

2016 Regular Session

HOUSE BILL NO. 208

BY REPRESENTATIVE BISHOP

CONTRACTORS: Provides relative to home service contract providers

1 AN ACT

2 To amend and reenact R.S. 51:3143(B), (C), and (E), relative to home service contract  
3 providers; to remove certain registration statuses; to provide a term for issued surety  
4 bonds; to provide for technical changes; to provide for an effective date; and to  
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 51:3143(B), (C), and (E) are hereby amended and reenacted to read  
8 as follows:

9 §3143. Requirements for doing business

10 \* \* \*

11 B. Each provider of a home service contract sold in this state shall file an  
12 application for an initial registration with the secretary of state consisting of his  
13 name, address, telephone number, and contact person, designating a person in this  
14 state for service of process, and providing a listing of all officers, all directors, and  
15 all owners of ten percent or more of the business. Additionally, the provider shall file  
16 a copy of its basic organizational documents, including articles of incorporation,  
17 articles of organization, articles of association, or a partnership agreement. Each  
18 application for registration shall be accompanied by a fee ~~not to exceed~~ of six  
19 hundred dollars. All fees shall be paid ~~into~~ to the secretary of state.

1 C. A registration shall be effective for two years, unless the registration is  
2 denied,~~renewed, suspended,~~ or revoked. Ninety days prior to the expiration of a  
3 registration, a provider shall submit a renewal application on a form prescribed by  
4 the secretary of state and a renewal fee ~~not to exceed~~ of two hundred fifty dollars.  
5 All fees shall be paid to the secretary of state. The deadline for complying with all  
6 requirements for initial registration as described in this Subsection, and for posting  
7 a two-year bond in the amount as described in Subsection E of this Section is  
8 January fifteenth.

9 \* \* \*

10 E. In order to assure the faithful performance of a provider's obligations to  
11 its contract holders and to insure its outstanding obligations, each provider shall  
12 obtain and file with the secretary of state a surety bond issued by a company licensed  
13 to do business in Louisiana in the amount of fifty thousand dollars. The term of the  
14 surety bond shall coincide with the years the registration is effective as provided in  
15 Subsection C of this Section.

16 \* \* \*

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

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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)]

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HB 208 Engrossed                                  2016 Regular Session                                  Bishop

**Abstract:** Makes changes to law applicable to home service contract providers.

Present law requires home service contract providers to register with the secy. of state.

Present law provides that registrations are effective for two years unless the registration is denied, renewed, suspended, or revoked. Proposed law removes the renewed and suspended registration statuses.

Present law requires home service contract providers to obtain and file with the secy. of state a \$50,000 surety bond issued by a company licensed to do business in the state of La. Proposed law retains present law and further requires the term of the surety bond to coincide with the two-year period of effective registration as provided in present law.

Proposed law makes technical changes.

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

(Amends R.S. 51:3143(B), (C), and (E))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Provide for the Act to become effective upon signature of governor or lapse of time for gubernatorial action.