

House Committee on Commerce

Minutes of Meeting
2022 Regular Session
April 5, 2022

I. CALL TO ORDER

Representative Paula P. Davis, chairman of the House Committee on Commerce, called the meeting to order at 9:31 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Paula P. Davis, chairman
Representative Royce Duplessis
Representative Adrian Fisher
Representative Bryan Fontenot
Representative Jonathan Goudeau, I
Representative Kyle M. Green, Jr.
Representative Stephanie Hilferty, vice chairman
Representative Paul Hollis
Representative Edmond Jordan
Representative Scott McKnight
Representative Candace N. Newell
Representative Thomas A. Pressly
Representative Vincent "Vinney" J. St. Blanc, III
Representative Phillip Eric Tarver
Representative Polly Thomas

MEMBERS ABSENT:

Representative Kenny R. Cox

STAFF MEMBERS PRESENT:

Charlotte Cravins, attorney
Halie Guidry, attorney
Felicie Jackson, executive assistant

ADDITIONAL ATTENDEES PRESENT:

Victoria Grant, committee clerk
Myrtis Jarrell, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 511 by Representative Pierre**

Representative Davis announced that House Bill No. 511, which provides relative to the sale of a used catalytic converter, was voluntarily deferred.

House Bill No. 833 by Representative McMahan

Representative Davis announced that House Bill No. 833, which provides for the burial of pet remains with human remains, was voluntarily deferred.

House Bill No. 803 by Representative Gadberry

Representative Gadberry presented House Bill No. 803, which provides relative to the Building Energy Code for State Owned Buildings.

Representative Davis offered amendments to make technical changes. Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Davis, Fisher, Fontenot, Goudeau, Green, Hilferty, Hollis, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Representative Davis offered amendments to require the council to adopt and amend the latest edition of The International Energy Conservation Code as part of the State Uniform Construction Code. Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Davis, Fisher, Fontenot, Goudeau, Green, Hilferty, Hollis, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Representative Thomas offered a motion to report House Bill No. 803 with amendments. Without objection, House Bill No. 803 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Davis, Fisher, Fontenot, Goudeau, Green, Hilferty, Hollis, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support. Witness cards are included in the committee records.

House Bill No. 488 by Representative Thomas

Representative Thomas presented House Bill No. 488, which provides relative to the definition of "real estate activity" according to the Louisiana Real Estate License Law.

Representative Boyd, District No. 102, 3401 General De Gaulle Dr., Ste., 5076, New Orleans, LA 70114, (504) 605-5622, spoke for information only on House Bill No. 488. A witness card was not submitted.

Bruce Unangst, Louisiana Real Estate Commission (LREC), 9071 Interline Ave., Baton Rouge, LA 70809, (225) 925-1923, spoke for information only on House Bill No. 488.

Thomas Devillier, LREC, 9071 Interline Ave., Baton Rouge, LA 70809, (225) 252-1905, spoke for information only on House Bill No. 488.

Representative McKnight offered amendments to:

- (1) Remove a provision which adds publicly marketing for sale the equitable interest in a contract to purchase property between the buyer and seller of the property to the definition of real estate activity.
- (2) Expand the definition of real estate activity to include engaging in a pattern of publicly marketing for sale, assignment, or exchange an equitable interest in a contract for the purchase of one-to-four family residential immovable property between the owner and buyer.
- (3) Define engaging in a pattern as engaging in one of more instances of such activity on two or more occasions in a 12-month period.

Kim Callaway, Louisiana Realtors, 821 Main St., Baton Rouge, LA 70802, (225) 923-2210, spoke in support of House Bill No. 488.

Representative McKnight offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Davis, Duplessis, Fisher, Fontenot, Goudeau, Green, Hilferty, Hollis, Jordan, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Representative McKnight offered amendments to make technical changes. Representative McKnight offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Davis, Duplessis, Fisher, Fontenot, Goudeau, Green, Hilferty, Hollis, Jordan, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Representative Newell offered a motion to report House Bill No. 488 with amendments. No vote was taken.

After further discussion, Representative Thomas offered a motion to voluntarily defer action on House Bill No. 488. Without objection, action on House Bill No. 488 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Davis, Fontenot, Goudeau, Green, Hilferty, Hollis, Jordan, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

House Bill No. 586 by Representative Thomas

Representative Thomas presented House Bill No. 586, which provides limited authority to the Louisiana Real Estate Commission to access certain criminal history record information of licensees and applicants.

Representative Davis offered amendments to make technical changes. Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Davis, Goudeau, Green, Hilferty, Hollis, Jordan, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Thomas Devillier, LREC, 9071 Interline Ave., Baton Rouge, LA 70809, (225) 252-1905, spoke for information only on House Bill No. 586.

Representative Davis offered amendments to:

- (1) Define criminal history record information.
- (2) Authorize the commission to access the criminal history record files of the Louisiana Bureau of Criminal Identification and Information for any licensee or applicant for licensure as a broker.
- (3) Provide for the process of obtaining state and national criminal history record information of applicants for licensure.
- (4) Provide for the payment of costs for obtaining criminal history record information of an applicant and recovering such costs from the applicant.
- (5) Require a real estate broker seeking licensure to consent to and pay for a background check.

Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Davis, Goudeau, Green, Hilferty, Hollis, Jordan, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Lessie LeBlanc, Justice and Accountability Center, 161 Whitmore Rd., Scott, LA 70583, (337) 303-3283, spoke in opposition to House Bill No. 586.

Representative Hilferty offered a motion to report House Bill No. 586 with amendments. Without objection, House Bill No. 586 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Green, Hilferty, Hollis, McKnight, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support and 2 for information only. Witness cards are included in the committee records.

House Bill No. 387 by Representative Hollis

Representative Hollis presented House Bill No. 387, which provides relative to homeowners' association disclosures.

Representative Davis offered amendments to in the form of a substitute bill. Representative Davis offered a motion to adopt the substitute bill. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Green, Hilferty, Hollis, McKnight, Newell, Pressly, St. Blanc, and Thomas voted yea.

Kim Callaway, Louisiana Realtors, 821 Main St., Baton Rouge, LA 70802, (225) 923-2210, spoke in support of House Bill No. 387.

Norman Morris, Louisiana Realtors, 821 Main St., Baton Rouge, LA 70802, (225) 229-8538, spoke in support of House Bill No. 387.

Representative Fontenot offered a motion to report House Bill No. 387 by substitute. Without objection, House Bill No. 387 was reported by substitute by a vote of 11 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Green, Hilferty, Hollis, McKnight, Pressly, St. Blanc, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in opposition. Copies of these statements are included in the committee records.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

Representative Davis announced that the committee would not meet on April 11, 2022.

VI. ADJOURNMENT

Representative Green offered a motion to adjourn. Without objection, the motion passed by a vote of 11 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Green, Hilferty, Hollis, McKnight, Pressly, St. Blanc, and Thomas voted yea.

The meeting was adjourned at 10:39 a.m.

Respectfully submitted,

Chairman Paula P. Davis
House Committee on Commerce

Date adopted: