HOUSE BILL NO. 797

AN ACT TO AMEND SECTION 73-59-3, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTY FOR LATE PAYMENT OF THE LICENSE FEE FOR RESIDENTIAL BUILDERS AND REMODELERS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 73-59-3, Mississippi Code of 1972, is amended as follows:

73-59-3. (1) Except as otherwise provided in Section 73-59-15, persons who perform residential construction or residential improvement shall be licensed by the board annually, and, as a prerequisite to obtaining a license or renewal thereof, each shall submit to the board:

(a) Proof of workers' compensation insurance, if applicable;

(b) A federal employment identification number or social security number.

(2) The board shall not require liability insurance to be licensed under this chapter but if a licensee has liability insurance it shall be reflected on the certificate of licensure.

(3) The board shall issue or renew a license to a residential builder or remodeler upon payment to the board of the license fee. The initial license fee shall be Fifty Dollars ($50.00). The license fee may thereafter be increased or decreased by the board and cannot exceed One Hundred Dollars ($100.00); however, the receipts from fees collected by the board shall be no greater than the amount required to pay all costs and expenses incurred by the board in enforcing the provisions of this chapter. All fees collected under this chapter shall be deposited...
into the special fund in the State Treasury known as the "State Board of Contractor's Fund" created pursuant to Section 31-3-17 and shall be used only for the administration and enforcement of this chapter. Amounts in such fund shall not lapse into the State General Fund at the end of a fiscal year. Interest accrued to such fund shall remain in the fund. All expenditures from the special fund shall be by requisition to the Department of Finance and Administration, signed by the executive secretary of the board and countersigned by the chairman or vice chairman of the board.

(4) The license shall expire on the last day of the twelfth month following its issuance or renewal and shall become invalid unless renewed. The board shall notify by mail every licensee under this chapter of the date of the expiration of his license and the amount of the fee required for renewal of the license for one (1) year. Such notice shall be mailed within thirty (30) days prior to the expiration date of the license. The failure on the part of any licensee to renew his license annually in such twelfth month shall not deprive such licensee of the right of renewal, provided that renewal is effected within one hundred twenty (120) days after the expiration date of the license by payment of the license fee plus a penalty of ten percent (10%) of the license fee. A new license required to replace a revoked, lost, mutilated or destroyed license may be issued, subject to the rules of the board, for a charge of not more than Twenty-five Dollars ($25.00).

(5) Any person who is not a resident of the State of Mississippi who desires to perform residential construction or residential improvement shall be licensed to perform such construction or improvement as provided by this chapter.

SECTION 2. This act shall take effect and be in force from and after July 1, 2002.