

Regular Session, 2014

SENATE BILL NO. 447

BY SENATOR MORRELL

CONTRACTORS. Requires the State Licensing Board for Contractors to provide testing specifically for solar installers. (8/1/14)

1 AN ACT

2 To enact R.S. 37:2156.3, relative to the Louisiana State Licensing Board for Contractors; to
3 provide relative to solar energy equipment and systems; to provide for examinations;
4 to provide for procedures, terms, and conditions; to provide for the adoption of rules;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 37:2156.3 is hereby enacted to read as follows:

8 **§2156.3. Installation of solar energy equipment and systems**

9 **A. No licensed contractor shall install solar energy equipment or solar**
10 **energy systems on or after February 1, 2015, unless he is in compliance with the**
11 **provisions of this Section and any rules adopted by the board in accordance**
12 **with the provisions of this Section.**

13 **B. Notwithstanding any provision of law to the contrary, no later than**
14 **January 1, 2015, the board shall adopt rules in accordance with the**
15 **Administrative Procedure Act regulating the installation of solar energy**
16 **equipment or solar energy systems by licensed contractors. Such rules shall, at**
17 **a minimum, include the requirement of passage of a separate written**

1 examination that evidences the contractor's knowledge and understanding of
2 best practices as related to the installation and maintenance of solar energy
3 equipment or solar energy systems by any contractor who does not hold a
4 current Solar PV Installer certification for solar electric systems, or a current
5 Solar Heating Installer certification for solar thermal hot water systems as
6 issued by the North American Board of Certified Energy Practitioners.

7 C. Contractors applying for the classification of Solar Energy
8 Equipment, shall, in addition to all other application or licensing requirements,
9 meet the following requirements prior to issuance of this classification:

10 (1) Hold one or more of the following major classifications:

11 (a) Building Construction.

12 (b) Electrical Work.

13 (c) Mechanical Work.

14 (d) Residential Building Contractor.

15 (2) Complete training in the design of solar energy systems by an entity
16 and course approved by the board.

17 D. Any work performed to connect wiring or hookups for any
18 photovoltaic panel or system wherein the panel or system is of a value, including
19 labor, materials, rentals, and all direct and indirect project expenses, of ten
20 thousand dollars or more shall be performed only by a contractor or
21 subcontractor who holds the classification of Electrical Work or who may
22 perform electrical work under the provisions of R.S. 37:2156.2(B).

23 E. Any work performed to connect piping or equipment for any solar
24 thermal system wherein the system is of a value, including labor, materials,
25 rentals, and all direct and indirect project expenses, of ten thousand dollars or
26 more shall be performed only by a contractor or subcontractor who holds the
27 classification of Mechanical Work or who may perform mechanical work under
28 the provisions of R.S. 37:2156.2(B).

29 F. The provisions of this Section shall be applicable to entities engaging

1 in the business of selling, leasing, installing, servicing, or monitoring solar
 2 energy equipment. Nothing in this Section shall be construed to impose civil or
 3 criminal liability on homeowners or on any third party whose involvement is
 4 financing to the homeowner, financing for installation, or purchasing the tax
 5 credits described in this Section from any homeowner or contractor. Entities
 6 engaged in the business of arranging agreements for the lease or sale of solar
 7 energy systems or acquiring customers for financing entities shall not be exempt
 8 from the provisions of this Section.

The original instrument was prepared by Michelle Ducharme. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

DIGEST

Proposed law provides that no licensed contractor shall install solar energy equipment or solar energy systems on or after February 1, 2015, unless he is in compliance with the provisions of proposed law and any rules adopted by the board.

Proposed law provides that notwithstanding any provision of law to the contrary, no later than January 1, 2015, the board shall adopt rules in accordance with the Administrative Procedure Act regulating the installation of solar energy equipment or solar energy systems by licensed contractors. Such rules shall, at a minimum, include the requirement of passage of a separate written examination that evidences the contractor's knowledge and understanding of best practices as related to the installation and maintenance of solar energy equipment or solar energy systems by any contractor who does not hold a current Solar PV Installer certification for solar electric systems, or a current Solar Heating Installer certification for solar thermal hot water systems as issued by the North American Board of Certified Energy Practitioners.

Proposed law further provides that contractors applying for the classification of Solar Energy Equipment, shall, in addition to all other application or licensing requirements, meet the following requirements prior to issuance of this classification:

- (1) Hold one or more of the following major classifications:
 - (a) Building Construction.
 - (b) Electrical Work.
 - (c) Mechanical Work.
 - (d) Residential Building Contractor.
- (2) Complete training in the design of solar energy systems by an entity and course approved by the board.

Proposed law provides that any work performed to connect wiring or hookups for any photovoltaic panel or system wherein the panel or system is of a value, including labor, materials, rentals, and all direct and indirect project expenses, of \$10,000 or more shall be

performed only by a contractor or subcontractor who holds the classification of Electrical Work or who may perform electrical work under certain provisions of law.

Proposed law provides that any work performed to connect piping or equipment for any solar thermal system wherein the system is of a value, including labor, materials, rentals, and all direct and indirect project expenses, of \$10,000 or more shall be performed only by a contractor or subcontractor who holds the classification of Mechanical Work or who may perform mechanical work under certain provision of law.

Proposed law shall be applicable to entities engaging in the business of selling, leasing, installing, servicing, or monitoring solar energy equipment.

Proposed law shall not be construed to impose civil or criminal liability on homeowners or on any third party whose involvement is financing to the homeowner, financing for installation, or purchasing the tax credits described from any homeowner or contractor.

Proposed law also provides that entities engaged in the business of arranging agreements for the lease or sale of solar energy systems or acquiring customers for financing entities shall not be exempt from the provisions of proposed law.

Effective August 1, 2014.

(Adds R.S. 37:2156.3)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Provides that on or after February 1, 2015, no licensed contractor shall install solar energy equipment or solar energy systems unless he is in compliance with the law.
2. Provides for the minimum requirements of rules adopted by the State Licensing Board for Contractors relative to a written examination for the installation and maintenance of solar energy equipment or solar energy systems.
3. Provides for licensure requirements and solar energy equipment classification requirements.
4. Removes references to solar electric systems and solar thermal systems.

Senate Floor Amendments to engrossed bill

1. Adds the residential building contractor as one of the major classifications that meets licensing requirements.
2. Clarifies which entities shall be affected by the provisions of proposed law.
3. Technical amendments.