
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1543 Session of
2013

INTRODUCED BY KILLION, MILLARD, SWANGER, COHEN, ELLIS, HACKETT,
MALONEY, KAUFFMAN, KORTZ, GINGRICH, REESE AND PYLE,
JUNE 18, 2013

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JUNE 18, 2013

AN ACT

1 Amending the act of October 17, 2008 (P.L.1645, No.132),
2 entitled "An act providing for the regulation of home
3 improvement contracts and for the registration of certain
4 contractors; prohibiting certain acts; and providing for
5 penalties," providing for the definition of "time and
6 materials"; and further providing for home improvement
7 contracts.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 2 of the act of October 17, 2008
11 (P.L.1645, No.132), known as the Home Improvement Consumer
12 Protection Act, is amended by adding a definition to read:

13 Section 2. Definitions.

14 The following words and phrases when used in this act shall
15 have the meanings given to them in this section unless the
16 context clearly indicates otherwise:

17 * * *

18 "Time and materials." A construction practice where the
19 contractor and owner agree that the contractor will perform the
20 home improvement and the owner will pay the contractor under the

1 home improvement contract based on the actual cost of labor at a
2 specified hourly rate and the actual costs of materials and use
3 of equipment, plus an agreed upon percentage of the total costs
4 or a fixed amount to cover the contractor's fee and overhead
5 costs reasonably incurred in the performance of the home
6 improvement.

7 Section 2. Section 7(a)(8) of the act is amended to read:

8 Section 7. Home improvement contracts.

9 (a) Requirements.--No home improvement contract shall be
10 valid or enforceable against an owner unless it:

11 * * *

12 (8) Includes the total sales price due under the
13 contract or includes a time and materials provision wherein
14 contractor and owner agree in writing to the performance of
15 the home improvement by the contractor and payment for the
16 home improvement by the owner, based on time and materials,
17 with the contractor's fee, whether a percentage of the total
18 costs or a fixed amount, being listed separately.

19 * * *

20 Section 3. This act shall take effect immediately.