

2023 Regular Session

HOUSE BILL NO. 74

BY REPRESENTATIVE THOMAS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COMMERCIAL REGULATIONS: Provides relative to home inspectors

1 AN ACT

2 To amend and reenact R.S. 37:1477(C)(6) and 1478(B), relative to home inspectors; to
3 provide with respect to criminal background checks for home inspector applicants;
4 to change the time period within which a home inspector is prohibited from
5 providing repairs after a home inspection; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 37:1477(C)(6) and 1478(B) are hereby amended and reenacted to
8 read as follows:

9 §1477. Qualifications for licensure; application; fees

10 * * *

11 C. An applicant for licensure as a home inspector shall meet the following
12 requirements:

13 * * *

14 ~~(6) Submission of a criminal background request form to the office of state~~
15 ~~police.~~ Proof of payment for, and submission of, a criminal background check
16 performed by the state police from any state in which the applicant has resided
17 within the five-year period prior to beginning the application process.

18 * * *

1 §1478. Written reports; solicitation prohibited

2 * * *

3 B. ~~No licensed home inspector shall, from the time of the inspection until the~~
4 ~~date of the act of sale on the home inspected, advertise or solicit to perform repair~~
5 ~~services on any item listed in the inspection report or any other type of service on the~~
6 ~~home upon which he has performed a home inspection. For a period of one year~~
7 ~~following the date of a home inspection, neither the home inspector nor any company~~
8 ~~or firm with which the home inspector is affiliated, shall solicit to repair, replace, or~~
9 ~~upgrade or repair, replace, or upgrade for compensation any system or component~~
10 ~~of the home that the home inspector noted in the home inspection report as deficient,~~
11 ~~in need of repair or replacement, or unsafe.~~

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 74 Original

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Thomas

Abstract: Provides with respect to criminal background checks and solicitation for home inspectors.

Present law requires home inspector applicants to submit a criminal background check request form to the office of state police.

Proposed law requires home inspector applicants to submit a proof of payment for, and submission of, a criminal background check performed by state police of any state where the applicant has resided within the five-year period before application of license.

Present law prohibits home inspectors from advertising to perform or providing repairs on a home from the time of the home inspection until the date of sale.

Proposed law prohibits for one year after a home inspection a home inspector or his affiliate from soliciting to repair, replace, or upgrade, or repairing, replacing, or upgrading for compensation any system or component of a home that was the subject of the home inspector's report and cited as deficient, in need of repair or replacement, or unsafe.

(Amends R.S. 37:1477(C)(6) and 1478(B))