

Regular Session, 2014

HOUSE BILL NO. 974

BY REPRESENTATIVE PONTI

PLUMBERS: Creates a residential plumbing license

1 AN ACT

2 To amend and reenact R.S. 37:1366, 1371(A) and (B)(1)(introductory paragraph), 1373(A),  
3 1376(A), (B)(introductory paragraph), (2), and (3), and 1378(A)(3), (6), and (8) and  
4 to enact R.S. 37:1367(I), 1368(J), 1371(B)(1)(n) through (s), and 1377(I), relative  
5 to plumbers; to provide for a residential plumber's license; to require a license to do  
6 the work of a residential plumber; to authorize a journeyman or master plumber to  
7 perform residential plumbing without a residential plumbing license until April 30,  
8 2015; to provide for the issuance of a residential plumbing license; to establish fees  
9 for licensure; to provide for injunctions; to provide for exceptions; to provide for  
10 definitions; to provide for disciplinary actions; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 37:1366, 1371(A) and (B)(1)(introductory paragraph), 1373(A),  
13 1367(A), (B)(introductory paragraph), (2), and (3), and 1378(A)(3), (6), and (8) are hereby  
14 amended and reenacted and R.S. 37:1367(I), 1368(J), 1371(B)(1)(n) through (s), and 1377(I)  
15 are hereby enacted to read as follows:

16 §1366. Duties of the board

17 A.(1) The board shall adopt tests of qualification to be possessed by any  
18 persons actually engaged in residential plumbing work and see that any person  
19 engaged in the duties of a residential plumber shall possess a residential plumber's  
20 license.

1           (2) Any person holding a journeyman or master plumber's license who  
2           engages in residential plumbing work shall be required to obtain a residential  
3           plumber's license. Any person holding a journeyman or master plumber's license,  
4           as of January 1, 2014, shall be authorized to engage in residential plumbing work  
5           without a residential plumber's license until April 30, 2015.

6           B. The board shall adopt tests of qualification to be possessed by any persons  
7           actually engaged in plumbing installation or plumbing work of any character; and see  
8           that any person engaged in the duties of a journeyman plumber shall possess a  
9           journeyman plumber's license.

10          ~~B.~~ C. The board shall adopt tests of qualification to be possessed by any  
11          persons actually engaged in the art and business of a master plumber, and shall  
12          require any person engaged in the duties of a master plumber to possess a master  
13          plumber's license.

14          ~~C.~~ D. The board shall recognize the system of qualification or registration  
15          of apprentices as administered by joint and nonjoint apprenticeship committees  
16          approved by the state of Louisiana. However, the board may accept an affidavit  
17          from an individual certifying his work experience in the field of plumbing, and such  
18          individual may be certified as a journeyman plumber provided he passes the written  
19          examination and pays the fees established by the board under R.S. 37:1368(B).

20          ~~D.~~ E. The board shall have the power to make such reasonable regulations  
21          as it may deem desirable in the performance of its functions and enforcement of the  
22          provisions of this Chapter.

23          ~~E.~~ F. The board shall meet at a minimum annually during the month of  
24          August at the time and place designated by the president of the board and the  
25          members and the advisory committee shall be so notified.

26          ~~F.~~ G. No special meeting shall be called without notifying each board  
27          member and each member of the advisory committee in writing ten days in advance.

28          ~~G.~~ H. The board shall adopt tests of qualifications to be possessed by any  
29          person engaged in the work of installing piping used solely to transport gases for

1 medical purposes and require any such person engaged in such work to possess a  
2 license issued by the board.

3 ~~H. I.~~ I. The board shall adopt tests of qualifications to be possessed by  
4 journeyman or master plumbers, licensed by the board, who seek an endorsement to  
5 their journeyman or master plumber license authorizing them to engage in the work  
6 or business of water supply protection specialists.

7 ~~F. J.~~ J. The board may establish and determine by rule minimum requirements  
8 relative to continuing professional development for the renewal or reinstatement of  
9 any license or special endorsement issued by the board.

10 §1367. License required, residential, journeyman, and master plumber; medical gas  
11 piping installer; medical gas and vacuum systems verifier; water supply  
12 protection specialist endorsement; local examination preempted

13 \* \* \*

14 I. No natural person shall engage in doing the work of a residential plumber  
15 unless he possesses a license or renewal thereof issued by the board.

16 §1368. Issuance of residential, journeyman, and master plumber's license; medical  
17 gas piping and installation license; medical gas and vacuum systems verifier  
18 license; water supply protection specialist endorsement; exemption

19 \* \* \*

20 J. The board shall issue a license to any natural person who has at least five  
21 thousand hours of experience as a residential plumber and who desires to engage in  
22 doing the work of a residential plumber if he passes a written examination given by  
23 the board for this purpose and pays the fees established by the board. The board  
24 shall not adopt or promulgate any other experience or testing requirement for the  
25 residential plumber's license.

