

GREEN SHEET REDIGEST

HB 74

2023 Regular Session

Thomas

COMMERCIAL REGULATIONS: Provides relative to home inspectors.

DIGEST

Present law requires the Louisiana Bureau of Criminal Identification and Information (bureau) to make available upon request any information contained in the criminal history record and identification files of the bureau to certain groups.

Proposed law retains present law and includes that the La. State Board of Home Inspectors (board) may request criminal history records from the bureau.

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 any company or firm with which the home inspector is an employee, owner, or independent contractor 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. 15:587(A)(1)(a) and R.S. 37:1478(B))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Add that the Louisiana Bureau of Criminal Identification and Information makes available upon request any information contained in the criminal history record and identification files of the bureau to the Louisiana State Board of Home Inspectors.
2. Expand upon the requirements of home inspector licensees in obtaining a criminal history record request.
3. Authorize the Louisiana State Board of Home Inspectors to request and obtain state and national criminal history record information from the Louisiana Bureau of Criminal Identification and Information and the FBI for any person who is licensed or registered, who is applying to be licensed or registered as a home inspector, or who is an employee of the board.
4. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Delete technical amendment.
2. Delete proposed law that would make sending fingerprints to the board mandatory.
3. Delete proposed law that provides that the board is entitled to the criminal history records of the bureau for any home inspector licensee, prospective licensee, or

employee of the board. Delete that the bureau may charge a fee, as specified in present law, to the board, who may impose all such fees on the applicant.

4. Delete proposed law that requires the submission of and payment of all fees associated with a criminal history record request from an applicant.
5. Restore present law that requires home inspector applicants to submit a criminal background check request form to the office of state police.
6. Make technical changes.

Summary of Amendments Adopted by Senate

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

1. Prohibits for one year after a home inspection a company or firm with which the home inspector is an employee, owner, or independent contractor from soliciting to repair, replace, or upgrade, or repairing, replacing, or upgrading for compensation any system or component of a home that was subject of the home inspector's report and cited as deficient, in need of repair or replacement, or unsafe.
2. Changes the application on the one year prohibition to solicit certain jobs within one year of a home inspection from a company or firm with which a home inspector is affiliated to a company or firm with which a home inspector is an employee, owner, or independent contractor.