

2018 Regular Session

HOUSE BILL NO. 785

BY REPRESENTATIVE CARMODY

PLUMBERS: Provides relative to plumbing regulations

1 AN ACT

2 To amend and reenact R.S. 37:1361(F)(1)(b)(i) and 1377(I) and (J) and to enact R.S.
3 37:1361(F)(3), 1367(J)(3), and 1377(K)(3), relative to plumbers; to provide relative
4 to gas fitters, master gas fitters, and gas fitting; to provide for nonapplicability
5 relative to mechanical contractors licensed under the heating, air conditioning,
6 ventilation, duct work, and refrigeration subclassification of the State Licensing
7 Board for Contractors; to provide for effectiveness; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 37:1361(F)(1)(b)(i) and 1377(I) and (J) are hereby amended and
11 reenacted and R.S. 37:1361(F)(3), 1367(J)(3), and 1377(K)(3) are hereby enacted to read as
12 follows:

13 §1361. State Plumbing Board, appointments; qualifications; legislative intent;
14 authority; exceptions

15 * * *

16 F.(1)

17 * * *

18 (b) Nothing in Subparagraph (a) of this Paragraph shall be construed to
19 supersede any of the following:

1 (i) The authority of the State Licensing Board for Contractors to regulate
2 mechanical contractors as defined in R.S. 37:2150.1, including mechanical
3 contractors classified under the heating, air conditioning, ventilation, duct work, and
4 refrigeration subclassification of mechanical contractors as provided for in R.S.
5 37:2156.2.

6 * * *

7 (3) Notwithstanding any provision of law to the contrary, the provisions of
8 this Subsection shall not apply to a mechanical contractor licensed by the State
9 Licensing Board for Contractors who is either of the following:

10 (a) Engaged or who seeks to engage in the business of heating, air
11 conditioning, ventilation, duct work, and refrigeration.

12 (b) Classified under the heating, air conditioning, ventilation, duct work, and
13 refrigeration subclassification of mechanical contractors as provided for in R.S.
14 37:2156.2, or performing any services or work pursuant to such license.

15 * * *

16 §1367. License required; tradesman, journeyman, and master plumber; medical gas
17 piping installer; medical gas and vacuum systems verifier; water supply
18 protection specialist endorsement; gas fitter and master gas fitter; local
19 examination preempted; exceptions

20 * * *

21 J.

22 * * *

23 (3) Notwithstanding any provision of law to the contrary, the provisions of
24 this Subsection shall not apply to a mechanical contractor licensed by the State
25 Licensing Board for Contractors who is either of the following:

26 (a) Engaged or who seeks to engage in the business of heating, air
27 conditioning, ventilation, duct work, and refrigeration.

general public. Gas fitting work includes installation, repair, improvement, alterations, or removal of natural gas piping, tanks, and appliances annexed to real property.

Proposed law retains present law.

The provisions of present law do not supersede authority of the La. State Licensing Board for Contractors (hereinafter "contractors board") to regulate mechanical contractors as defined in present law.

Proposed law expands the present law reference to mechanical contractors to include mechanical contractors classified under the heating, ventilation, and air conditioning (hereinafter "HVAC"), duct work, and refrigeration subclassification of mechanical contractors. Proposed law otherwise retains present law.

Present law prohibits a person from performing the work of a gas fitter or master gas fitter unless such person possesses a license or renewal license issued by the plumbing board. The present law prohibition does not apply to work performed by persons on their own residences.

Proposed law retains present law.

Proposed law provides that the present law requirement to obtain a gas fitter or master gas fitter license does not apply to a mechanical contractor licensed by the contractors board who is either of the following:

- (1) Engaged or seeking to engage in the business of HVAC, duct work, and refrigeration.
- (2) Classified under the HVAC, duct work, and refrigeration subclassification of mechanical contractors as provided in present law, including the performance of services or other work pursuant to such license.

Present law provides that a gas fitter includes any natural person who possesses the necessary qualifications and knowledge to install, alter, repair, improve, remove, or test natural gas piping, tanks, and appliances annexed to real property. Provides that a gas fitter does not include any person licensed by the La. Liquefied Petroleum Gas Commission or any services or work performed pursuant to such license.

Proposed law adds that a gas fitter includes a business entity licensed or permitted by the La. Liquefied Petroleum Gas Commission. Proposed law otherwise retains present law.

Present law provides that a master gas fitter includes any natural person who possesses the necessary skills, abilities, proficiency, and qualifications to plan and lay out the details for installing and supervising the work of installing, repairing, and maintaining types of materials and equipment used for the construction, repair, removal, or improvement to natural gas piping systems and tanks annexed to real property. Provides that a master gas fitter does not include any person licensed by the La. Liquefied Petroleum Gas Commission or any services or work performed pursuant to such license.

Proposed law adds that a gas fitter includes a business entity licensed or permitted by the La. Liquefied Petroleum Gas Commission. Proposed law otherwise retains present law.

Proposed law adds that a gas fitter and master gas fitter also does not include a person or business entity licensed by the contractors board as a mechanical contractor who is either of the following:

- (1) Engaged or seeking to engage in the business of HVAC, duct work, and refrigeration.

(2) Classified under the HVAC, duct work, and refrigeration subclassification of mechanical contractors as provided in present law, including the performance of services or other work pursuant to such license.

Present law provides that gas fitting means the work or business of installing, repairing, improving, altering, or removing natural gas piping, fittings, valves, or tanks used for conveying fuel gas for appliances on or in premises or in buildings annexed to real property. Provides that gas fitting does not include the following:

(1) Installation or maintenance of piping by any entity of a municipal or gas district system subject to the regulatory authority of the Public Service Commission, the N.O. City Council, or the office of pipeline safety in the Dept. of Natural Resources.

(2) Any work done by a person who is licensed by the La. Liquefied Petroleum Gas Commission or any other services performed pursuant to such a license.

Proposed law adds that gas fitting also does not include any service or work performed by a person or business entity licensed by the contractors board as a mechanical contractor who is either of the following:

(1) Engaged or seeking to engage in the business of HVAC, duct work, and refrigeration.

(2) Classified under the HVAC, duct work, and refrigeration subclassification of mechanical contractors as defined in present law, including the performance of services or other work pursuant to such license.

Proposed law otherwise retains present law.

Effective upon signature of governor or June 1, 2018, whichever occurs earlier.

(Amends R.S. 37:1361(F)(1)(b)(i) and 1377(I) and (J); Adds R.S. 37:1361(F)(3), 1367(J)(3), and 1377(K)(3))