1

ACT No. 297

HOUSE BILL NO. 1068

BY REPRESENTATIVES LOPINTO AND WILLMOTT

2	To amend and reenact R.S. 37:1371(A), 1372, 1373(A), and 1374(B) and to enact R.S.
3	37:1361(F), 1366(J), 1367(J), 1368(J), 1377(I) through (K), and 1378(A)(9) through
4	(11), relative to the regulation of gas fitting; to clarify and restrict the authority of the
5	the State Plumbing Board; to restrict municipal and local regulatory authorities; to
6	provide for fees; to provide for duties of the board; to regulate licensure of gas fitters
7	and master gas fitters; to provide for exceptions; to provide for inspections; to
8	provide for injunctions; to provide for penalties; to provide for definitions; to provide
9	for violations; and to provide for related matters.
10	Be it enacted by the Legislature of Louisiana:
11	Section 1. R.S. 37:1371(A), 1372, 1373(A), and 1374(B) are hereby amended and
12	reenacted and R.S. 37:1361(F), 1366(J), 1367(J), 1368(J), 1377(I) through (K), and
13	1378(A)(9) through (11) are enacted to read as follows:
14	§1361. State Plumbing Board, appointments; qualifications; legislative intent;
15	authority
16	* * *
17	F.(1)(a) The board shall be the sole and exclusive agency in this state
18	empowered to license any natural person or regulated business entity who is engaged
19	or who seeks to engage in the business of gas fitting work for the general public that
20	includes installation, repair, improvement, alterations, or removal of natural gas
21	piping, tanks, and appliances annexed to real property.
22	(b) Nothing in Subparagraph (a) of this Paragraph shall be construed to
23	supersede any of the following:

