

2021 Regular Session

HOUSE BILL NO. 323

BY REPRESENTATIVE GADBERRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ARCHITECTS: Provides relative to the selection of architectural and engineering services

1 AN ACT

2 To amend and reenact R.S. 38:2318.1(A) and (C), relative to architectural and engineering
3 professional services; to require the selection of architectural and engineering
4 professional services based on competence and qualifications; to prohibit the
5 selection of architectural and engineering professional services based on price; to
6 provide for public records; to provide for applicability; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 38:2318.1(A) and (C) are hereby amended and reenacted to read as
10 follows:

11 PART VII-A. LOUISIANA "NO BIDDING OF ~~DESIGN~~

12 ARCHITECTURAL AND ENGINEERING

13 PROFESSIONAL SERVICES" POLICY

14 §2318.1. Louisiana "No Bidding of ~~Design~~ Architectural and Engineering
15 Professional Services" policy

16 A. It is the policy of the state of Louisiana, its political subdivisions, and
17 agencies to select ~~providers of design~~ architectural and engineering professional
18 services on the basis of competence and qualifications for a fair and reasonable price.

19 Neither the state nor any of its political subdivisions or agencies may select ~~providers~~

1 ~~of design services~~ architects, engineers, and landscape architects wherein price or
 2 price-related information is a factor in the selection.

3 * * *

4 C. It is the policy of the state of Louisiana that all records, as defined in R.S.
 5 44:1(A)(2)(a), involved or dealing with the selection of ~~design~~ architectural and
 6 engineering professional services shall be open to the public in accord with the intent
 7 of Louisiana Constitution Article XII, Section 3, and R.S. 44:31.

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 323 Original

2021 Regular Session

Gadberry

Abstract: Changes the applicability from prohibiting price as a factor in selecting design professional services to prohibiting price as a factor in selecting architectural and engineering professional services.

Present law specifies that state policy is to select providers of design professional services on the basis of competence and qualifications for a fair and reasonable price.

Present law prohibits the selection of design professional services where price or price-related information is a factor in the selection.

Present law declares that state policy is that all records regarding the selection of design professional services shall be open to the public in accordance with present law regarding the right to examine public records.

Proposed law retains present law but changes the applicability from design professional services to architectural and engineering professional services.

(Amends R.S. 38:2318.1(A) and (C))