26 \* \* \*

27 §1371. Fees

28 A. The board may fix and charge reasonable examination, licensing, and  
29 renewal fees for residential, journeyman, and master plumbers, temporary permit

1 fees for journeyman plumbers, restricted license fees for journeyman and master  
 2 plumbers, and renewal fees for inactive master plumbers. The board may fix and  
 3 charge reasonable examination, licensing, and renewal fees for persons engaged in  
 4 the work or business of medical gas piping installation and for persons engaged in  
 5 the work or business of a medical gas and vacuum system verifier. The board may  
 6 also fix and charge reasonable examination, licensing, and renewal fees associated  
 7 with endorsements issued to journeyman or master plumbers relative to the work of  
 8 a water supply protection specialist. These fees shall not exceed the amount required  
 9 to maintain the board and pay the expenses of operating the board and enforcing the  
 10 provisions of this Chapter.

11 B.(1) ~~Effective January 1, 2000, the~~ The board may increase fees and  
 12 charges in accordance with the following schedule:

13 \* \* \*

14	<u>(n) Residential plumber examination</u>	<u>\$75.00</u>
15	<u>(o) Initial residential plumber license fee,</u>	
16	<u>payable upon successful completion of</u>	
17	<u>examination</u>	<u>\$45.00</u>
18	<u>(p) Residential plumber renewal fee</u>	<u>\$45.00</u>
19	<u>(q) Residential plumber revival fee</u>	<u>\$25.00</u>
20	<u>(r) Residential plumber revival fee paid</u>	
21	<u>after March 31</u>	<u>\$30.00</u>
22	<u>(s) Residential plumber administrative charge</u>	
23	<u>for processing application</u>	<u>\$40.00</u>

24 \* \* \*

25 §1373. Injunctions

26 A. The board may enjoin any person from engaging in doing the work of a  
 27 residential plumber, journeyman plumber, master plumber, medical gas piping  
 28 installer, medical gas and vacuum systems verifier, or water supply protection  
 29 specialist wherever it appears that a person is violating or is conspiring to violate the

1 provisions of this Chapter. The board may also enjoin an employing entity from  
2 violating or conspiring to violate the provisions of this Chapter.

3 \* \* \*

4 §1376. Exceptions

5 A. Any residential plumber or journeyman who has not been licensed and  
6 does his work in a place not previously under the jurisdiction of the Louisiana State  
7 Plumbing Board shall, upon payment of the regular examination fee, be issued a  
8 permit to continue the art of plumbing, limited to the area in which he has been  
9 previously doing plumbing work.

10 B. When an area, not previously covered by this ~~Act~~ Chapter, comes under  
11 the jurisdiction of the board, the board will take the following steps to license the  
12 residential plumbers and journeymen who do work in that area.

13 \* \* \*

14 (2) Any applicant who has practiced the art of plumbing in this area for the  
15 past five years and who is unable to meet the requirements for a residential plumber  
16 or journeyman license may upon payment of the required fee be issued a permit good  
17 until the next examination by the board which will permit him to continue practicing  
18 the art of plumbing, but shall limit his practice to the place in which he has been so  
19 licensed. This individual will be required to take each examination given by the  
20 board thereafter until he is able to qualify under the board's regulations.

21 (3) Any person who has taken four residential plumbers' or journeymen  
22 plumbers' examinations and still fails to qualify may be issued a qualified license to  
23 continue practicing the art of plumbing in the place in which he was issued  
24 temporary permits.

25 §1377. Definitions; exceptions

26 \* \* \*

27 I. Residential plumber. A "residential plumber" is a natural person who  
28 possess the necessary qualifications and knowledge to install, alter, and repair

1 plumbing systems, including septic tank systems and nonmedical gas piping, used  
2 in one- and two-family dwellings.

3 §1378. Revocation of licenses; other disciplinary actions

4 A. The board may, pursuant to the procedures provided in the Administrative  
5 Procedure Act, revoke, suspend, or refuse to renew any license or endorsement  
6 issued by the board to any natural person. Grounds for revocation, or lesser  
7 disciplinary action, include but are not limited to the following:

8 \* \* \*

9 (3) The habitual performance of the work of either a residential plumber,  
10 journeyman plumber, or a master plumber which is substantially below the standards  
11 established by the Department of Health and Hospitals or any of its agencies or  
12 offices, or the habitual performance of work of a medical gas installer or medical gas  
13 and vacuum systems verifier not in compliance with regulations of the state fire  
14 marshal or related local governmental codes.

15 \* \* \*

16 (6) The habitual practice of a residential plumber, journeyman plumber,  
17 master plumber, medical gas piping installer, or holder of a water supply protection  
18 specialist endorsement to knowingly allow any person not licensed by the board to  
19 perform plumbing work, medical gas piping installation, or the work of a water  
20 supply protection specialist, except as otherwise authorized by this Chapter.

