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## DIGEST

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HB 1197 Original

2026 Regular Session

Riser

**Abstract:** Provides for penalties and administrative fines for plumbers who violate the law or rules and regulations.

Present law provides for penalties for violations of present law, including administrative fines for a person who performs plumbing work while not possessing a license or endorsement issued in accordance with present law. Proposed law gives discretion to the State Plumbing Bd. to also assess administrative fines of not less than \$500 nor more than \$5000 per violation against any person or employing entity for violations of present law or rules and regulations adopted pursuant to present law.

Proposed law provides that an administrative fine issued pursuant to proposed law may be assessed for each separate violation, shall not require the filing of a consumer complaint, shall be imposed only after notice and an opportunity for hearing, and shall be independent of any criminal prosecution.

Present law allows the State Plumbing Bd. to revoke, suspend, or refuse to renew a license or endorsement issued by the State Plumbing Bd. on certain grounds. Proposed law adds to present law that the State Plumbing Bd. may refuse to issue a license or endorsement or to issue cease-and-desist orders to, assess administrative fines to, or otherwise discipline a licensee or applicant subject to the jurisdiction of the board.

Present law provides grounds for which disciplinary measures may be imposed, including any of the following:

- (1) Conviction of a felony.
- (2) Falsification of any material portion of a licensee's application or other requisite submission to the board; including but not limited to insurance, work, training, or experience verifications.
- (3) The habitual performance of the work of either a residential plumber limited, journeyman plumber, or a master plumber which is substantially below the standards established by the La. Dept. of Health (LDH) or any of its agencies or offices, or the habitual performance of work of a medical gas installer or medical gas and vacuum systems verifier not in compliance with regulations of the state fire marshal or related local governmental codes.

- (4) The refusal of a master plumber, after notice from the board, to accurately designate an employment entity in his application, his renewal, or upon any change in employment status with an employing entity.
- (5) The habitual practice of a master plumber to knowingly allow any employing entity to hold itself out as engaging in the business of plumbing at a time when the employing entity does not employ the master plumber as designated to the board.
- (6) The habitual practice of a residential plumber limited, journeyman plumber, master plumber, medical gas piping installer, or holder of a water supply protection specialist endorsement to knowingly allow any person not licensed by the board to perform plumbing work, medical gas piping installation, or the work of a water supply protection specialist, except as otherwise authorized by present law.
- (7) The violation of municipal or other local plumbing codes not otherwise preempted by present law or related regulations as evidenced by adjudication before local governing authorities.
- (8) The habitual violation by a master plumber, journeyman plumber, residential plumber limited, apprentice plumber, medical gas piping installer, medical gas and vacuum systems verifier, or holder of a water supply protection specialist endorsement of the rules and regulations adopted by the board.
- (9) The habitual violation of any rules or regulations adopted by the board by a gas fitter or master gas fitter.
- (10) The violation of any municipal code, any other code adopted by the board related to gas fitting not otherwise preempted by present law, or any other related regulation as evidenced by an adjudication from a local governing authority.
- (11) The refusal of a master gas fitter to accurately designate an employing entity or provide notice of any change in employment with an employing entity.

Proposed law changes those grounds for disciplinary measures in present law to provide for discipline for any of the following:

- (1) Conviction of a felony related to the practices regulated by proposed law.
- (2) Falsification of any material portion of a licensee's application or other submission to the board.
- (3) The performance of work regulated by proposed law which is below the standards established by the LDH or any of its agencies or offices, the state fire marshal, applicable adopted codes, or board regulations.
- (4) Failure of a master plumber, master gas fitter, or other licensee required by proposed law to

designate or maintain an employing entity, or to provide written notice to the board of any change in employment status.

- (5) The practice of a master plumber to knowingly allow any employing entity to hold itself out as engaging in the business of plumbing at a time when the employing entity does not employ the master plumber as designated to the board.
- (6) The practice of any licensee to knowingly allow any person not licensed by the board to perform work regulated by proposed law, except as otherwise authorized in proposed law.
- (7) A final determination of the violation of any applicable municipal or adopted code related to plumbing or gas fitting by any local government entity.
- (8) Violation of any provision of proposed law or any rules adopted pursuant to proposed law.
- (9) Past inability of the applicant or licensee to lawfully and competently engage in work regulated pursuant to proposed law, as demonstrated by prior documented violations of proposed law, adjudicated violations of applicable codes, or prior disciplinary actions by another governmental authority.
- (10) Any dishonest, fraudulent, deceptive, or grossly negligent act committed in the course of performing work regulated by proposed law or in communications with the board.
- (11) Abandoning regulated work or failing to perform any regulated work undertaken by a licensee without justification.
- (12) Final disciplinary action, including disqualification, suspension, revocation, consent order, or other restriction of a license imposed by another state or governmental entity, including but not limited to the State Licensing Bd. for Contractors, shall constitute grounds for disciplinary action by this board.
- (13) Failure to maintain any qualification required for licensure pursuant to proposed law.
- (14) Representing, advertising, publishing, or otherwise holding oneself out as licensed or endorsed by the board when not in possession of a valid license or endorsement issued pursuant to proposed law.
- (15) Performing any work regulated by proposed law without proper licensure.

(Amends R.S. 37:1374(C) and 1378(A); Adds R.S. 37:1374(D))