SLS 18RS-787

2018 Regular Session

SENATE BILL NO. 482

BY SENATOR RISER

CONTRACTORS. Provides relative to licensed mechanical contractors. (6/10/18)

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; to provide for an effective date; and to provide for related
6	matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 37:1361(F)(1)(b)(i), 1377(I) and (J) are hereby amended and
9	reenacted and R.S. $37:1361(F)(3)$ , $1367(J)(3)$ , and $1377(K)(3)$ are hereby enacted to read as
10	follows:
11	§1361. State Plumbing Board, appointments; qualifications; legislative intent;
12	authority
13	* * *
14	F.(1) * * *
15	(b) Nothing in Subparagraph (a) of this Paragraph shall be construed to
16	supersede any of the following:
17	(i) The authority of the State Licensing Board for Contractors to regulate

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Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	mechanical contractors as defined in R.S. 37:2150.1, including mechanical
2	contractors classified under the heating, air conditioning, ventilation, duct
3	work, and refrigeration subclassification of mechanical contractors pursuant
4	to R.S. 37:2156.2.
5	* * *
6	(3) Notwithstanding any provision of law to the contrary, the provisions
7	of this Subsection shall not apply to any service or work performed by a person
8	who is licensed by the State Licensing Board for Contractors as a mechanical
9	contractor or any service or work performed pursuant to such license. The
10	provisions of this Paragraph shall apply to a licensed mechanical contractor
11	who is either:
12	(a) Engaged or who seeks to engage in the business of heating, air
13	conditioning, ventilation, duct work, and refrigeration.
14	(b) Classified under the heating, air conditioning, ventilation, duct work,
15	and refrigeration subclassification of mechanical contractors pursuant to R.S.
16	<u>37:2156.2.</u>
17	* * *
18	§1367. License required; tradesman, journeyman, and master plumber; medical gas
19	piping installer; medical gas and vacuum systems verifier; water
20	supply protection specialist endorsement; gas fitter and master gas
21	fitter; local examination preempted
22	* * *
23	J. * * *
24	(3) Notwithstanding any provision of law to the contrary, the provisions
25	of Paragraph (1) of this Subsection shall not apply to any service or the work
26	performed by a mechanical contractor licensed by the State Licensing Board for
27	Contractors or any service or work performed pursuant to such license. The
28	provisions of this Paragraph shall apply to a licensed mechanical contractor
29	who is either:

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

Page 3 of 5 Coding: Words which are <del>struck through</del> are deletions from existing law; words in **boldface type and underscored** are additions.

1	(1) any Any person who is licensed by the Louisiana Liquefied Petroleum
2	Gas Commission or any services or work performed pursuant to such a license.
3	(2) Any person or business entity that is licensed by the State Licensing
4	Board for Contractors as a mechanical contractor or any service or work
5	performed pursuant to such a license. The provisions of this Paragraph shall
6	apply to a licensed mechanical contractor who is either:
7	(a) Engaged or seeks to engage in the business of heating, air
8	conditioning, ventilation, duct work, and refrigeration.
9	(b) Classified under the heating, air conditioning, ventilation, duct work,
10	and refrigeration subclassification of mechanical contractors pursuant to R.S.
11	<u>37:2156.2.</u>
12	K. Gas Fitting. "Gas fitting" means the work or business of installing,
13	repairing, improving, altering, or removing natural gas piping, fittings, valves, or
14	tanks used for conveying fuel gas for appliances on or in premises or in buildings
15	annexed to real property. For purposes of this Chapter, gas fitting does not include
16	the following:
17	* * *
18	(3) Any person or business entity that is licensed by the State Licensing
19	Board for Contractors as a mechanical contractor or any service or work
20	performed pursuant to such a license. The provisions of this Paragraph shall
21	apply to a licensed mechanical contractor who is either:
22	(a) Engaged or who seeks to engage in the business of heating, air
23	conditioning, ventilation, duct work, and refrigeration.
24	(b) Classified under the heating, air conditioning, ventilation, duct work,
25	and refrigeration subclassification of mechanical contractors pursuant to R.S.
26	<u>37:2156.2.</u>
27	Section 2. This Act shall become effective on June 10, 2018.

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

SB 482 Engrossed

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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 any service or 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 June 10, 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))

## Summary of Amendments Adopted by Senate

<u>Committee Amendments Proposed by Senate Committee on Commerce, Consumer</u> <u>Protection, and International Affairs to the original bill</u>

- 1. Makes Act effective June 10, 2018.
- 2. Makes technical changes.