AN ACT

Page 1 of 7

regulate gas fitter installations pursuant to R.S. 40:1846. (c) The board is authorized to promulgate rules and regulations fitting, and those rules and regulations shall preempt any conflictions. (2)(a) Notwithstanding any provision of a home rule chart the provisions of this Section shall preempt any municipal or other sexamination authority relative to gas fitters and master gas fitters. (b) No municipal or other local regulatory authority shall fitter or master gas fitter to apply for or to maintain any gas fit fitter's license, or any equivalent thereof, as a condition to perform in any municipality or other local jurisdiction unless that gas fit fitter's license is issued by the board. (c) A municipality or other local regulatory authority may locally adopted fees and charges relative to gas fitting work, as 37:1377, that is performed in their respective jurisdictions but or licensed pursuant to R.S. 37:1368. * * * * J.(1) It is the duty of the board to assure that gas fitting work and shall require by persons who have proven knowledge of and skill in the gas fitting work and shall require performing work as a gas fitter or master gas fitter shall possess a the board. (3) The board shall adopt rules and regulations waiving requirements imposed on persons performing gas fitting work.	(i) The authority of the State Licensing Board for Contractors to regulate
regulate gas fitter installations pursuant to R.S. 40:1846. (c) The board is authorized to promulgate rules and regulations fitting, and those rules and regulations shall preempt any conflictions. (2)(a) Notwithstanding any provision of a home rule charted the provisions of this Section shall preempt any municipal or other sexamination authority relative to gas fitters and master gas fitters. (b) No municipal or other local regulatory authority shall fitter or master gas fitter to apply for or to maintain any gas fit fitter's license, or any equivalent thereof, as a condition to perform in any municipality or other local jurisdiction unless that gas fit fitter's license is issued by the board. (c) A municipality or other local regulatory authority may. In the locally adopted fees and charges relative to gas fitting work, as 37:1377, that is performed in their respective jurisdictions but or licensed pursuant to R.S. 37:1368. ** * * J.(1) It is the duty of the board to assure that gas fitting work and shall require by persons who have proven knowledge of and skill in the gas fitting work and shall require performing work as a gas fitter or master gas fitter shall possess a the board. (3) The board shall adopt rules and regulations waiving requirements imposed on persons performing gas fitting work.	nechanical contractors as defined in R.S. 37:2150.1.
(c) The board is authorized to promulgate rules and regulations fitting, and those rules and regulations shall preempt any conflicting. (2)(a) Notwithstanding any provision of a home rule charted the provisions of this Section shall preempt any municipal or other local regulatory authority shall fitter or master gas fitters. (b) No municipal or other local regulatory authority shall fitter or master gas fitter to apply for or to maintain any gas fitters in any municipality or other local jurisdiction unless that gas fitters in any municipality or other local jurisdiction unless that gas fitters license is issued by the board. (c) A municipality or other local regulatory authority may locally adopted fees and charges relative to gas fitting work, as 37:1377, that is performed in their respective jurisdictions but or licensed pursuant to R.S. 37:1368. 19 10 11 12 13 14 15 16 17 17 18 18 19 19 20 21 21 22 23 24 25 26 27 27 28 28 29 29 19 10 10 10 10 10 10 10 10 1	(ii) The authority of the Louisiana Liquefied Petroleum Gas Commission to
fitting, and those rules and regulations shall preempt any confliction (2)(a) Notwithstanding any provision of a home rule charts the provisions of this Section shall preempt any municipal or other examination authority relative to gas fitters and master gas fitters. (b) No municipal or other local regulatory authority shall fitter or master gas fitter to apply for or to maintain any gas fitter in any municipality or other local jurisdiction unless that gas fitter's license, or any equivalent thereof, as a condition to perform in any municipality or other local jurisdiction unless that gas fit fitter's license is issued by the board. (c) A municipality or other local regulatory authority may be locally adopted fees and charges relative to gas fitting work, as 37:1377, that is performed in their respective jurisdictions but or licensed pursuant to R.S. 37:1368. ** * * J.(1) It is the duty of the board to assure that gas fitting work as a gas fitter or master gas fitter shall possess a the board. (2) The board shall adopt tests of qualifications to be performing work as a gas fitter or master gas fitter shall possess a the board. (3) The board shall adopt rules and regulations waiving requirements imposed on persons performing gas fitting work.	egulate gas fitter installations pursuant to R.S. 40:1846.
the provisions of this Section shall preempt any municipal or othe examination authority relative to gas fitters and master gas fitters. (b) No municipal or other local regulatory authority shall fitter or master gas fitter to apply for or to maintain any gas fit fitter's license, or any equivalent thereof, as a condition to perform in any municipality or other local jurisdiction unless that gas fit fitter's license is issued by the board. (c) A municipality or other local regulatory authority may. (c) A municipality or other local regulatory authority may. Icoally adopted fees and charges relative to gas fitting work, as 37:1377, that is performed in their respective jurisdictions but or licensed pursuant to R.S. 37:1368. ** * J.(1) It is the duty of the board to assure that gas fitting work by persons who have proven knowledge of and skill in the gas fitt (2) The board shall adopt tests of qualifications to be persons actually engaged in gas fitting work and shall require performing work as a gas fitter or master gas fitter shall possess a the board. (3) The board shall adopt rules and regulations waiving requirements imposed on persons performing gas fitting work	(c) The board is authorized to promulgate rules and regulations related to gas
the provisions of this Section shall preempt any municipal or other examination authority relative to gas fitters and master gas fitters. (b) No municipal or other local regulatory authority shall fitter or master gas fitter to apply for or to maintain any gas fit fitter's license, or any equivalent thereof, as a condition to perform in any municipality or other local jurisdiction unless that gas fit fitter's license is issued by the board. (c) A municipality or other local regulatory authority may. (c) A municipality or other local regulatory authority may. (d) A municipality or other local regulatory authority may. (e) A municipality or other local regulatory authority may. (g) A municipality or other local regulatory authority may. (g) A municipality or other local regulatory authority may. (g) A municipality or other local regulatory authority may. (g) A municipality or other local regulatory authority may. (g) The board in their respective jurisdictions but or (g) Silvential in their respective jurisdictions but or (h) Silvential in the gas fitting work as a gas fitter or master that gas fitting work as a gas fitter or master gas fitter shall possess a gas fitter or master gas fitter shall possess a gas fitter or master gas fitter shall possess a gas fitter or master gas fitter shall possess a gas fitter or master gas fitter shall possess a gas fitter or master gas fitter shall possess a gas fitter or master gas fitter shall possess a gas fitter or master gas fitter shall possess a gas fitter or master gas fitter shall possess a gas fitter or master gas fitter shall possess a gas fitter shall gas fitting work and shall adopt rules and regulations waiving requirements imposed on persons performing gas fitting work	itting, and those rules and regulations shall preempt any conflicting local laws.
examination authority relative to gas fitters and master gas fitters. (b) No municipal or other local regulatory authority shall fitter or master gas fitter to apply for or to maintain any gas fitter fitter's license, or any equivalent thereof, as a condition to perform in any municipality or other local jurisdiction unless that gas fitter fitter's license is issued by the board. (c) A municipality or other local regulatory authority may be locally adopted fees and charges relative to gas fitting work, as a 37:1377, that is performed in their respective jurisdictions but or licensed pursuant to R.S. 37:1368. 19 10 11 11 12 13 14 15 16 17 17 18 18 19 18 19 19 10 10 11 10 11 11 12 11 12 12	(2)(a) Notwithstanding any provision of a home rule charter to the contrary,
10 (b) No municipal or other local regulatory authority shall 11 fitter or master gas fitter to apply for or to maintain any gas fitter 12 fitter's license, or any equivalent thereof, as a condition to perform 13 in any municipality or other local jurisdiction unless that gas fit 14 fitter's license is issued by the board. 15 (c) A municipality or other local regulatory authority may. 16 locally adopted fees and charges relative to gas fitting work, as 17 37:1377, that is performed in their respective jurisdictions but or 18 licensed pursuant to R.S. 37:1368. 19 * * * * 20 §1366. Duties of the board 21 * * * * 22 J.(1) It is the duty of the board to assure that gas fitting work by persons who have proven knowledge of and skill in the gas fitting work as a gas fitter or master gas fitter shall possess a the board. 28 (3) The board shall adopt rules and regulations waiving requirements imposed on persons performing gas fitting work	he provisions of this Section shall preempt any municipal or other local regulatory
fitter or master gas fitter to apply for or to maintain any gas fitter so master gas fitter to apply for or to maintain any gas fitter so master gas fitter's license, or any equivalent thereof, as a condition to perform in any municipality or other local jurisdiction unless that gas fit fitter's license is issued by the board. (c) A municipality or other local regulatory authority may locally adopted fees and charges relative to gas fitting work, as 37:1377, that is performed in their respective jurisdictions but or licensed pursuant to R.S. 37:1368. *** ** J.(1) It is the duty of the board to assure that gas fitting work by persons who have proven knowledge of and skill in the gas fitting work and shall require performing work as a gas fitter or master gas fitter shall possess a the board. (3) The board shall adopt rules and regulations waiving requirements imposed on persons performing gas fitting work.	xamination authority relative to gas fitters and master gas fitters.
fitter's license, or any equivalent thereof, as a condition to perform in any municipality or other local jurisdiction unless that gas fit fitter's license is issued by the board. (c) A municipality or other local regulatory authority may be locally adopted fees and charges relative to gas fitting work, as 37:1377, that is performed in their respective jurisdictions but or licensed pursuant to R.S. 37:1368. 18	(b) No municipal or other local regulatory authority shall require any gas
in any municipality or other local jurisdiction unless that gas fit fitter's license is issued by the board. (c) A municipality or other local regulatory authority may be locally adopted fees and charges relative to gas fitting work, as 37:1377, that is performed in their respective jurisdictions but on licensed pursuant to R.S. 37:1368. 19 *** J.(1) It is the duty of the board to assure that gas fitting were by persons who have proven knowledge of and skill in the gas fitting were by persons actually engaged in gas fitting work and shall require performing work as a gas fitter or master gas fitter shall possess a the board. (3) The board shall adopt rules and regulations waiving requirements imposed on persons performing gas fitting work.	itter or master gas fitter to apply for or to maintain any gas fitter or master gas
