

RÉSUMÉ DIGEST

ACT 708 (HB 1166)

2026 Regular Session

Carver

Existing law defines "property disclosure document", "real estate contract", and "seller".

New law retains existing law but also defines "vacant residential property" and includes the term within the definitions of "property disclosure document", "real estate contract", and "seller".

Existing law provides for the applicability of existing law regarding transfers relative to residential real properties and provides exceptions.

New law retains existing law and adds vacant residential property relative to applicability and certain exceptions.

Existing law requires the seller of a residential real property to complete certain property disclosure documents.

New law retains existing law and adds that existing law also applies to the seller of a vacant residential property.

Existing law requires a state or local law enforcement agency to report contamination to the Dept. of Environmental Quality when it becomes aware that a residential real property has been contaminated by its use as a clandestine methamphetamine drug lab and provides a mechanism for publishing to the public.

New law retains existing law and adds that the existing law also applies to vacant residential property.

Existing law requires a real estate licensee representing a seller of residential real property to inform the seller of the duties and rights established in existing law. Also requires a real estate licensee representing a buyer of residential real property to inform the buyer of such duties and rights.

New law retains existing law and adds that the existing law also applies to a real estate licensee representing a seller of vacant residential property.

Existing law provides for the Louisiana Real Estate Commission (commission).

Prior law provided that the commission shall consist of 11 members appointed by the governor. One member shall be appointed from each of the seven supreme court districts. Two members shall be appointed at large. Two members shall be appointed from the following districts: one appointee from either the Fourth Congressional District or the Fifth Congressional District and one appointee from either the First, Second, Third, or Sixth Congressional District.

New law instead provides that for the 11 members of the commission, one member shall be appointed from each congressional district, and the remaining members shall be appointed at large.

Prior law provided that a failure by a licensee to provide a buyer or seller with a written property disclosure form for sales and certain leases involving residential real property is grounds for the commission to censure, suspend, or revoke the license, registration, or certification issued pursuant to existing law, levy fines or impose civil penalties, or impose continuing education requirements.

New law amends prior law to instead provide that failure by a licensee who represents a buyer or seller of residential real property or vacant residential property to inform the buyer or seller of the duties and rights regarding the written property disclosure form requirements pursuant to existing and new law is grounds for the commission to censure, suspend, or revoke the license, registration, or certification issued pursuant to existing law, levy fines, impose civil penalties, or impose continuing education requirements.

Effective January 1, 2027.

(Amends R.S. 9:3196(intro. para.), (2), (4), and (6), 3197(A), (B)(intro. para.), (3), (8), (9), and (12), 3198 (A)(1), and (2)(a), 3198.1(A) and (B), and 3199(A) and R.S. 37:1432(A) and 1455(A)(intro. para.) and (33); Adds R.S. 9:3196(7))