# NOTICE OF RULE ADOPTION—FINAL RULE

## STATE OF MISSISSIPPI
## BOARD OF CONTRACTORS

FILED
AUG 21 2009
MISSISSIPPI
SECRETARY OF STATE

**Mississippi State Board of Contractors**
**c/o John M. Sullivan, II, Executive Secretary**
**215 Woodline Drive**
**Jackson, Mississippi 39232**
**(601) 354-6161**
**info@msboc.us or www.msboc.us**

**Specific Legal Authority Authorizing the promulgation of Rule**: Miss. Code Ann. §31-3-13(f) (1972, as amended) grants the power and responsibility to the Board to adopt rules and regulations setting forth the requirements for certificates of responsibility, the revocation or suspension thereof, and all other matters concerning same; rules and regulations governing the conduct of the business of the board and its employees; and such other rules and regulations as the board finds necessary for the proper administration of this chapter.
**Reference to Rules repealed, amended or suspended by the Proposed Rule** 50 023 001. Rules and Regulations – Commercial. Rule 1.l. A qualifying party is defined in Miss. Code Ann. §31-3-13(a) (1972, as amended). When the qualifying party terminates employment with the Certificate holder, the Mississippi State Board of Contractors must be notified in writing, by the qualifying party and the Certificate holder, within thirty (30) days of the disassociation and another party must qualify within one hundred eighty (180) days or Certificate holder will be subject to suspension or revocation of its Certificate of Responsibility. (amended 5/19/93)

**Date Rule Proposed**: April 8, 2009

**Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:** The Mississippi Board of Contractors is a licensing agency whose purpose is to protect the health, safety and general welfare of all persons dealing with those who are engaged in the vocation of contracting and to afford such persons an effective and practical protection against incompetent, inexperienced, unlawful and fraudulent acts of contractors. Therefore, it is necessary that the Board of Contractors be apprised of any changes regarding qualifying party(ies) in order to fulfill the statutory purpose of the agency.

**The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.**

☐ An oral proceeding was held on this rule:

Date: {Insert Date}
Time: {Insert Time}
Place: {Insert Place}

☒ An oral proceeding was not held on this rule.

**The Agency has considered the written comments and the presentations made in any oral proceedings, and**

☒ This rule as adopted is without variance from the proposed rule.

☐ This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

☐ The rule as adopted differs from the proposed rule. The differences however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

**Effective Date of Rule:** October 8, 2009

**John M. Sullivan, II, Executive Secretary**