

By: Representative Moore (60th)

To: Judiciary B

HOUSE BILL NO. 1153

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; TO  
6 CODIFY SECTION 17-27-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE  
7 CERTAIN BONDING REQUIREMENTS; AND FOR RELATED PURPOSES.

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

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

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



29       (2) No additional privilege license fee shall be required in  
30 order for a contractor having a single business location to do  
31 business in another municipality or county in the state if the  
32 contractor has paid a privilege license fee in the municipality or  
33 county where he is domiciled.

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

38       **SECTION 2.** The following shall be codified as Section  
39 17-27-1, Mississippi Code of 1972:

40       17-27-1. Every municipality and county of the State of  
41 Mississippi shall grant competency examination reciprocity to any  
42 contractor, including, but not limited to, any electrical,  
43 plumbing, heating and air conditioning, water and sewer, roofing  
44 or mechanical contractor, who is licensed by another municipality  
45 or county of this state without imposing any further competency  
46 examination requirements provided:

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

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



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

63 (d) That he has held a license for his business for one  
64 (1) year or more.

65 **SECTION 3.** The following shall be codified as Section  
66 17-27-3, Mississippi Code of 1972:

67 17-27-3. Every jurisdiction in which a contractor does  
68 business may impose its own separate permit or performance bonding  
69 requirements on the contractor desiring to do business there.  
70 However, a contractor who has been granted reciprocity under the  
71 provisions of Section 17-27-1, may acquire a cash bond or surety  
72 bond issued by a corporate surety authorized to do business in  
73 this state in the amount of Ten Thousand Dollars (\$10,000.00).  
74 The bond shall be in such form as approved by the State Board of  
75 Public Contractors, shall cover all jurisdictions in the State of  
76 Mississippi in which the contractor legally does business, and  
77 shall be in lieu of complying with each local jurisdiction's  
78 separate bond requirements.

79 **SECTION 4.** This act shall take effect and be in force from  
80 and after July 1, 2003.

