

SENATE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 326 by Senator Abraham

1 AMENDMENT NO. 1

2 On page 1, line 2, after "To amend and reenact" delete the remainder of the line.

3 AMENDMENT NO. 2

4 On page 1, delete lines 3 through 5, and insert:

5 "R.S. 37:2150.1(3) through (24), 2152(A)(2), 2155(G)(3), 2156(K)(3), (M),
6 and (N), 2156.1(B)(1) and (D) through (J), 2156.2(B)(2), 2157(A)(15)(b), (17), and
7 (18), 2158(C) and (E), 2159.1, and 2164 (A), (B), and (I), to enact R.S. 37:21(B)(12)
8 and(13), 2150.1(25) through (28), 2152(A)(3), 2155 (G)(6) and (7), 2156(A)(3),
9 2156.1(K), 2156.4(D), 2158(A)(24) through (27) and (G), 2163.1, and 2164(L), and
10 to repeal R.S. 37:2157(A)(19),"

11 AMENDMENT NO. 3

12 On page 1, line 9, after "requirements;" insert "to provide for unfair or deceptive trade
13 practices;"

14 AMENDMENT NO. 4

15 On page 1, delete lines 13 through 17 and insert:

16 "Section 1. R.S. 37:2150.1(3) through (24), 2152(A)(2), 2155(G)(3),
17 2156(K)(3), (M), and (N), 2156.1(B)(1) and (D) through (J), 2156.2(B)(2),
18 2157(A)(15)(b), (17), and (18), 2158(C) and (E), 2159.1, and 2164 (A), (B), and (I)
19 are hereby amended and reenacted and R.S. 37:21(B)(12) and(13), 2150.1(25)
20 through (28), 2152(A)(3), 2155 (G)(6) and (7), 2156(A)(3), 2156.1(K), 2156.4(D),
21 2158(A)(24) through (27) and (G), 2163.1, and 2164(L) are hereby enacted to read
22 as follows:

23 §21. Limitations on disciplinary proceedings by professional or occupational boards
24 and commissions

25 * * *

26 B. The provisions of this Section shall not apply to the following:

27 * * *

28 **(12) Louisiana State Licensing Board for Contractors.**

29 **(13) Louisiana State Uniform Construction Code Commission.**

30 * * *"

31 AMENDMENT NO. 5

32 On page 2, line 4, delete "~~(3)~~" and insert "(3)"

33 AMENDMENT NO. 6

34 On page 2, line 7, change "~~(3)~~(4)" to "(4)"

35 AMENDMENT NO. 7

36 On page 5, line 26, after "dollars or more." insert "**A mechanical contractor who performs**
37 **plumbing work for which the project value is ten thousand dollars or more shall**
38 **possess a master plumber license issued by the State Plumbing Board of Louisiana.**"

1 AMENDMENT NO. 8

2 On page 6, line 18, after "sewer systems" delete "within" and insert "within for"

3 AMENDMENT NO. 9

4 On page 6, line 19, after "residential structure" insert ", including service lines,"

5 AMENDMENT NO. 10

6 On page 7, line 25, after "seven thousand five hundred dollars or more." insert "For the
7 purposes of residential roofing only, any structure or building that is primarily used
8 as a residence with no more than four separate dwellings incorporated into one
9 structure shall be considered a residential roofing project and subject to the same
10 licensure requirements."

11 AMENDMENT NO. 11

12 On page 8, between lines 27 and 28 insert:

13 "(3) Except as otherwise provided by law, all meetings of the board shall
14 be conducted in accordance with Robert's Rules of Order."

15 AMENDMENT NO. 12

16 On page 9, between lines 11 and 12, insert:

17 "(6)(a) If the board receives a complaint that is based on a license or rule
18 violation, no proceeding may be instituted after five years from the date of the
19 act or omission. This period may be interrupted by the filing of procedural
20 motions or suspended as provided in this Paragraph.

21 (b) The time period provided in this Paragraph shall be suspended
22 during the pendency of a legal action involving the licensee as a party or witness
23 if the complaint arises from the same facts giving rise to the legal action or
24 arises from the licensee's activities in the legal action.

