



1           2. Successfully pass the closed-book trade examination for the respective specialty  
2 classification.

3           3. Provide proof of current general liability and workers' compensation insurance  
4 coverage as prescribed by the board; and

5           WHEREAS, a contractor seeking to obtain a specialty classification license is  
6 required, in addition to all other application and licensing requirements, to do all of the  
7 following:

8           1. Designate a qualifying party to successfully pass both the open-book business and  
9 law examination and respective trade examination.

10          2. Provide proof of current general liability and workers' compensation insurance  
11 coverage as prescribed by the board; and

12          WHEREAS, LAC 46:XXIX.1517 authorizes a subcontractor who provides "labor  
13 only" and works under the direct supervision of a licensed residential building contractor to  
14 obtain a subcontract-labor-only specialty classification license in lieu of the specialty  
15 classification license required in LAC 46:XXIX.1515; and

16          WHEREAS, a subcontractor seeking to obtain a subcontract-labor-only specialty  
17 classification license may be exempt from the trade examination requirement, if the  
18 subcontractor does all of the following:

19           1. Completes and submits a residential application as prescribed by the board.

20           2. Submits an affidavit executed by a licensed residential building contractor  
21 attesting to the subcontractor's quality of work and character.

22           3. Passes the open-book business and law examination.

23           4. Provides proof of current general liability and workers' compensation insurance  
24 coverage as prescribed by the board; and

25          WHEREAS, some citizens of this state believe the construction industry is one of the  
26 few remaining industries affording opportunities for workers to learn a trade and earn a  
27 living without the expense of higher education; and

28          WHEREAS, Louisiana families have enjoyed the benefits of self-employment for  
29 years in the construction industry, having handed their trades down through generations; and

1           WHEREAS, certain industry stakeholders assert that a high percentage of residential  
2 building subcontractors in this state are persons belonging to demographic minorities; and

3           WHEREAS, industry stakeholders, which include families and citizens generally,  
4 perceive the increased requirements of the board as discriminatory against minorities in the  
5 construction industry, obstructing opportunities for minority contractors and subcontractors  
6 with what are considered unnecessary, burdensome restrictions for persons who have  
7 accumulated years of experience in their respective building trades; and

8           WHEREAS, some industry stakeholders perceive requirements of the board, as  
9 provided in LAC 46:XXIX.1515 and 1517, to be a threat to self-employment and diversity  
10 in the construction industry, contesting that board requirements will not aid in better  
11 construction of residential homes and will not "cause one brick to be laid straighter or one  
12 slab to be finished smoother"; and

13           WHEREAS, generally, stakeholders are concerned that specialty classification  
14 licensing requirements of the board serve to adversely affect the self-employed, minority  
15 contractor and subcontractor, and thus the rules should be repealed; and

16           WHEREAS, R.S. 49:969 provides that the legislature, by concurrent resolution, may  
17 suspend, amend, or repeal any rule adopted by a state department, agency, board, or  
18 commission.

19           THEREFORE, BE IT RESOLVED by the Legislature of Louisiana that LAC  
20 46:XXIX.1515 and 1517 are hereby repealed in their entirety.

21           BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
22 office of the state register and the Louisiana State Licensing Board for Contractors.

23           BE IT FURTHER RESOLVED that the office of the state register is hereby directed  
24 to have the repeal of LAC 46:XXIX.1515 and 1517 printed and incorporated into the  
25 Louisiana Administrative Code and to transmit a copy of the revised rules to the Louisiana  
26 State Licensing Board for Contractors.

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)]

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HCR 3 Original

2017 Regular Session

Armes

Repeals LAC 46:XXIX.1515 and 1517 which generally require any corporation, partnership, individual, or contractor undertaking certain construction of residential buildings or structures to obtain a specialty classification license or subcontract-labor-only license.

Directs the La. Register to print the repeal to LAC 46:XXIX.1515 and 1517 in the La. Administrative Code.

(Repeals LAC 46:XXIX.1515 and 1517)