
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 450 Reengrossed

2021 Regular Session

Cox

Abstract: Provides for the procedure for obtaining criminal history record information, changes the definition of builder, and gives the commission authority to suspend continuing education requirements.

Present law requires the Dept. of Public Safety and Corrections, Bureau of Criminal Identification and Information (bureau) to provide certain agencies with requested criminal history information.

Proposed law retains present law and adds the Louisiana Manufactured Housing Commission to the list of agencies when the commission is reviewing applications for licensure.

Proposed law requires the commission to submit necessary information about licensure applicants to the bureau in order for the bureau to make the bureau's criminal history record pertaining to the applicant available to the commission.

Present law authorizes the La. Manufactured Housing Commission to obtain criminal history record information from the bureau on applicants for any license issued by the commission. Further, present law authorizes the commission to charge and collect a fee from an applicant to cover the cost of obtaining the applicant's criminal history record information.

Proposed law retains present law and requires the applicant to submit fingerprints and necessary information to the commission, who shall submit the information to the bureau, and requires the bureau to provide the commission with the applicant's criminal history record information.

Proposed law defines "extraordinary circumstances".

Present law requires the commission to set continuing education requirements and approve providers and materials for continuing education courses.

Proposed law retains present law and authorizes the commission to suspend the continuing education requirements under extraordinary circumstances.

Present law defines a builder to mean a person or an entity that designs, manufactures, or constructs homes, including dealers, developers, manufacturers, and installers, whether or not the consumer purchased the underlying real estate with the home or the builder initially occupied the home as his residence.

Proposed law repeals present law and defines a builder as the dealer who sold the home, the manufacturer who constructed the home or any section of the home if it is a multi-section home, the installer who installed the home, any person or an entity that designed, manufactured, or constructed the home, whether or not the consumer purchased the underlying real estate with the home or the builder initially occupied the home as his residence, or any person or entity licensed by the commission.

Present law requires the owner to give written notice of defects to the commission by following certain procedures, and requires the commission to give the appropriate builder a reasonable opportunity to comply with present law.

Proposed law retains present law and adds that notice shall be required for each individual home that is defective.

Proposed law defines "extraordinary circumstances".

Present law requires installers to attend one continuing education course per year and requires the commission to set continuing education requirements and approve providers and materials for continuing education courses.

Proposed law retains present law and authorizes the commission to suspend the continuing education requirements under extraordinary circumstances.

(Amends R.S. 15:587(A)(1)(a), R.S. 51:911.24(I)(1), (2), and (J)(1), 912.3(1), 912.5(A), and 912.27(A)(3); Adds R.S. 15:587(A)(1)(k), R.S. 51:911.22(14), 911.24(I)(3), and 912.21(14))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Add a provision requiring the Dept. of Public Safety and Corrections, Bureau of Criminal Identification and Information to make criminal record information available to the commission upon request.
3. Add a provision requiring the commission to submit necessary information about an applicant for licensure to the bureau in order for the bureau to make criminal record information about the applicant available to the bureau.
4. Define "extraordinary circumstances".
5. Add a provision which limits the scope of the commission's authority to suspend continuing education requirements authorized pursuant to proposed law to authorize the commission to suspend such requirements due to extraordinary circumstances.