25 (c) Notwithstanding the provisions of this Paragraph, in the event the
26 board finds that the public health, safety, or welfare imperatively requires
27 emergency action, the board may take emergency action and issue a summary
28 suspension in accordance with R.S. 49:977.3(C). For the purposes of this
29 Paragraph, "legal action" includes litigation, arbitration, mediation, an
30 administrative proceeding, or any other disciplinary proceeding.

31 (7) The board shall use special counsel to conduct disciplinary
32 proceedings and prosecute violations at regular or special meetings whenever
33 deemed necessary and shall also use special hearing officers at the board's
34 discretion. These proceedings shall be in accordance with R.S. 49:975 et seq.
35 The provisions of this Paragraph shall not limit the special counsel to only
36 matters of a disciplinary proceeding provided the board's general counsel shall
37 not prosecute cases."

38 AMENDMENT NO. 13

39 On page 9, between lines 12 and 13, insert:

40 "A. * * *

41 (3) Failure to meet all requirements of licensure shall result in denial of
42 the application of an applicant or any principal. An applicant may appeal the
43 denial in the following order:

44 (a) An applicant shall first appeal the denial to the board upon request
45 at the next regular meeting of the board.

46 (b) Following the final decision of the board pursuant to Subparagraph
47 (a) of this Paragraph, an applicant may appeal the final decision of the board
48 to the Nineteenth Judicial District Court."

1
2 AMENDMENT NO. 14

3 On page 9, line 18, change "**four percent**" to "**two percent**"

4 AMENDMENT NO. 15

5 On page 10, line 26, after "D." insert:

6 **"Notwithstanding any other provision of law to the contrary, criminal**
 7 **background information in the possession of the State Licensing Board for**
 8 **Contractors shall be confidential and shall not be disclosed to any person**
 9 **outside of the agency, except as necessary for action on the application of the**
 10 **applicant. However, any such record may be released to the public in an**
 11 **administrative proceeding before the board, and any final determination made**
 12 **by the board relative to the fitness of any person to receive or to continue to**
 13 **hold a license issued by the board and any legal ground upon which such**
 14 **determination is based shall be a public record as provided by R.S. 44:4(51).**
 15 **The provisions of this Subsection shall not to be construed to interfere or limit**
 16 **the jurisdiction and oversight of the Louisiana Legislative Auditor or the**
 17 **Louisiana State Inspector General.**
 18 **E."**

19 AMENDMENT NO. 16

20 On page 11, line 4, delete "E.(1)" and insert "**F.(1)**"

21 AMENDMENT NO. 17

22 On page 11, line 19, delete the asterisks and insert:

23 **" (4) The policy shall list the board as a certificate holder.**
 24 **(5) Coverage shall be for a minimum of six months and shall include all**
 25 **scopes of work for which they are licensed.**

26 ~~F.(1)~~**G.(1)** Notwithstanding any other provision of law to the contrary, any
 27 residential home improvement or mold remediation licensee in good standing with
 28 the board for not less than one consecutive year may apply to transfer the license to
 29 an inactive status.

30 (2) An inactive licensee shall follow the same renewal requirements as an
 31 active licensee as provided in this Chapter, including the payment of fees, with the
 32 exception of the submission of current insurance certificates.

33 (3) An inactive licensee shall be required to fulfill all prescribed continuing
 34 education requirements established for active licensees.

35 (4) A licensee may request transfer from inactive status to active status at any
 36 time, if:

37 (a) The inactive license has been renewed as provided for in this Section.
 38 (b) The inactive license is current at the time the request is received by the
 39 board.

40 (c) The licensee submits the required insurance certificates as provided in
 41 Subsection E of this Section.

42 ~~G. H.~~ Before a license is issued, a mold remediation license applicant shall
 43 be required to furnish evidence to the board that he has satisfactorily completed at
 44 least twenty-four hours of training in mold remediation and basic mold assessment.