fitter's license is issued by the board. (c) A municipality or other local regulatory authority may be locally adopted fees and charges relative to gas fitting work, as 37:1377, that is performed in their respective jurisdictions but on licensed pursuant to R.S. 37:1368. *** *** 20 §1366. Duties of the board ** ** ** 21 ** ** ** 22 ** **	itter's license, or any equivalent thereof, as a condition to perform gas fitting work
15 (c) A municipality or other local regulatory authority may: 16 locally adopted fees and charges relative to gas fitting work, as 17 37:1377, that is performed in their respective jurisdictions but or 18 licensed pursuant to R.S. 37:1368. 19 * * * * 20 §1366. Duties of the board 21 * * * * 22 J.(1) It is the duty of the board to assure that gas fitting work by persons who have proven knowledge of and skill in the gas fitting work and shall require persons actually engaged in gas fitting work and shall require performing work as a gas fitter or master gas fitter shall possess a the board. 28 (3) The board shall adopt rules and regulations waiving requirements imposed on persons performing gas fitting work	n any municipality or other local jurisdiction unless that gas fitter or master gas
locally adopted fees and charges relative to gas fitting work, as 37:1377, that is performed in their respective jurisdictions but or licensed pursuant to R.S. 37:1368. * * * * 20	itter's license is issued by the board.
37:1377, that is performed in their respective jurisdictions but of licensed pursuant to R.S. 37:1368. 19 * * * * 20 §1366. Duties of the board 21 * * * * 22 ** J.(1) It is the duty of the board to assure that gas fitting well by persons who have proven knowledge of and skill in the gas fitted by persons actually engaged in gas fitting work and shall required performing work as a gas fitter or master gas fitter shall possess a the board. 23 ** * * 24 ** (2) The board shall adopt tests of qualifications to be performing work as a gas fitter or master gas fitter shall possess a the board. 26 ** (3) The board shall adopt rules and regulations waiving requirements imposed on persons performing gas fitting work.	(c) A municipality or other local regulatory authority may assess and collect
licensed pursuant to R.S. 37:1368. * * * * 20	ocally adopted fees and charges relative to gas fitting work, as defined in R.S.
\$\frac{1}{20}\$ \text{\text{\congruence}} \text{\congruence{\co	7:1377, that is performed in their respective jurisdictions but only from persons
\$1366. Duties of the board * * * * 22 ** ** * * * * * * * * *	censed pursuant to R.S. 37:1368.
21 * * * * 22 J.(1) It is the duty of the board to assure that gas fitting w 23 by persons who have proven knowledge of and skill in the gas fitt 24 (2) The board shall adopt tests of qualifications to be p 25 persons actually engaged in gas fitting work and shall require 26 performing work as a gas fitter or master gas fitter shall possess a 27 the board. 28 (3) The board shall adopt rules and regulations waiving 29 requirements imposed on persons performing gas fitting work	* * *
23 by persons who have proven knowledge of and skill in the gas fitting w 24 (2) The board shall adopt tests of qualifications to be p 25 persons actually engaged in gas fitting work and shall require 26 performing work as a gas fitter or master gas fitter shall possess a 27 the board. 28 (3) The board shall adopt rules and regulations waiving 29 requirements imposed on persons performing gas fitting work	1366. Duties of the board
by persons who have proven knowledge of and skill in the gas fitter (2) The board shall adopt tests of qualifications to be persons actually engaged in gas fitting work and shall require performing work as a gas fitter or master gas fitter shall possess a the board. (3) The board shall adopt rules and regulations waiving requirements imposed on persons performing gas fitting work	* * *
24 (2) The board shall adopt tests of qualifications to be persons actually engaged in gas fitting work and shall require 26 performing work as a gas fitter or master gas fitter shall possess a 27 the board. 28 (3) The board shall adopt rules and regulations waiving 29 requirements imposed on persons performing gas fitting work	J.(1) It is the duty of the board to assure that gas fitting work is performed
persons actually engaged in gas fitting work and shall require performing work as a gas fitter or master gas fitter shall possess a the board. (3) The board shall adopt rules and regulations waiving requirements imposed on persons performing gas fitting work	y persons who have proven knowledge of and skill in the gas fitting trade.
performing work as a gas fitter or master gas fitter shall possess a the board. (3) The board shall adopt rules and regulations waiving requirements imposed on persons performing gas fitting work	(2) The board shall adopt tests of qualifications to be possessed by any
 the board. (3) The board shall adopt rules and regulations waiving requirements imposed on persons performing gas fitting work 	persons actually engaged in gas fitting work and shall require that any person
28 (3) The board shall adopt rules and regulations waiving requirements imposed on persons performing gas fitting work	performing work as a gas fitter or master gas fitter shall possess a license issued by
requirements imposed on persons performing gas fitting work	ne board.
	(3) The board shall adopt rules and regulations waiving any examination
performance conditions described in R.S. 37:2156.1(M) prior to J	equirements imposed on persons performing gas fitting work who satisfy the
	performance conditions described in R.S. 37:2156.1(M) prior to July 1, 2016.

