

By: Senator(s) Kirby

To: Municipalities; County Affairs

SENATE BILL NO. 2401

1 AN ACT TO AMEND SECTION 27-17-457, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY LOCAL IMPOSITION OF PRIVILEGE LICENSE FEES AGAINST
3 BUILDING-INDUSTRY CONTRACTORS; TO CODIFY SECTION 17-27-1,
4 MISSISSIPPI CODE OF 1972, TO REQUIRE MUNICIPALITIES AND COUNTIES
5 TO GRANT EXAMINATION RECIPROCITY UNDER CERTAIN CIRCUMSTANCES; AND
6 FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 27-17-457, Mississippi Code of 1972, is
9 amended as follows:

10 27-17-457. (1) No contractor, including, but not limited
11 to, any electrical, plumbing, heating and air conditioning, water
12 and sewer, roofing or mechanical contractor * * * who holds a
13 privilege license under this chapter shall * * * advertise to the
14 public that he is "licensed" unless he is * * * in compliance with
15 all competency examination requirements of the local jurisdiction
16 in which he does business or holds a current license or
17 certificate of responsibility from the State Board of Contractors.
18 Any officer collecting privilege tax may suspend the issuance or
19 renewal of a privilege license * * * until such time as the
20 licensee is in compliance with the provisions of this section. If
21 a person advertises himself to the public as "licensed," the
22 person must state to the public that he is "licensed by the city
23 of" or "county of" followed by the name or names of the
24 appropriate cities and counties in which the person * * *
25 currently holds a license issued on the basis of a competency
26 exam, * * * or, if * * * appropriate, "licensed by the State Board
27 of Contractors."

28 (2) No additional privilege license fee shall be required in
29 order for a contractor having a single business location to do



30 business in another municipality or county in the state if the
31 contractor has paid a privilege license fee in the municipality or
32 county where he is domiciled. However, every jurisdiction in
33 which a contractor does business may impose its own separate
34 bonding requirements on the contractor desiring to do business
35 there.

36 (3) Any contractor who operates more than one (1) separate
37 place of business within the state must obtain the appropriate
38 privilege license and pay the privilege license fee for each
39 location if required by the local jurisdiction.

40 **SECTION 2.** The following shall be codified as Section
41 17-27-1, Mississippi Code of 1972:

42 17-27-1. Every municipality and county of the State of
43 Mississippi shall grant competency examination reciprocity to any
44 contractor, including, but not limited to, any electrical,
45 plumbing, heating and air conditioning, water and sewer, roofing
46 or mechanical contractor, who is licensed by another municipality
47 or county of this state without imposing any further competency
48 examination requirements provided:

49 (a) That the contractor furnishes evidence that he has
50 a license issued on the basis of a competency examination
51 administered in one (1) municipality or county of the State of
52 Mississippi which has an examining board that regularly gives a
53 written examination which has been approved by the State Board of
54 Public Contractors or the Building Officials Association of
55 Mississippi;

56 (b) That he furnishes evidence that he actually took
57 and passed the written examination which qualified him for such
58 license; however, in lieu thereof, he may furnish evidence that
59 he was issued a license prior to May 1, 1972, and prior to the
60 existence of a written examination by a county or municipality
61 which has an examining board that requires written examination to
62 qualify for a license;



63 (c) That he has been actively engaged in the business
64 for which he is licensed for two (2) years or more;

65 (d) That he has held a license for his business for one
66 (1) year or more; and

67 (e) That he pays the license fee to the municipality or
68 county to which application is made for a license unless he holds
69 a current certificate of responsibility issued by the State Board
70 of Public Contractors, in which case no license fee shall be
71 collected.

72 **SECTION 3.** This act shall take effect and be in force from
73 and after July 1, 2002.

