

2024 Regular Session

SENATE BILL NO. 240

BY SENATOR COUSSAN

COMMERCIAL REGULATIONS. Provides for licensure requirements relative to manufactured housing. (8/1/24)

1 AN ACT

2 To amend and reenact R.S. 51:911.24(J)(2) and to enact R.S. 51:911.24(J)(3) and
3 912.27(A)(4), relative to manufactured housing; to provide relative to licensure
4 requirements, qualifications, and applications; to provide relative to retailers,
5 developers, transporters, and installers; to provide with respect to requiring a surety
6 bond; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 51:911.24(J)(2) is hereby amended and reenacted and R.S.
9 51:911.24(J)(3) and 912.27(A)(4) are hereby enacted to read as follows:

10 §911.24. License required; qualifications; application; issuance; transfer; criminal

11 history record information; **bond**

12 * * *

13 J. * * *

14 (2) **All retailers and developers shall provide annually along with the**
15 **license application, a surety bond in the amount of fifty thousand dollars or post**
16 **a fifty thousand dollar irrevocable letter of credit with the commission.**

17 (3) Any person applying for an original retailer's license or an original

1 developer's license after January 1, 2004, shall submit a financial statement prepared
 2 by an independent third-party accounting firm evidencing a minimum net worth of
 3 **two hundred** fifty thousand dollars ~~or post a fifty thousand dollar surety bond~~ with
 4 the commission. Further, each of these persons shall take a class and pass an
 5 accompanying test prior to receiving his original license. The commission shall
 6 develop the class and test. The fee for the retailer and developer class and test shall
 7 be set by rule and shall not exceed one hundred dollars.

* * *

9 §912.27. Licensure of installers and transporters; adoption of rules; compliance with
 10 installation instructions; disposition of fees; **continuing education;**
 11 **bond**

A. * * *

13 **(4) All installers and transporters shall provide annually along with the**
 14 **license application, a surety bond in the amount of twenty-five thousand dollars**
 15 **or post a twenty-five thousand dollar irrevocable letter of credit with the**
 16 **commission.**

* * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Angela L. De Jean.

DIGEST

SB 240 Engrossed

2024 Regular Session

Coussan

Present law (R.S. 51:911.24) provides the licensure requirements, qualifications, and application process for retailers and developers of manufactured and modular homes.

Present law provides that retailers and developers shall annually attend a commission-approved continuing education course. Provides that the individual license holder is the person required to attend the continuing education course.

Present law provides that the commission shall have the authority to suspend the continuing education requirements, for one or more licensees, if the commission determines it is warranted.

Proposed law retains present law.

Proposed law provides that all retailers and developers shall provide annually along with the license application, a \$50,000 surety bond or post a \$50,000 irrevocable letter of credit with the commission.

Present law provides that any person applying for an original retailer's license or an original developer's license after January 1, 2004, shall submit a financial statement prepared by an independent third-party accounting firm evidencing a minimum net worth of \$50,000 or post a \$50,000 surety bond with the commission.

Proposed law increases the minimum net worth the retailer license applicant is required to show from \$50,000 to \$250,000 and removes the option allowing the applicant to post a \$50,000 surety bond.

Present law further provides that each of these persons shall take a class and pass an accompanying test prior to receiving his original license. Provides that the commission shall develop the class and test. Requires the fee for the retailer and developer class and test shall be set by rule and shall not exceed \$100. Proposed law retains present law.

Present law (R.S. 51:912.27) provides the licensure requirements for installers and transporters of manufactured and modular homes and the implementation of an annual license fee and permit sticker fee.

Present law provides that prior to receiving an original license, installers shall attend a certification course and pass an accompanying test. Provides the fee for any course offered by the commission shall be set by rule and shall not exceed \$100.

Present law provides that installers shall attend one continuing education course per year and requires the commission to set continuing education requirements. Authorizes the commission to suspend the continuing education requirement.

Proposed law retains present law and further provides that all installers and transporters shall provide annually along with the license application, a \$25,000 surety bond or post a \$25,000 irrevocable letter of credit with the commission.

Effective August 1, 2024.

(Amends R.S. 51:911.24(J)(2); adds R.S. 51:911.24(J)(3) and 912.27(A)(4))