".

- 17 Page 3, strike lines 18 and 19.

- 18 Reletter succeeding paragraphs accordingly.

- 19 Page 3, line 21, before "CONSTRUCTION" insert "RESIDENTIAL".

- 20 Page 3, line 26, strike "PROGRAM; AND" and substitute "PROGRAM."

- 21 Page 3, strike line 27.

- 22 Page 4, strike line 1.

- 23 Page 4, line 5, strike "ON OR BEFORE DECEMBER 31, 2026," and substitute
- 24 "WITHIN ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION,"

- 25 Page 4, line 6, strike "STUDY, INCLUDING THE COMMISSIONER'S FINDINGS

- 1 AND" and substitute "STUDY".
- 2 Page 4, strike lines 7 and 8.
- 3 Page 4, line 9, strike "APPROPRIATE,".
- 4 Page 4, after line 19 insert:
 - 5 "(7) THE COMMISSIONER IS NOT REQUIRED TO COMPLY WITH THE
 - 6 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, FOR THE
 - 7 PURPOSES OF THIS SECTION."
- 8 Renumber succeeding subsection accordingly.
- 9 Page 4, strike lines 21 through 27.
- 10 Strike pages 5 and 6.
- 11 Page 7, strike lines 1 through 23.
- 12 Renumber succeeding section accordingly.

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