

Regular Session, 2013

HOUSE BILL NO. 594

BY REPRESENTATIVE GIROD JACKSON

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

CONTRACTORS: Allows the transfer of qualified parties from one licensed contractor to another

1 AN ACT

2 To amend and reenact R.S. 37:2156.1(D)(1) and 2156.2(B), relative to the licensure of
3 contractors; to provide for qualifying party; to provide for transfer of employment;
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 37:2156.1(D)(1) and 2156.2(B) are hereby enacted to read as
7 follows:

8 §2156.1. Requirements for issuance of a license

9 * * *

10 D.(1) The applicant for licensure shall designate a qualifying party who shall
11 be the legal representative for the contractor relative to the provisions of this
12 Chapter. The designated qualifying party shall complete an application supplied by
13 the board. The board may deny approval of the qualifying party for good cause,
14 which may include the ability of the proposed principal owner or owners, principal
15 shareholder or shareholders, or qualifying party to engage in the business of
16 contracting as demonstrated by his prior contracting business experience. Evidence
17 which may be considered by the board shall be limited to any legal proceedings
18 against the qualifying party or businesses where the qualifying party was in a
19 position of control at the time a problem arose and the ultimate disposition of such
20 proceedings, any financial history of bankruptcies, unpaid judgments, insolvencies,

1 or any similar evidence. When the qualifying party terminates employment with the
 2 licensee, the board shall be notified in writing within thirty days of the disassociation
 3 and another qualifying party must qualify within sixty days. The qualifying party,
 4 who has successfully completed the required examination and is in good standing
 5 with the board, and who is transferring association from one licensed contractor to
 6 another licensed contractor shall be entitled to transfer his association without having
 7 to retake the examination required by R.S. 37:2156.1(B) upon written notification
 8 to the board within thirty days of the original disassociation. The qualifying party
 9 or parties are:

- 10 (a) Any individual contractor or copartner.
- 11 (b) Any employee of said applicant who has been in full-time employment
 12 for one hundred twenty consecutive days immediately preceding the application.
 13 Such employee shall not be allowed to be the qualifying party for more than one
 14 company and two subsidiaries.
- 15 (c) Any stockholder of a corporation who was an original incorporator or
 16 original stockholder as shown in the articles of incorporation.

17 * * *

18 §2156.2. Major categories; subclassifications; specialty classifications; requirements
 19 for contractors holding major classification to perform mechanical, electric,
 20 or plumbing work

21 * * *

22 B.(1) Any contractor who holds a major classification which permits that
 23 contractor to bid mechanical or electrical work, prior to the performance of such
 24 work under his license, shall designate a qualifying party to successfully pass the
 25 standardized nationally recognized test administered by the board for the work to be
 26 performed. All time limitations shall be waived and any designated qualifying party
 27 who has successfully completed the examination shall not be required to retake the
 28 examination.