1	(4) For all other purposes of regulation, testing, and licensing pursuant to the
2	provisions of this Chapter, the regulation, testing, and licensing of gas fitters by the
3	board shall be subject to the same requirements and treated in the same manner as
4	the regulation, testing, and licensing of plumbers.
5	§1367. License required, journeyman and master plumber; medical gas piping
6	installer; medical gas and vacuum systems verifier; water supply protection
7	specialist endorsement; gas fitter and master gas fitter; local examination
8	preempted
9	* * *
10	J.(1) No person shall engage in performing the work of a gas fitter or master
1	gas fitter unless he possesses a license or renewal thereof issued by the board.
12	(2) The provisions of this Subsection shall not apply to work performed by
13	persons on their own residences.
14	§1368. Issuance of journeyman and master plumber's license; medical gas piping
15	and installation license; medical gas and vacuum systems verifier license;
16	water supply protection specialist endorsement; exemption; gas fitter license
17	* * *
18	J.(1) The board shall issue a gas fitter license to any person who satisfies the
19	following requirements:
20	(a) Completion and satisfactory passage of a written and manual examination
21	administered either by the board or by a recognized third-party certifier.
22	(b) Compliance with all requirements of the applicable provisions of this
23	Chapter and all requirements imposed by any rules and regulations promulgated by
24	the board.
25	(2) The board shall adopt a nationally recognized code or codes regulating
26	gas fitting as the basis for the administered examination, as required by Paragraph
27	(1) of this Subsection, and for any inspections of gas fitting performed by any person
28	subject to the provisions of this Chapter.
29	* * *

