

Regular Session, 2013

HOUSE BILL NO. 421

BY REPRESENTATIVE PONTI

CONTRACTORS: Adds a fee at license renewal for contractors dedicated to certain schools of construction management or construction technology

1 AN ACT

2 To amend and reenact R.S. 37:2156(C)(3), relative to contractor license renewal fees; to
3 provide for an additional fee; to provide for an option to not participate; to provide
4 for dedication and allocation of the fee; to provide for distribution to accredited
5 public university or community college schools of construction management or
6 construction technology; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 37:2156(C)(3) is hereby amended and reenacted to read as follows:

9 §2156. Unexpired licenses; fees; renewals

10 * * *

11 C.

12 * * *

13 (3)(a) ~~The board shall include on each license renewal form issued to a~~
14 ~~contractor an optional election whereby the contractor may choose to donate~~
15 ~~additional funds to a specified public university or community college foundation~~
16 ~~within Louisiana that offers an accredited, degreed program in the field of~~
17 ~~construction management. Any such donated funds received by the board shall be~~
18 ~~remitted to the foundation chosen by the contractor. Any such donated funds~~
19 ~~received by the community college foundation shall be used solely for the benefit of~~
20 ~~their construction management programs.~~ The board shall assess on each license

1 renewal issued to a contractor, an additional fee of one hundred dollars per year to
2 be dedicated and allocated to any public university or community college school of
3 construction management or construction technology which is accredited by either
4 the American Council for Construction Education or the Accreditation Board for
5 Engineering and Technology. The board shall include on each license renewal form
6 issued to a contractor an optional election whereby the contractor may choose to not
7 participate in the remission of the additional one hundred dollar dedication fee.

8 ~~(b) The board shall provide by rule for accounting and remittance of~~
9 ~~donations to the appropriate university or community college foundation. Each~~
10 January, each accredited public university or community college school of
11 construction management or construction technology shall report to the board the
12 number of graduates from its school of construction management or construction
13 technology from the previous calendar year.

14 ~~(c) For purposes of this Paragraph, "foundation" shall mean any private~~
15 ~~nonprofit corporation which supports public higher education institutions as defined~~
16 ~~by R.S. 17:3390. Any and all funds collected pursuant to this Paragraph shall be~~
17 disbursed to the accredited public university or community college schools of
18 construction management or construction technology by August first of each year
19 upon completion of the annual audit of the board. The funds shall be used by the
20 accredited public university or community college schools of construction
21 management or construction technology solely for the benefit of their program and
22 such use shall be approved by the industry advisory council or board for the
23 program. The funds collected pursuant to this Paragraph shall be in addition to any
24 other monies received by such schools and are intended to supplement and not
25 replace, displace, or supplant any other funds received from the state or from any
26 other source. Any school of construction management or construction technology
27 that experiences a decrease in the funding appropriated to them by the accredited
28 public university or community college to a level that falls below the amount of
29 funding received in the 2012 school year, unless such decrease is due to an across-

1 the-board reduction required of all other schools or programs within the university
2 or college, shall be ineligible for participation under the provisions of this Paragraph,
3 and the monies from the fund for such school of construction management or
4 construction technology shall be redistributed on a pro rata basis to all other
5 accredited and eligible schools.

6 (d) The funds collected pursuant to this Subsection shall be distributed as
7 follows:

8 (i) One-half on a pro rata basis to each accredited public university or
9 community college school of construction management or construction technology.

10 (ii) One-half pro rata to each accredited public university school of
11 construction management or construction technology based on the total number of
12 graduates from the previous calendar year from each school as reported to the board.

13 (e) No funds shall be allocated to any public university or community
14 college school of construction management or construction technology that does not
15 maintain current and active accreditation as required by this Paragraph.

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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)]

Ponti

HB No. 421

Abstract: Adds a license renewal fee for certain contractors dedicated to public university and community college schools of construction management or construction technology, with an ability of the contractor to choose not to participate in the remission.

Present law provides for renewal of licenses for contractors. Allows for the licensing board for contractors to include on each license renewal form an optional election to allow for the donation of additional funds to a specified public university or community college foundation, which shall be remitted to the chosen foundation to be used solely for construction management programs.

Proposed law deletes present law with regard to optional donations and instead requires the board to assess on each license renewal for contractors an additional fee of \$100 per year to be dedicated to public university or community college schools of construction management or construction technology. Requires the board to include an optional election of the renewal form whereby the contractor may choose to not participate in the remission of the additional fee.

Proposed law further requires the schools to report to the board the number of graduates from the previous calendar year. Requires the disbursement of the funds collected to be by Aug. 1 of each year upon completion of the annual audit of the board.

Proposed law further requires that the funds be used solely for the benefit of the accredited public university or community college schools of construction management or construction technology and requires the use of the fund to be approved by the industry advisory council or board of the school. Provides that the funds shall be in addition to any other monies received by such schools. Provides that should the funding level of the schools fall below the amount of funding received in the 2012 school year, the school shall be ineligible to receive monies from the fund, unless such decrease is due to an across-the-board reduction required of all other schools within the university or community college. Distributes the funds 1/2 pro rata to each accredited public university and community college school and 1/2 pro rata to each public university school based on the total number of graduates from the previous year as reported to the board by each school.

Proposed law requires the schools to be accredited by either of two national accreditation boards and requires the schools to maintain accreditation in order to receive funding.

(Amends R.S. 37:2156(C)(3))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Commerce to the original bill.

1. Requires the board to include an optional election of the renewal form whereby the contractor may choose to not participate in the remission of the additional fee.
2. Requires the disbursement of the funds collected to be by Aug. 1 of each year upon completion of the annual audit of the board.
3. Requires the use of the fund to be approved by the industry advisory council or board of the school.
4. Allows for participation by a school when the funding level of the schools fall below the amount of funding received in the 2012 school year if such decrease is due to an across-the-board reduction required of all other schools within the university or community college.