

DIGEST

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HB 471 Original

2021 Regular Session

Mack

Abstract: Revises regulations relative to plumbing and gas fitting.

Present law creates the state plumbing board (hereinafter "board") and describes the purpose of the board.

Proposed law retains present law and adds the regulation of natural gas to the purposes of the board.

Present law requires the board to be made of 9 members, appointed by the governor. Proposed law reduces the number of members from 9 to 8, appointed by the governor.

Present law requires the membership of the board to consist of 1 registered engineer, 1 plumbing inspector, 3 master plumbers, 3 journeyman plumbers, and 1 tradesman plumber. The members are to be selected from a list of 3 names submitted in accordance with the following:

- (1) The registered engineer and the plumbing inspector by the president of the Louisiana State Board of Health.
- (2) Master plumbers by the Louisiana Association of Plumbing, Heating and Cooling Contractors or its successors.
- (3) Journeymen plumbers by the Louisiana Pipe Trades Association or its successor.
- (4) The tradesman plumber by the executive director of the State Plumbing Board of Louisiana.

Proposed law changes the composition of the board in part, and requires the board be composed of 1 registered mechanical engineer, 1 plumbing inspector, 1 consumer advocate, and 5 active master plumbers. The members are to be appointed in accordance with the following:

- (1) The Louisiana State Board of Health, or its successor, shall submit 3 names for the appointment of 1 Louisiana registered mechanical engineer.
- (2) The Building Officials Association of Louisiana, or its successor, shall submit 3 names for the appointment of 1 plumbing inspector.
- (3) The La. Associated General Contractors, or its successor, shall submit 3 names for the appointment of 1 consumer advocate.

- (4) The Louisiana Pipe Trades, or its successor, shall submit 3 names for the appointment of 1 active master plumber.
- (5) The Plumbing-Heating-Cooling Contractors of Louisiana, or its successor, shall submit 3 names for each of the 4 appointments of active non-united association master plumbers. Three of these master plumber appointees shall perform at least 50% of their work in the plumbing construction industry and 1 of the master plumber appointees shall perform at least 50% of their work in the plumbing repair industry.

Present law gives the board authority to license and promulgate rules relative to gas fitting. Proposed law retains present law and extends these particular authorities to plumbing.

Present law requires the members to serve for 6 years. Proposed law changes the term of office to not more than 2 terms, each term consisting of 4 years.

Present law requires the board to regulate the licensing of a tradesman plumber. Proposed law repeals present law and removes all provisions relative to the regulation of a tradesman plumber. Under proposed law, there is no longer a tradesman plumber license.

Proposed law allows a licensed journeyman plumber to engage in the work of gas fitting under that license.

Proposed law allows a licensed master plumber to engage in the work of a master gas fitter under that license.

Present law allows the board to establish and determine by rule minimum requirements relative to continuing professional development. Proposed law retains present law and requires the board to allow the credits to be accrued in increments of one hour or greater and to allow the credits to be obtained in person, online, or through correspondence with certified instructors.

Present law requires the board to maintain a registry of all apprentice plumbers in the state and issue certificates to all registrants. Proposed law repeals present law.

Present law requires the board to recognize certain qualifications or registration of apprenticeship toward licensure of a journeyman plumber. Proposed law retains present law and adds W2s and payroll records to the list of qualifying documents sufficient to prove those qualifications.

Present law establishes an advisory committee and grants the committee certain rights and duties relating to the board. Proposed law repeals present law to abolish the advisory committee and withdraw all rights and duties granted to it.

Present law establishes the regulatory structure and licensing requirements for a journeyman plumber and requires a person engaging in the work of a journeyman plumber to have journeyman plumber's license. Proposed law retains present law and extends the license to include gas fitting work.

Present law defines parameters for apprentices engaging in plumbing work.

Present law requires a licensed journeyman plumber to supervise apprentices according to the standards of the La. Workforce Commission. Proposed law changes the standards from those provided by the La. Workforce Commission, and instead requires the overseer to be physically present at the jobsite where the apprentice is engaged in plumbing. Additionally, proposed law allows a journeyman plumber to supervise up to 3 apprentices at a time, and specifies that an apprentice engaged in work other than plumbing, is not counted as an apprentice for purposes of the 3 apprentice limit. Proposed law applies these same standards to the supervision of apprentices engaging in gas fitting.

Proposed law requires the board to issue a journeyman plumber and gas fitter license to any qualifying person who has paid the required fees and meets any of the following requirements:

- (1) Has completed and passed a written examination administered by the board or by a recognized third-party certifier.
- (2) Has completed at least 8,000 hours of on-the-job training.
- (3) Has completed at least 4,000 hours of on-the-job training and at least two years of apprenticeship or technical training.

Present law requires the board to issue a master plumber's license to a journeyman plumber who meets certain criteria. Proposed law retains present law but extends the requirement to gas fitters seeking a master gas fitters license. Proposed law also adds a requirement that the applicant complete a board approved business course.

Present law provides the requirements for issuance of a gas fitter's license. Proposed law retains present law in part, and further requires the board to issue a license to a qualified person who pays all required fees and satisfies any of the following requirements:

- (1) Has completed and passed a written examination administered by the board or by a recognized third-party certifier.
- (2) Has completed at least 8,000 hours of on-the-job training.
- (3) Has completed at least 4,000 hours of on-the-job training and at least two years of apprenticeship or technical training.

Proposed law requires a gas fitter to be licensed for 5 years before testing for a master gas fitter license.

Proposed law requires the board to accept all hours earned through relevant apprenticeship training to count towards the apprenticeship or technical hours required for licensure.

Present law provides for temporary working permits. Proposed law retains present law and allows an applicant to apply for up to 3 temporary permits.

Present law allows the board to charge reasonable fees for certain services. Proposed law retains present law in part, but prohibits the board from charging a registration fee for apprentice plumbers.

Present law provides for inspections to be conducted by special enforcement officers. Proposed law retains present law but requires the special enforcement officers to currently possess or to have previously possessed a journeyman or master plumber or gas fitters license.

Present law requires an employing agency to maintain workers' compensation insurance as required by law. Proposed law retains present law.

Present law requires an employing agency to maintain motor vehicle, bodily injury, and property damage liability insurance in the minimum amount required by law. Proposed law retains the requirement, but provides the minimum amount required. Under proposed law the employer shall maintain motor vehicle insurance of at least \$100,000, bodily injury insurance of at least \$300,000, and property damage insurance of at least \$100,000.

Present law requires an employing agency to maintain general liability and property damage insurance in a minimum aggregate amount of \$100,000. Proposed law raises this minimum aggregate amount from \$100,000 to \$500,000.

Proposed law removes an exception in present law that allows a lesser amount of insurance coverage if certain criteria are met and applies the \$500,000 minimum to all circumstances.

(Amends R.S. 37:1361(A), (B), (F)(1)(a) and (c), 1362, 1366(A), (B), (C), (F), (I), and (K), 1367(A) and (J), 1368(A), (B)(1), and (J), 1369, 1371(A)(1) and (B)(1)(b), 1372, 1373(A), 1377(A), (B), (C), (D)(intro. para.) and (9), (E) - (J), and (K)(intro. para.), 1378(A)(3), (6), and (8), and 1380(B); Adds R.S. 37:1368(K); Repeals 37:1379)