

RS 37:2156.1

§2156.1. Requirements for issuance of a license

A. To become licensed in accordance with the provisions of this Chapter, an applicant shall make application to the board on a form adopted by the board and shall state the classification of work the applicant desires to perform from a list of major classifications as follows:

- (1) Building construction.
- (2) Highway, street, and bridge construction.
- (3) Heavy construction.
- (4) Municipal and public works construction.
- (5) Electrical.
- (6) Mechanical.
- (7) Plumbing.
- (8) Hazardous materials.
- (9) Residential construction.

B. The board shall classify contractors according to the type or types of work or contracts which they may perform.

C.(1) Commercial, residential, and mold remediation applicants shall furnish the board with a financial statement, current to within twelve months of the date of filing, prepared by an accountant, bookkeeper, or certified public accountant and signed by the applicant, stating that the statement of applicant's assets and financial condition is true and correct. The assets shall include a net worth of at least ten thousand dollars. An applicant without the net worth required by this Paragraph may also furnish the board a bond, letter of credit, or other security acceptable to the board in the amount of the net worth requirement plus the amount of the applicant's negative net worth if any, and the furnishing of the bond, letter of credit, or other security shall be deemed satisfaction of the net worth requirement for all purposes. The financial statement and any information contained therein, as well as any other financial information required to be submitted by a contractor, shall be confidential and not subject to the provisions of R.S. 44:1 through 57.

(2) No financial statement is required for a license renewal.

D.(1) An applicant for commercial, residential, or mold remediation contractor licensure shall designate a qualifying party who shall be the legal representative for the contractor relative to the provisions of this Chapter. The designated qualifying party shall complete an application supplied by the board and pass any mandatory examination required by the board or present any credential required. The board may deny approval of the qualifying party for good cause, which may include the ability of the proposed principal owner or owners, principal shareholder or shareholders, or qualifying party to engage in the business of contracting as demonstrated by his prior contracting business experience. Evidence which may be considered by the board shall be limited to any legal proceedings against the qualifying party or businesses where the qualifying party was in a position of control at the time a problem arose and the ultimate disposition of the proceedings, any financial history of bankruptcies, unpaid judgments, insolvencies, or any similar evidence. When the qualifying party terminates employment with the licensee, the board shall be notified in writing within thirty days of the disassociation and another qualifying party shall qualify within sixty days. The persons who may be a qualifying party or parties are:

- (a) A sole proprietor or spouse of a sole proprietor.
 - (b) Any employee of an applicant who has been in full-time employment for one hundred twenty consecutive days immediately preceding the application. The employee may be allowed to be the qualifying party for the licensed company and related entities.
 - (c) Any stockholder, officer, or incorporator of a corporation.
 - (d) Any partner of a partnership.
 - (e) Any member or manager of a limited liability company.
- (2) A qualifying party for a licensed contractor may be a qualifying party for any affiliated entities to the licensed contractor.

(3) Upon good showing, the board may exempt any qualifying party from the required examinations. The board shall exempt from testing for a residential construction license any person working in the residential

industry who holds a building construction license that was issued by the board if requested by the building contractor.

(4) Upon the determination that a person has engaged in deceptive practices when taking or attempting to take any board examination, the person shall be ineligible to serve as a qualifying party for a licensee for a period of one year.

E. Residential construction and home improvement construction applicants for licensure shall be required to submit certificates evidencing workers' compensation coverage in compliance with Title 23 of the Louisiana Revised Statutes of 1950, and liability insurance in a minimum amount of one hundred thousand dollars or liability protection provided by a liability trust fund as authorized by R.S. 22:46(9)(d) in a minimum amount of one hundred thousand dollars.

F.(1) Notwithstanding any other provision of law to the contrary, any residential contractor in good standing with the board who has held a license to engage in residential construction issued pursuant to this Chapter for not less than one consecutive year may elect to place his license in an inactive license status with the board, if he applies for a transfer to inactive status.

(2) During the period a license is in inactive status, the licensee shall be prohibited from engaging in any activity requiring a residential contractor license.

(3) An inactive licensee shall be required to renew his inactive license in the same manner as provided in R.S. 37:2156(H) and by paying a renewal fee, which shall not exceed the renewal fee paid by active licensees. However, an inactive licensee shall not be required to submit insurance certificates pursuant to Subsection E of this Section or fulfill any other additional requirements that an active licensee would not be required to fulfill when renewing his license.

(4) An inactive licensee shall be required to fulfill all prescribed continuing education requirements established for active licensees.

(5) A licensee may request transfer from inactive status to active status at any time, if all of the following conditions exist:

(a) The inactive license has been renewed as provided for in this Section.

(b) The inactive license is current at the time the request is received by the board.

(c) The licensee submits the required insurance certificates as provided in Subsection E of this Section.

G. Mold remediation license applicants shall be required to furnish all of the following before a license is issued:

(1) Evidence to the board that he has satisfactorily completed at least twenty-four hours of training in mold remediation and basic mold assessment.

(2) Insurance certificates evidencing workers' compensation coverage in compliance with Title 23 of the Louisiana Revised Statutes of 1950 and liability insurance in a minimum amount of fifty thousand dollars.

H.(1) Upon completion of the requirements for licensure and issuance of a state license for the classification of work for which the contractor has applied; mechanical, plumbing, or electrical contractors licensed pursuant to the provisions of this Section are excluded from local, municipal, or parish regulatory authority examination procedures and may bid and perform work within any local jurisdiction upon paying all appropriate fees.

(2) The purpose of this Subsection is to preempt local, municipal, or parish regulatory examination authority for statewide-licensed mechanical, plumbing, or electrical contractors bidding and performing work in multiple jurisdictions. This preemption shall further exclude the employees of statewide-licensed electrical and mechanical contractors from local, municipal, or parish regulatory examination or certification authority as a condition to performing work for the statewide-licensed electrical or mechanical contractor.

I.(1) Any plumbing contractor who currently holds a Master Plumber License from the State Plumbing Board of Louisiana shall be exempt from any requirement for passage of an additional examination in that license classification and may bid and perform plumbing work statewide after receiving a license from this board.

(2) Nothing in this Subsection shall be construed to permit plumbing contractors to perform plumbing work without first complying with the licensure provisions of Chapter 16 of this Title, R.S. 37:1361 et seq.

J. No license shall be issued for the subclassification of asbestos removal and abatement under the major classification of hazardous materials as provided in R.S. 37:2156.2(VIII) until the applicant furnishes

satisfactory evidence that he or his qualifying party has received certification from the Department of Environmental Quality to perform asbestos removal and abatement work.

K.(1) The examination requirement of this Chapter shall not apply to any arborist who currently holds a valid state license issued pursuant to R.S. 3:3804 in the landscaping, grading, and beautification subclassification. The arborist may bid and perform the arborist work described in R.S. 3:3808(A)(1)(a), statewide, after applying to the board for an exemption on a form prepared by the board.

(2) Nothing in this Subsection shall be construed to permit arborists to recommend or execute arborist work without first complying with the licensure provisions of Chapter 24 of Title 3 of the Louisiana Revised Statutes of 1950, R.S. 3:3801 et seq.

L. The board may consolidate, add, or remove subclassifications or specialties by rule as it deems appropriate.

Added by Acts 1976, No. 82, §2, eff. July 8, 1976. Amended by Acts 1981, No. 668, §1; Acts 1983, No. 295, §1; Acts 1988, No. 635, §1, eff. Jan. 1, 1989; Acts 1989, No. 559, §1; Acts 1992, No. 681, §1, eff. July 6, 1992; Acts 1997, No. 148, §1; Acts 1997, No. 769, §1; Acts 1999, No. 1175, §1; Acts 2008, No. 725, §1, eff. Jan. 1, 2009; Acts 2012, No. 163, §1; Acts 2019, No. 371, §§1, 2; Acts 2022, No. 195, §1.

NOTE: See Acts 1988, No. 635, §§2, 3.