SLS 18RS-787 ORIGINAL

2018 Regular Session

SENATE BILL NO. 482

BY SENATOR RISER

CONTRACTORS. Provides relative to licensed mechanical contractors. (8/1/18)

1	AN ACT
2	To amend and reenact R.S. 37:1361(F)(1)(b)(i), 1377(I) and (J) and to enact R.S.
3	37:1361(F)(3), 1367(J)(3) and 1377(K)(3), relative to mechanical contractors; to
4	provide relative to scope of practice; to provide for exceptions; to provide for certain
5	terms and conditions; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 37:1361(F)(1)(b)(i), 1377(I) and (J) are hereby amended and
8	reenacted and R.S. 37:1361(F)(3), 1367(J)(3), and 1377(K)(3) are hereby enacted to read as
9	follows:
10	§1361. State Plumbing Board, appointments; qualifications; legislative intent;
11	authority
12	* * *
13	F.(1) * * *
14	(b) Nothing in Subparagraph (a) of this Paragraph shall be construed to
15	supersede any of the following:
16	(i) The authority of the State Licensing Board for Contractors to regulate
17	mechanical contractors as defined in R.S. 37:2150.1, including mechanical

1	contractors classified under the heating, air conditioning, ventilation, duct
2	work, and refrigeration subclassification of mechanical contractors pursuant
3	to R.S. 37:2156.2.
4	* * *
5	(3) Notwithstanding any provision of law to the contrary, the provisions
6	of this Subsection shall not apply to work performed by a person who is licensed
7	by the State Licensing Board for Contractors as a mechanical contractor or any
8	service or work performed pursuant to such license. The provisions of this
9	Paragraph shall apply to a licensed mechanical contractor who is either:
10	(a) Engaged or who seeks to engage in the business of heating, air
11	conditioning, ventilation, duct work, and refrigeration.
12	(b) Classified under the heating, air conditioning, ventilation, duct work,
13	and refrigeration subclassification of mechanical contractors pursuant to R.S.
14	<u>37:2156.2.</u>
15	* * *
16	§1367. License required; tradesman, journeyman, and master plumber; medical gas
17	piping installer; medical gas and vacuum systems verifier; water
18	supply protection specialist endorsement; gas fitter and master gas
19	fitter; local examination preempted
20	* * *
21	J. * * *
22	(3) Notwithstanding any provision of law to the contrary, the provisions
23	of Paragraph (1) of this Subsection shall not apply to the work performed by a
24	mechanical contractor licensed by the State Licensing Board for Contractors
25	or any service or work performed pursuant to such license. The provisions of
26	this Paragraph shall apply to a licensed mechanical contractor who is either:
27	(a) Engaged or who seeks to engage in the business of heating, air
28	conditioning, ventilation, duct work, and refrigeration.
29	(b) Classified under the heating, air conditioning, ventilation, duct work,

1	and refrigeration subclassification of mechanical contractors pursuant to R.S.
2	<u>37:2156.2.</u>
3	* * *
4	§1377. Definitions; exceptions
5	* * *
6	I. Gas Fitter. A "gas fitter" includes any natural person who possesses the
7	necessary qualifications and knowledge to install, alter, repair, improve, remove, or
8	test natural gas piping, tanks, and appliances annexed to real property but does not
9	include either of the following:
10	(1) any Any person who is licensed by the Louisiana Liquefied Petroleum
11	Gas Commission or any services or work performed pursuant to such a license.
12	(2) Any person or business entity that is licensed by the State Licensing
13	Board for Contractors as a mechanical contractor or any service or work
14	performed pursuant to such a license. The provisions of this Paragraph shall
15	apply to a licensed mechanical contractor who is either:
16	(a) Engaged or seeks to engage in the business of heating, air
17	conditioning, ventilation, duct work, and refrigeration.
18	(b) Classified under the heating, air conditioning, ventilation, duct work,
19	and refrigeration subclassification of mechanical contractors pursuant to R.S.
20	<u>37:2156.2.</u>
21	J. Master Gas Fitter. A "master gas fitter" includes any natural person who
22	possesses the necessary skills, abilities, proficiency, and qualifications to plan and
23	lay out the details for installing and supervising the work of installing, repairing, and
24	maintaining types of materials and equipment used for the construction, repair,
25	removal, or improvement to natural gas piping systems and tanks annexed to real
26	property but does not include either of the following:
27	(1) any Any person who is licensed by the Louisiana Liquefied Petroleum
28	Gas Commission or any services or work performed pursuant to such a license.
29	(2) Any person or business entity that is licensed by the State Licensing

