

By: Senator(s) Flowers

To: Business and Financial  
Institutions

SENATE BILL NO. 2484

1 AN ACT TO AMEND SECTION 73-59-3, MISSISSIPPI CODE OF 1972, TO  
2 DISTRIBUTE A PORTION OF THE RESIDENTIAL BUILDER LICENSING FEES TO  
3 THE MISSISSIPPI HOUSING INSTITUTE FOR THE PURPOSE OF EDUCATION AND  
4 PROFESSIONAL DEVELOPMENT OF HOMEBUILDERS; AND FOR RELATED  
5 PURPOSES.

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

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

9 73-59-3. (1) Except as otherwise provided in Section  
10 73-59-15, persons who perform residential construction or  
11 residential improvement shall be licensed by the board annually,  
12 and, as a prerequisite to obtaining a license or renewal thereof,  
13 each shall submit to the board:

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

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

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

21 (3) The board shall issue or renew a license to a  
22 residential builder or remodeler upon payment to the board of the  
23 license fee. The initial license fee shall be Fifty Dollars  
24 (\$50.00). The license fee may thereafter be increased or  
25 decreased by the board and cannot exceed One Hundred Dollars  
26 (\$100.00); however, the receipts from fees collected by the board  
27 shall be no greater than the amount required to pay all costs and  
28 expenses incurred by the board in enforcing the provisions of this

29 chapter and in providing education and professional development  
30 through the Mississippi Housing Institute. Seventy-five percent  
31 (75%) of the fees collected under this chapter shall be deposited  
32 into the special fund in the State Treasury known as the "State  
33 Board of Contractor's Fund" created pursuant to Section 31-3-17  
34 and shall be used only for the administration and enforcement of  
35 this chapter. Twenty-five percent (25%) of the fees collected  
36 under this chapter shall be deposited into the special fund in the  
37 State Treasury hereby created and known as the "Residential  
38 Homebuilders Education Fund." Amounts in the Residential  
39 Homebuilders Education Fund shall be distributed to the  
40 Mississippi Housing Institute for the sole purpose of providing  
41 education and professional development for licensed homebuilders.  
42 Amounts in the State Board of Contractor's Fund and the  
43 Residential Homebuilders Education Fund shall not lapse into the  
44 State General Fund at the end of a fiscal year, and interest  
45 accrued to such funds shall remain in the funds. All expenditures  
46 from the special funds shall be by requisition to the Department  
47 of Finance and Administration, signed by the executive secretary  
48 of the board and countersigned by the chairman or vice chairman of  
49 the board.

50 (4) The license shall expire on the last day of the twelfth  
51 month following its issuance or renewal and shall become invalid  
52 unless renewed. The board shall notify by mail every licensee  
53 under this chapter of the date of the expiration of his license  
54 and the amount of the fee required for renewal of the license for  
55 one (1) year. Such notice shall be mailed within thirty (30) days  
56 prior to the expiration date of the license. The failure on the  
57 part of any licensee to renew his license annually in such twelfth  
58 month shall not deprive such licensee of the right of renewal,  
59 provided that renewal is effected within one hundred twenty (120)  
60 days after the expiration date of the license by payment of the  
61 license fee plus a penalty of ten percent (10%) of the license

62 fee. A new license required to replace a revoked, lost, mutilated  
63 or destroyed license may be issued, subject to the rules of the  
64 board, for a charge of not more than Twenty-five Dollars (\$25.00).

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

69 **SECTION 2.** This act shall take effect and be in force from  
70 and after July 1, 2004.