

By: Senator(s) Hewes

To: Business and Financial  
Institutions

SENATE BILL NO. 2440

1 AN ACT TO AMEND SECTION 17-25-5, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE APPROVAL NEEDED IN ORDER FOR A WRITTEN COMPETENCY  
3 EXAMINATION TO QUALIFY FOR RECIPROCITY BETWEEN LICENSING  
4 JURISDICTIONS; TO AMEND SECTION 27-17-457, MISSISSIPPI CODE OF  
5 1972, TO CLARIFY LOCAL IMPOSITION OF PRIVILEGE LICENSE FEES  
6 AGAINST BUILDING-INDUSTRY CONTRACTORS; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 17-25-5, Mississippi Code of 1972, is  
9 amended as follows:

10 17-25-5. (1) Every municipality and county of the State of  
11 Mississippi shall grant competency examination reciprocity to any  
12 contractor, including, but not limited to, any electrical,  
13 plumbing, heating and air conditioning, water and sewer, roofing  
14 or mechanical contractor, who is licensed by another municipality  
15 or county of this state without imposing any further competency  
16 examination requirements provided:

17 (a) That the contractor furnishes evidence that he has  
18 a license issued on the basis of a competency examination  
19 administered in one (1) municipality or county of the State of  
20 Mississippi which has an examining board established by county or  
21 municipal ordinance that regularly gives a written examination and  
22 which requires written examination to qualify for a license;

23 (b) That he furnishes evidence that he actually took  
24 and passed the written examination which qualified him for such  
25 license; however, in lieu thereof, he may furnish evidence that  
26 he was issued a license prior to May 1, 1972, and prior to the  
27 existence of a written examination by a county or municipality  
28 which has an examining board that requires written examination to  
29 qualify for a license;

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

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

34 (e) That he pays the license fee to the municipality or  
35 county to which application is made for a license unless he holds  
36 a current certificate of responsibility issued by the State Board  
37 of Public Contractors, in which case no license fee shall be  
38 collected.

39 (2) (a) Any contractor who operates more than one (1)  
40 separate place of business within the state must obtain the  
41 appropriate privilege license and pay the privilege license fee  
42 for each location if required by the local jurisdiction.

43 (b) Every jurisdiction in which a contractor does  
44 business may impose its own separate bonding requirements on the  
45 contractor desiring to do business there.

46 **SECTION 2.** Section 27-17-457, Mississippi Code of 1972, is  
47 amended as follows:

48 27-17-457. (1) No contractor, including, but not limited  
49 to, any electrical, plumbing, heating and air conditioning, water  
50 and sewer, roofing or mechanical contractor \* \* \* who holds a  
51 privilege license under this chapter shall \* \* \* advertise to the  
52 public that he is "licensed" unless he is \* \* \* in compliance with  
53 all competency examination requirements of the local jurisdiction  
54 in which he does business or holds a current license or  
55 certificate of responsibility from the State Board of Contractors.  
56 Any officer collecting privilege tax may suspend the issuance or  
57 renewal of a privilege license \* \* \* until such time as the  
58 licensee is in compliance with the provisions of this section. If  
59 a person advertises himself to the public as "licensed," the  
60 person must state to the public that he is "licensed by the city  
61 of" or "county of" followed by the name or names of the  
62 appropriate cities and counties in which the person \* \* \*

63 currently holds a license issued on the basis of a competency  
64 exam, \* \* \* or, if \* \* \* appropriate, "licensed by the State Board  
65 of Contractors."

66 (2) No additional privilege license fee shall be required in  
67 order for a contractor having a single business location to do  
68 business in another municipality or county in the state if the  
69 contractor has paid a privilege license fee in the municipality or  
70 county where he is domiciled. However, every jurisdiction in  
71 which a contractor does business may impose its own separate  
72 bonding requirements on the contractor desiring to do business  
73 there.

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

78 **SECTION 3.** This act shall take effect and be in force from  
79 and after its passage.