1	board for Contractors as a mechanical contractor of any service of work
2	performed pursuant to such a license. The provisions of this Paragraph shall
3	apply to a licensed mechanical contractor who is either:
4	(a) Engaged or seeks to engage in the business of heating, air
5	conditioning, ventilation, duct work, and refrigeration.
6	(b) Classified under the heating, air conditioning, ventilation, duct work
7	and refrigeration subclassification of mechanical contractors pursuant to R.S
8	<u>37:2156.2.</u>
9	K. Gas Fitting. "Gas fitting" means the work or business of installing
10	repairing, improving, altering, or removing natural gas piping, fittings, valves, or
11	tanks used for conveying fuel gas for appliances on or in premises or in buildings
12	annexed to real property. For purposes of this Chapter, gas fitting does not include
13	the following:
14	* * *
15	(3) Any person or business entity that is licensed by the State Licensing
16	Board for Contractors as a mechanical contractor or any service or work
17	performed pursuant to such a license. The provisions of this Paragraph shall
18	apply to a licensed mechanical contractor who is either:
19	(a) Engaged or who seeks to engage in the business of heating, air
20	conditioning, ventilation, duct work, and refrigeration.
21	(b) Classified under the heating, air conditioning, ventilation, duct work
22	and refrigeration subclassification of mechanical contractors pursuant to R.S
23	<u>37:2156.2.</u>
	The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ridge.

DIGEST
SB 482 Original 2018 Regular Session

Riser

<u>Present law</u> authorizes the State Plumbing Board to license any person or regulated business entity who is engaged or who seeks to engage in the business of gas fitting for the general public that includes installation, repair, improvement, alterations, or removal of natural gas piping, tanks, and appliances annexed to real property.

<u>Present law</u> shall not be construed to supersede the authority of the State Licensing Board for Contractors to regulate mechanical contractors.

<u>Proposed law</u> specifies that the <u>present law</u> exemption shall include mechanical contractors classified under the heating, air conditioning, ventilation, duct work, and refrigeration subclassification of mechanical contractors.

<u>Proposed law</u> provides that <u>present law</u> shall not apply to work performed by a person who is licensed by the State Licensing Board for Contractors as a mechanical contractor or any service or work performed pursuant to such license. <u>Proposed law</u> shall apply to a licenced mechanical contractor who is: (1) engaged or seeks to engage in the business of heating, air conditioning, ventilation, duct work, and refrigeration; or (2) classified under the heating, air conditioning, ventilation, duct work, and refrigeration subclassification of mechanical contractors.

Present law defines "gas fitter", "master gas fitter", and "gas fitting."

<u>Proposed law</u> exempts from <u>present law</u> definitions any person or business entity that is licensed by the State Licensing Board for Contractors as a mechanical contractor or any service or work performed pursuant to such a license. <u>Proposed law</u> shall apply to a licenced mechanical contractor who is: (1) engaged or seeks to engage in the business of heating, air conditioning, ventilation, duct work, and refrigeration; or (2) classified under the heating, air conditioning, ventilation, duct work, and refrigeration subclassification of mechanical contractors.

Effective August 1, 2018.

(Amends 37:1361(F)(1)(b)(i), 1377(I) and (J); adds R.S. 37:1361(F)(3), 1367(J)(3) and 1377(K)(3))