SLS 18RS-787 REENGROSSED

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),(J), and the introductory paragraph
3	of (K) and to enact R.S. 37:1361(F)(3), 1367(J)(3) and 1377(K)(3), relative to
4	mechanical contractors; to provide relative to scope of practice; to provide for
5	exceptions; to provide for certain terms and conditions; to provide for an effective
6	date; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 37:1361(F)(1)(b)(i), 1377 (I),(J), and the introductory paragraph of
9	(K) are hereby amended and reenacted and R.S. 37:1361(F)(3), 1367(J)(3), and 1377(K)(3)
10	are hereby enacted to read as 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

1	mechanical contractors as defined in R.S. 37:2150.1, including mechanical
2	contractors classified under the heat, air conditioning, ventilation, duct work,
3	and refrigeration subclassification of mechanical contractors pursuant to R.S.
4	<u>37:2156.2</u> .
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 heat, air
13	conditioning, ventilation, duct work, and refrigeration.
14	(b) Classified under the heat, 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 heat, air
2	conditioning, ventilation, duct work, and refrigeration.
3	(b) Classified under the heat, 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 immovable property
12	but does not 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 heat, air conditioning,
20	ventilation, duct work, and refrigeration.
21	(b) Classified under the heat, 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	immovable property but does not include either of the following:

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 heat, air conditioning,
8	ventilation, duct work, and refrigeration.
9	(b) Classified under the heat, 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 immovable property. For purposes of this Chapter, gas fitting does
16	not include 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 heat, air
23	conditioning, ventilation, duct work, and refrigeration.
24	(b) Classified under the heat, 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 was prepared by Michelle D. Ridge. The following digest, which does not constitute a part of the legislative instrument, was prepared by Cathy Wells.

DIGEST 2018 Regular Session

SB 482 Reengrossed

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 heat, 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 heat, air conditioning, ventilation, duct work, and refrigeration; or (2) classified under the heat, 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 heat, air conditioning, ventilation, duct work, and refrigeration; or (2) classified under the heat, air conditioning, ventilation, duct work, and refrigeration subclassification of mechanical contractors.

Effective June 10, 2018.

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

Summary of Amendments Adopted by Senate

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

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

Senate Floor Amendments to engrossed bill

1. Legislative bureau technical changes.

Page 5 of 5