21 \* \* \*

22 (8) The habitual violation by a residential plumber, master plumber,  
23 journeyman plumber, apprentice plumber, medical gas piping installer, medical gas  
24 and vacuum systems verifier, or holder of a water supply protection specialist  
25 endorsement of the rules and regulations adopted by the board.

26 \* \* \*

## 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)]

Ponti

HB No. 974

**Abstract:** Establishes a residential plumber's license for plumbers performing plumbing work in one- and two-family dwellings.

Present law provides that the State Plumbing Board shall adopt tests for qualifications for persons engaged in plumbing installation or plumbing work.

Proposed law requires any person engaged in the duties of a residential plumber to possess a residential plumber's license.

Proposed law prohibits a natural person from engaging in the work of a residential plumber unless that person possess a license issued by the State Plumbing Board.

Proposed law requires any person holding a journeyman or master plumber's license who engages in residential plumbing work obtain a residential plumber's license.

Proposed law authorizes a person holding a journeyman or master plumber's license, as of Jan. 1, 2014, to engage in residential plumbing work without a residential plumber's license until April 30, 2015.

Proposed law requires the State Plumbing Board to issue a license to any natural person who has at least 5,000 hours of experience as a residential plumber and who desires to engage in doing the work of a residential plumber if that person passes a written examination given by the board for this purpose and pays the fees established by the board.

Proposed law prohibits the board from adopting or promulgating any other experience or testing requirement for the residential plumber's license.

Present law authorizes the board to fix fees for exams, licensing and licensing renewal for plumbers.

Proposed law provides that the plumbing board may fix and charge reasonable examination, licensing, and renewal fees for residential plumbers.

Proposed law provides that the plumbing board may increase fees and charges in accordance with the following schedule:

(1)	Residential plumber examination	\$75.00
(2)	Initial residential plumber license fee, payable upon successful completion of examination	\$45.00
(3)	Residential plumber renewal fee	\$45.00
(4)	Residential plumber revival fee	\$25.00
(5)	Residential plumber revival fee paid after March 31	\$30.00

- (6) Residential plumber administrative charge for processing application \$40.00

Present law authorizes the board to enjoin any person engaged in plumbing work in violation of present law.

Proposed law authorizes the plumbing board to enjoin any person from engaging in doing the work of a residential plumber wherever it appears that a person is violating or is conspiring to violate the provisions of present law.

Present law provides that any journeyman who has not been licensed and does work in a place not previously under the board's jurisdiction shall be permitted to do so with the payment of a fee.

Proposed law provides that any residential plumber who has not been licensed and does work in a place not previously under the jurisdiction of the plumbing board shall, upon payment of the regular examination fee, be issued a permit to continue the art of plumbing, limited to the area in which he has been previously doing plumbing work.

Present law provides that any applicant who has practiced the art of plumbing for five years and unable to attain a journeyman license shall pay a permit fee and practice in an acclimated area.

Proposed law provides that any applicant who has practiced the art of plumbing an area not previously under the jurisdiction of the plumbing board for the past five years and who is unable to meet the requirements for a residential plumber license may, upon payment of the required fee, be issued a permit good until the next examination by the board which will permit him to continue practicing the art of plumbing, but shall limit his practice to the place in which he has been so licensed. Requires this individual to take each examination given by the board thereafter until he is able to qualify under the board's regulations.

Present law provides that any person who has take four journeyman exams and fails to qualify for a license may be issued a qualified license.

Proposed law authorizes any person who has taken four residential plumbers' examinations and still fails to qualify to be issued a qualified license to continue practicing the art of plumbing in the place in which he was issued temporary permits.

Proposed law defines a residential plumber as a natural person who possess the necessary qualifications and knowledge to install, alter, and repair plumbing systems, including septic tank systems and non-medical gas piping, used in one- and two-family dwellings, which shall not extend more than two stories above ground.

Present law authorizes the board to refuse to license or take disciplinary action against a journeyman or master plumber for certain enumerated reasons.

Proposed law authorizes the plumbing board to revoke, suspend, or refuse to renew the residential plumber license issued by the board to any natural person whose habitual performance is substantially below the standards established by the Dept. of Health and Hospitals or any of its agencies or offices.

Proposed law authorizes the plumbing board to revoke, suspend, or refuse to renew the residential plumber license issued by the board to any natural person who knowingly allows any person not licensed by the board to perform plumbing work, medical gas piping installation, or the work of a water supply protection specialist.



Proposed law authorizes the plumbing board to revoke, suspend, or refuse to renew the residential plumber license issued by the board to any natural person who habitually violates the rules and regulations adopted by the board.

(Amends R.S. 37:1366, 1371(A) and (B)(1)(intro. para.), 1373(A), 1376(A), (B)(intro. para.), (2), and (3), and 1378(A)(3), (6), and (8); Adds R.S. 37:1367(I), 1368(J), 1371(B)(1)(n)-(s), and 1377(I))