

Regular Session, 2014

SENATE BILL NO. 66

BY SENATOR MILLS

COMMERCIAL REGULATIONS. Provides relative to the Louisiana State Board of Home Inspectors. (8/1/14)

1 AN ACT
2 To amend and reenact R.S. 37:1475(10) and to enact R.S. 37:1455(A)(36), relative to home
3 inspections; to prohibit certain persons from recommending or referring a specific
4 home inspector; to provide for the scope of practice of home inspectors; to provide
5 for certain terms, conditions, and procedures; and to provide for related matters.
6 Be it enacted by the Legislature of Louisiana:
7 Section 1. R.S. 37:1475(10) is hereby amended and reenacted and R.S.
8 37:1455(A)(36) is hereby enacted to read as follows:
9 §1455. Causes for censure, suspension, or revocation of license, registration, or
10 certification
11 A. The commission may censure a licensee, registrant, or certificate holder
12 or conditionally or unconditionally suspend or revoke any license, registration, or
13 certificate issued under this Chapter, levy fines or impose civil penalties not to
14 exceed five thousand dollars, or impose continuing education requirements on
15 licensees, registrants, or certificate holders if, in the opinion of the commission, a
16 licensee, registrant, or certificate holder is performing or attempting to perform or
17 has performed or has attempted to perform any of the following acts:

* * *

(36) Referring or recommending a specific home inspector. However, a licensee, registrant, or certificate holder may, upon request, provide a list of licensed home inspectors that has been prepared by the Louisiana State Board of Home Inspectors.

* * *

§1475. Powers and duties of the board

The board shall:

* * *

(10) Adopt minimum standards of practice for home inspectors. **The minimum standards of practice for home inspectors adopted by the board shall include the requirement that home inspectors inspect the residential resale building for mold and include in the home inspection the presence of any suspected or actual mold, when such suspected or actual mold is discoverable by a visual inspection only without the use of any additional tools, apparatus, or disassembly and without disturbance of building materials or property.**

* * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ducharme.

DIGEST

Mills (SB 66)

Present law provides that the La. Real Estate Commission may censure a licensee, registrant, or certificate holder or conditionally or unconditionally suspend or revoke any license, registration, or certificate issued under the La. Real Estate License Law, levy fines or impose civil penalties not to exceed \$5,000, or impose continuing education requirements on licensees, registrants, or certificate holders if, in the opinion of the commission, a licensee, registrant, or certificate holder is performing or attempting to perform or has performed or has attempted to perform certain acts.

Proposed law provides that a licensee, registrant, or certificate holder shall be subject to the provisions of present law if such licensee, registrant, or certificate holder refers or recommends a specific home inspector.

Proposed law provides that a licensee, registrant, or certificate holder may, upon request, provide a list of licensed home inspectors that has been prepared by the La. State Board of Home Inspectors.

Present law provides for the regulation of home inspectors.

Present law requires the board to adopt minimum standards of practice for home inspectors.

Proposed law retains present law and provides that the minimum standards of practice for home inspectors adopted by the board shall include the requirement that home inspectors inspect the residential resale building for mold and include in the home inspection the presence of any suspected or actual mold, when such suspected or actual mold is discoverable by a visual inspection only without the use of any additional tools, apparatus, or disassembly and without disturbance of building materials or property.

Effective August 1, 2014.

(Amends R.S. 37:1475(10); adds R.S. 37:1455(A)(36))