45 ~~H.(1)~~**I.(1)** Mechanical, plumbing, and electrical contractors licensed pursuant
 46 to the provisions of this Section are excluded from local, municipal, or parish
 47 regulatory authority examination procedures and may bid and perform work within
 48 any local jurisdiction upon paying all appropriate fees.

49 (2) The purpose of this Subsection is to preempt local, municipal, or parish
 50 regulatory examination authority for statewide-licensed mechanical, plumbing, or
 51 electrical contractors bidding and performing work in multiple jurisdictions. The
 52 preemption shall further exclude the employees of statewide-licensed electrical and
 53 mechanical contractors from local, municipal, or parish regulatory examination or

1 certification authority as a condition to performing work for the statewide-licensed
2 electrical or mechanical contractor.

3 ~~I.(1)~~**J.(1)** Any plumbing contractor who currently holds a Master Plumber
4 License from the State Plumbing Board of Louisiana shall be exempt from any trade
5 examination requirement.

6 (2) Nothing in this Section shall be construed to permit plumbing contractors
7 to perform plumbing work without first complying with the licensure provisions of
8 Chapter 16 of this Title, R.S. 37:1361 et seq.

9 ~~J. K.~~ The board may consolidate, add, or remove subclassifications or
10 specialties by rule as it deems appropriate."

11 AMENDMENT NO. 18

12 On page 12, delete lines 2 and 3, and insert:

13 **"D. For purposes of residential roofing only, any structure or building**
14 **used as a residence and containing no more than four separate dwelling units**
15 **with a single structure shall be considered a residential roofing project and shall**
16 **be subject to the same licensure requirements."**

17 AMENDMENT NO. 19

18 On page 12, between lines 12 and 13, insert:

19 "(17) Any person performing work as a subcontractor for a residential
20 construction license holder, except for electrical, mechanical, plumbing, mold
21 remediation, water wells, asbestos, or hazardous materials scopes of work. **The**
22 **subcontractor shall contract directly with the residential license holder."**

23 AMENDMENT NO. 20

24 On page 12, delete lines 28 and 29.

25 AMENDMENT NO. 21

26 On page 13, delete line 1, and insert:

27 **"(24) Failure to comply with the provisions of the Louisiana**
28 **Underground Utilities and Facilities Damage Prevention Law, R.S. 40:1749.11**
29 **et seq.**

30 **(25) Damaging or altering the property of any person with the intent to**
31 **induce that person to enter into a contract.**

32 **(26) Failure to pay for materials or services rendered in connection with**
33 **operating as a contractor when the contractor has received sufficient funds as**
34 **payment for the construction work, project, or operation for which the services**
35 **or materials were rendered or purchased.**

36 **(27) Making a material misrepresentation of fact in any application for**
37 **a permit required by state, municipal, or parochial law."**

38 AMENDMENT NO. 22

39 On page 13, between lines 9 and 10, insert:

40
41 "E. Any party to the proceeding who is aggrieved by the action of the board
42 may appeal the decision in accordance with the Administrative Procedure Act, R.S.
43 49:950 et seq. **Any party aggrieved by a final decision or order of the board in**
44 **an adjudication proceeding may appeal the action of the board by filing a**
45 **petition within thirty days of the final decision or order in the Nineteenth**
46 **Judicial District Court. Upon request by the aggrieved party for a stay of**
47 **enforcement or effect of the board's order pending review, the aggrieved party's**
48 **request for stay shall be set by the court for hearing with no less than ten days'**
49 **prior written notice to the board or the attorney representing the board. After**

hearing the request for stay, the court shall determine whether to stay the final order or decision of the board pending review of the appeal. Upon making its determination, the court shall then enter an order accordingly.

* * *

AMENDMENT NO. 23

On page 13, line 19, before "The following" insert "A."

AMENDMENT NO. 24

On page 13, delete line 20, and insert:

"(1) Interpreting insurance policy provisions regarding coverage or duties under an insured's property insurance policy or advertising or soliciting such services. A contractor shall be considered to have violated the provisions of this Paragraph if a person working on behalf of the contractor including but not limited to a compensated employee or a nonemployee who is compensated by the contractor violates the provisions of this Paragraph.