§1371. Fees

A.(1) The board may fix and charge reasonable examination, licensing, and renewal fees for journeyman and master plumbers, temporary permit fees for journeyman plumbers, restricted license fees for journeyman and master plumbers, and renewal fees for inactive master plumbers. The board may fix and charge reasonable examination, licensing, and renewal fees for persons engaged in the work or business of medical gas piping installation and for persons engaged in the work or business of a medical gas and vacuum system verifier. The board may also fix and charge reasonable examination, licensing, and renewal fees associated with endorsements issued to journeyman or master plumbers relative to the work of a water supply protection specialist. These fees shall not exceed the amount required to maintain the board and pay the expenses of operating the board and enforcing the provisions of this Chapter.

(2) For the purposes of this Section, gas fitters shall be subject to the same provisions that are imposed on journeyman plumbers, except for those included in Subparagraph (B)(1)(b) of this Section.

* * *

§1372. Inspections

The board shall at reasonable times and hours inspect plumbing work, medical gas piping installation, gas fitting work, and the work of water supply protection specialists under its jurisdiction to assure compliance with this Chapter. The board may appoint and compensate special enforcement officers for this purpose.

§1373. Injunctions

A. The board may enjoin any person from engaging in doing the work of a journeyman plumber, master plumber, medical gas piping installer, medical gas and vacuum systems verifier, gas fitter, master gas fitter, or water supply protection specialist wherever it appears that a person is violating or is conspiring to violate the

1	provisions of this Chapter. The board may also enjoin an employing entity from
2	violating or conspiring to violate the provisions of this Chapter.
3	* * *
4	§1374. Penalty
5	* * *
6	B.(1) Upon receipt of a complaint from a consumer for whom the work was
7	performed, the Louisiana State Plumbing Board shall have the authority to fine any
8	person, or employing entity, who performs plumbing work or engages in the business
9	of plumbing while not possessing a license or endorsement issued by the board or
10	otherwise in violation of this Chapter, subject to the provisions of the Administrative
11	Procedure Act, an amount not more than five thousand dollars. The monies collected
12	pursuant to this Subsection shall be used by the board in a manner consistent with
13	R.S. 37:1371.
14	(2) The provisions of Paragraph (1) of this Subsection also apply to
15	unlicensed gas fitters.
16	* * *
17	§1377. Definitions; exceptions
18	* * *
19	I. Gas Fitter. A "gas fitter" includes any natural person who possesses the
20	necessary qualifications and knowledge to install, alter, repair, improve, remove, or
21	test natural gas piping, tanks, and appliances annexed to real property but does not
22	include any person who is licensed by the Louisiana Liquefied Petroleum Gas
23	Commission or any services or work performed pursuant to such a license.
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

property but does not include any person who is licensed by the Louisiana Liquefied

29

HB NO. 1068	ENROLLED

1	Petroleum Gas Commission or any services or work performed pursuant to such a
2	license.
3	K. Gas Fitting. "Gas fitting" means the work or business of installing,
4	repairing, improving, altering, or removing natural gas piping, fittings, valves, or
5	tanks used for conveying fuel gas for appliances on or in premises or in buildings
6	annexed to real property. For purposes of this Chapter, gas fitting does not include
7	the following:
8	(1) The installation or maintenance of piping by any entity of a municipal or
9	gas district system that is subject to the regulatory authority of the Public Service
10	Commission, the New Orleans City Council, or the office of pipeline safety in the
11	Department of Natural Resources.
12	(2) Any work done by a person who is licensed by the Louisiana Liquefied
13	Petroleum Gas Commission or any other services performed pursuant to such a
14	license.
15	§1378. Revocation of licenses; other disciplinary actions
16	A. The board may, pursuant to the procedures provided in the Administrative
17	Procedure Act, revoke, suspend, or refuse to renew any license or endorsement
18	issued by the board to any natural person. Grounds for revocation, or lesser
19	disciplinary action, include but are not limited to the following:
20	* * *
21	(9) The habitual violation of any rules or regulations adopted by the board
22	by a gas fitter or master gas fitter.
23	(10) The violation of any municipal code, any other code adopted by the
24	board related to gas fitting not otherwise preempted by this Chapter, or any other
25	related regulation as evidenced by an adjudication from a local governing authority.
26	(11) The refusal of a master gas fitter to accurately designate an employing
27	entity or provide notice of any change in employment with an employing entity.
28	* * *

HB NO. 1068	ENROLLED
Section 2. This Act shall become effective on January	1, 2017.

1

S	PEAKER OF THE HOUSE OF REPRESENTATIVES
P	RESIDENT OF THE SENATE
G	OVERNOR OF THE STATE OF LOUISIANA