

2021 Regular Session

HOUSE BILL NO. 258

BY REPRESENTATIVE EDMONSTON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

REAL ESTATE/COMMISSION: Provides relative to renewal of real estate licenses and timeshare registrations

1 AN ACT

2 To amend and reenact R.S. 37:1442 and 1443(4), relative to real estate license and  
3 registration renewal; to provide for renewal procedure; to provide for renewal  
4 deadlines; to provide for an effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 37:1442 and 1443(4) are hereby amended and reenacted to read as  
7 follows:

8 §1442. License, ~~certificate~~, and registration issuance and renewal

9 A.(1) Each license, ~~certificate~~, or registration issued ~~under~~ pursuant to this  
10 Chapter shall be:

11 (a) Effective issued for a period of one year.

12 (b) Renewed timely on or before September thirtieth annually.

13 (c) Expired and shall expire on December thirty-first following the date upon  
14 which it is issued. ~~Each license, certificate, or registration shall be renewed~~  
15 ~~annually.~~

16 (2) Conducting A licensee or registrant who conducts any activity authorized  
17 by the license, ~~certificate~~, or registration after the expiration of the license,  
18 ~~certificate~~, or registration shall be deemed a in violation of this Chapter. ~~Licenses,~~  
19 ~~certificates, or registrations not renewed by January first shall be considered expired.~~

1           B.(1) Any licensee or registrant who fails to renew timely may ~~thereafter~~  
2           renew ~~upon payment of the~~ license or registration delinquently by submitting all of  
3           the following no later than December thirty-first annually:

4                 (a) Payment of the appropriate renewal and delinquent fees prescribed by  
5                 this Chapter.

6                 (b) A ~~and upon filing of a complete renewal application.~~

7           (2) ~~The period for delinquent renewal of an expired license or registration~~  
8           ~~shall be limited to the three-month period immediately following the expiration date~~  
9           ~~of the active license or registration. Failure~~ A licensee or registrant who fails to  
10           ~~delinquently renew an expired license or registration during this three-month period~~  
11           ~~shall result in a forfeiture of~~ by December thirty-first forfeits his renewal rights, and  
12           ~~shall require~~ the former licensee or registrant shall be required to apply as an initial  
13           applicant and meet all requirements of an initial applicant.

14           C. ~~Any inactive licensee who fails to renew timely may thereafter renew~~  
15           ~~upon payment of the appropriate renewal fees and filing of a complete renewal~~  
16           ~~application. The period for delinquent renewal of an expired delinquent inactive~~  
17           ~~license will be limited to the three-month period immediately following the~~  
18           ~~expiration date of the inactive license. Failure to renew delinquently an expired~~  
19           ~~inactive license during the three-month period will result in the forfeiture of renewal~~  
20           ~~rights and will require the former licensee to apply as an initial applicant and meet~~  
21           ~~all requirements of an initial applicant.~~

22           D. ~~Timeshare registrants who fail to renew timely may thereafter renew~~  
23           ~~within three months of the expiration of their registration upon payment of a~~  
24           ~~delinquency renewal fee; however, Notwithstanding any provision of law to the~~  
25           ~~contrary, registered timeshare developers of timeshare projects who qualify under~~  
26           ~~pursuant to Section 5 of Act No. 999 of the 1985 Regular Session of the Legislature~~  
27           ~~but and~~ and who fail to renew timely shall no longer qualify ~~under~~ pursuant to that  
28           Section Act.

1 §1443. Fees

2 The commission may charge:

3 \* \* \*

4 (4) Delinquent fees, in addition to the renewal fee, if not renewed by  
 5 ~~December thirty-first~~ September thirtieth of the applicable license; or registration;  
 6 ~~or certification~~ period:

7 (a) ~~January~~ October 1 - February ~~November~~ 15 Active and ~~inactive~~ Inactive  
 8 Licensees  
 9 \$50.00

10 (b) ~~February~~ November 16 - March ~~December~~ 31 Active Licensees  
 11 \$200.00

12 (c) ~~February~~ November 16 - March ~~December~~ 31 Inactive Licensees  
 13 \$50.00

14 (d) ~~January~~ October 1 - January ~~December~~ 31 Real estate schools, vendors,  
 15 and pre-license instructors  
 16 \$ 50.00

17 \* \* \*

18 Section 2. This Act shall become effective on April 1, 2022.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 258 Original

2021 Regular Session

Edmonston

**Abstract:** Provides for the issuance and renewal time periods and delinquent fee of certain real estate licenses and registrations.

Present law allows the La. Real Estate Commission to issue licenses, certificates, and registrations.

Proposed law removes certificates.

Present law provides that each license or registration is issued for one year and expires on December 31st following the date that the license was issued. Further, present law requires a license or registration to be renewed by January 1st or it expires.

Proposed law requires each license or registration to be renewed timely on or before September 30th each year.

Present law provides a delinquent fee schedule based on the time frame that active licensees and inactive licensees renew the expired license or registration.

Proposed law revises the time frames.

Present law allows timeshare registrants who fail to renew timely to pay a delinquency renewal fee within three months of the expiration of their registration.

Proposed law repeals present law.

Effective April 1, 2022.

(Amends R.S. 37:1442 and 1443(4))