

2020 Regular Session

HOUSE BILL NO. 233

BY REPRESENTATIVE THOMAS

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~~ who fail to renew timely shall no longer qualify under pursuant to that
28 Section Act.

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, 2021.

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