
DIGEST

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HB 258 Engrossed

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 requires an individual real estate broker or salesperson to provide proof that they have completed 12 hours of continuing education coursework in areas including but not limited to laws, rules, and regulations relative to licensing, appraisal finance, taxes, zoning, environmental quality, and the U.S. Dept. of Housing and Urban Development in order for their license to be renewed.

Proposed law retains present law but removes the provision stating that the license shall not be renewed.

Proposed law changes the continuing education requirement relative to the U.S. Dept. of Housing and Urban Development to require that the coursework pertain to the rules and programs promulgated or administered by the U.S. Dept. of Housing and Urban Development.

Proposed law prohibits the La. Real Estate Commission from allowing a licensee to complete less than 12 hours of continuing education to satisfy the requirements of present and proposed law and provides that failing to timely complete such continuing education is a violation of present and proposed law.

Present law allows a licensee in good standing to place his license in inactive license status by submitting the transfer application and paying certain fees.

Proposed law retains present law but adds that transfer to inactive status be done prior to the expiration of the license.

Present law provides for the process for transferring an expired license to inactive license status.

Proposed law repeals present law.

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 provides for the delinquent renewal of an expired license or registration within a three-month period immediately following the expiration date of the active license or registration.

Proposed law repeals present law.

Present law provides that failure to delinquent renew an expired license or registration within the required three-months period results in a forfeiture of his renewal rights and requires the former licensee to apply as an initial applicant.

Proposed law retains present law but changes the applicability from an expired license to a license and adds that delinquent renewal be done by Dec. 31, to avoid forfeiture.

Proposed law states that the requirement that the former licensee who fails to delinquent renew apply as an initial applicant does not require the licensee to complete the 90 hours of real estate coursework required prior to initial licensure.

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.

Proposed law allows for a grace period from Jan. 1, 2023 through Jan. 31, 2023 in which a licensee applying for delinquent renewal can do so without having to reapply as an initial applicant and makes this grace period effective from April 1, 2022 to Feb. 1, 2023.

Effective April 1, 2022.

(Amends R.S. 37:1437(C)(5)(a), 1437.3(B), 1442, and 1443(4))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.

2. Change a provision stating that the license of an individual real estate broker or salesperson shall not have his license renewed unless the broker or salesperson provides proof of completion of 12 hours of continuing education pertaining to certain matters to require the broker or salesperson to furnish proof of 12 hours of continuing education but remove portion stating that the license shall not be renewed.
3. Change continuing education requirement pertaining to the U.S. Dept. of Housing and Urban Development to add that the continuing education pertain to the rules and programs promulgated or administered by the U.S. Dept. of Housing and Urban Development.
4. Prohibit the La. Real Estate Commission from allowing a licensee to complete less than 12 hours of continuing education to satisfy the continuing education requirements.
5. Add a provisions regarding inactive license status that makes inactive license status applicable only to licenses that are not expired and removes the provision which outlines the process for transferring an expired license to inactive status.
6. Remove reference to delinquent renewal of an expired license and makes delinquent renewal applicable only to active licenses.
7. Add that the process for delinquent renewal of a license does not require the former licensee to complete the 90 hours of real estate coursework that is required for initial licensure.
8. Add a grace period for licensees applying for delinquent renewal of a license to allow a licensee who is applying for delinquent renewal to apply without having to reapply as an initial applicant from Jan. 1, 2023 through Jan. 31, 2023 and provides that this grace period is effective from April 1, 2022 through Feb. 1, 2023.