SLS 20RS-358 ORIGINAL

2020 Regular Session

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SENATE BILL NO. 163

BY SENATOR CATHEY AND REPRESENTATIVE MCFARLAND

HORTICULTURE. Provides an exemption for certain contractors to the licensure requirements of the Horticulture Commission. (gov sig)

AN ACT

2	To enact R.S. 3:3816(8), relative to the Horticulture Commission; to provide relative to
3	professions regulated by the Horticulture Commission; to provide relative to
4	licensure requirements; to provide an exemption for certain contractors to licensure
5	requirements; to provide for definitions; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 3:3816(8) is hereby enacted to read as follows:
8	§3816. Special provisions
9	The following provisions shall supersede the requirements and provisions of
10	this Chapter:
11	* * *
12	(8) A contractor that is licensed pursuant to R.S. 37:2156.1 and is
13	performing repair work within a right-of-way that constitutes less than five
14	percent of the total value of a construction contract shall not be required to
15	obtain any license required by this Chapter. For the purposes of this Section,
16	"repair work" means the restoration or replacement of sod disrupted during
17	the course of performing work within the scope of a construction contract or

1 **permit.**

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Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Curry Lann.

DIGEST

SB 163 Original

2020 Regular Session

Cathey

<u>Present law</u> (R.S. 3:3801 et seq.) creates the Horticulture Commission which regulates the following professions:

- (1) Arborist.
- (2) Retail florist.
- (3) Wholesale florist.
- (4) Landscape horticulturist.
- (5) Landscape architect.
- (6) Utility arborist.
- (7) Landscape irrigation contractors.

Proposed law retains present law.

<u>Present law</u> prohibits a person from receiving fees for engaging in a regulated profession, or advertising as engaged in a regulated profession, or soliciting business in a regulated profession, unless the person holds a valid appropriate license issued by the commissioner of agriculture and forestry, or has a regular employee who holds a valid appropriate license issued by the commissioner of agriculture and forestry, or is employed by or is working under the direct supervision of a person who holds a valid appropriate license issued by the commissioner of agriculture and forestry.

Proposed law retains present law.

<u>Proposed law</u> exempts a licensed contractor that is performing repair work within a right-of-way that constitutes less than five percent of the total value of a construction contract from the licensure requirements of <u>present law</u>.

<u>Proposed law</u> defines "repair work" as the restoration or replacement of sod disrupted during the course of performing work within the scope of a construction contract or permit.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 3:3816(8))

Page 2 of 2

Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.