(2) Adjusting a property insurance claim on behalf of an insured as a public adjuster, as defined in R.S. 22:1692, or advertising or soliciting such services. A contractor shall be considered to have violated the provisions of this Paragraph if a person working on behalf of the contractor, including but not limited to a compensated employee or a nonemployee who is compensated by the contractor, violates the provisions of this Paragraph."

AMENDMENT NO. 25

On page 14, delete line 2, and insert:

"(4) Sharing in any legal fee earned by an attorney.

(5) Requiring an insured to sign an attorney representation agreement on behalf of an attorney.

(6) Accepting a fee, commission, or other valuable consideration, regardless of form or amount, in exchange for a referral by the person or company to an attorney or law firm.

(7) Advertising or soliciting as insurance claims specialists.

(8) Advertising or soliciting as providing any insurance claim or policy interpretation related services to an insured.

(9) Assignment of benefits.

B. For the purposes of this Section, "assignment agreement" means any instrument by which post-loss benefits under a residential or commercial property insurance policy, including but not limited to any right of action against the insurer or any proceeds acquired from the insurer, are assigned, transferred, or otherwise acquired, in whole or in part, to or from a person providing services, including but not limited to inspecting, protecting, repairing, restoring, or replacing the property or mitigating against further damage to the property.

C.(1) No person shall solicit or accept an assignment, in whole or in part, of any post-loss insurance benefit under a residential or commercial property insurance policy. Any such assignment agreement shall be against public policy and void.

(2) The provisions of Paragraph (1) of this Subsection shall not apply to any of the following:

(a) An assignment, transfer, pledge, or conveyance granted to a federally insured financial institution, mortgagee, or subsequent purchaser of the property.

(b) Liability coverage under a residential or commercial property insurance policy.

D. Any violation of Subsection C of this Section shall constitute an unfair or deceptive trade practice and subject the violator to any action and penalty pursuant to R.S. 22:1969.

1 E. The provisions of Civil Code Article 2652 shall not apply to this
2 Section.

3 F. Nothing in this Section shall be construed to prohibit an attorney from
4 collecting a contingency fee, pursuant to R.S. 37:218 and the Rules of
5 Professional Conduct of the Louisiana State Bar Association, for an action
6 related to a property insurance claim.

7 * * *

8 §2163.1. Records and evidence; civil subpoenas

9 The board's papers, documents, reports, or evidence related to the
10 subject of an investigation in accordance with this Chapter shall not be subject
11 to disclosure until the completion of the investigation. Such papers, documents,
12 reports, or evidence relative to the subject of an investigation in accordance
13 with this Chapter shall not be subject to subpoena until the investigation has
14 concluded and any violations have been adjudicated at a hearing before the
15 board, unless a court of competent jurisdiction determines the agency and the
16 person who is the subject of the investigation would not be necessarily hindered
17 by such subpoena. Board personnel shall not be subject to subpoena for a civil
18 action by any court of this state to testify concerning any matter of which they
19 have knowledge pursuant to a pending investigation. Nothing in this Section
20 shall be construed to interfere with or limit the jurisdiction and oversight of the
21 Louisiana Legislative Auditor or the Louisiana State Inspector General."

22 AMENDMENT NO. 26

23 On page 14, line 7, after "violation." delete the remainder of the line.

24 AMENDMENT NO. 27

25 On page 14, line 8, delete "attorney fees for each offense." and insert "**For violations of this**
26 **Chapter for which a value cannot be determined or does not apply, the violator shall**
27 **be liable to the board for a fine of not more than ten thousand dollars. In addition to**
28 **the fine, the board may impose administrative costs and attorney fees for each offense."**

29 AMENDMENT NO. 28

30 On page 14, between lines 24 and 25, insert:

31 **"L. A licensee shall maintain a current email address on file with the**
32 **board for purposes of receiving all board correspondence, including but not**
33 **limited to notices, actions, and requests for information. Such correspondence**
34 **shall be considered received upon receipt of an email delivery confirmation by**
35 **the board."**