

Regular Session, 2011

HOUSE BILL NO. 602

BY REPRESENTATIVE HOFFMANN

REAL ESTATE/APPRAISERS: Provides relative to assessments for licensure as a real estate appraisal management company

1 AN ACT

2 To amend and reenact R.S. 37:3415.6 and to enact R.S. 37:3415.10, relative to real estate
3 appraisal management companies; to establish an expiration date for licenses; to
4 provide for prorating of assessments; to require a real estate appraisal management
5 company to submit an application assessment along with an application for license
6 or renewal; to require all real estate appraisal management companies doing business
7 in Louisiana to remit the initial license assessment; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 37:3415.6 is hereby amended and reenacted and R.S. 37:3415.10 is
11 hereby enacted to read as follows:

12 §3415.6. Expiration of license

13 ~~A license~~ All licenses granted by the board pursuant to this Chapter shall be
14 ~~valid for one year from the date on which it is issued~~ expire December thirty-first of
15 each calendar year.

16 * * *

17 §3415.10. License application assessment; delinquent renewal

18 A. When accepting an application for an initial or renewal license, the board
19 is authorized to collect an assessment not in excess of one thousand five hundred
20 dollars.

1 B. If the license renewal is delinquent, the board is further authorized to
2 collect a delinquent renewal assessment as follows:

3 (1) If the renewal application is submitted during the period of January first
4 to February fifteenth, an amount not in excess of one hundred fifty dollars.

5 (2) If the renewal application is submitted during the period of February
6 sixteenth to June thirtieth, an amount not in excess of three hundred dollars.

7 C. If an initial license is issued after January first of any year, the assessment
8 shall be prorated to the remaining portion of the year ending December thirty-first.

9 Section 2. For licenses issued prior to August 15, 2011, and renewed between
10 August 15, 2011, and December 31, 2011, this Act shall apply to those licenses as of the first
11 renewal date on or after August 15, 2011. Assessments for all licenses renewed between
12 August 15, 2011, and December 31, 2011, shall be prorated to cover the period from the date
13 of renewal until December 31, 2011.

14 Section 3. For initial licenses issued between January 1, 2011, and August 14, 2011,
15 or licenses renewed between January 1, 2011, and August 14, 2011, this Act shall apply to
16 those licenses as of the first renewal date on or after August 15, 2011. Assessments for
17 renewals of all initial licenses issued between January 1, 2011, and August 14, 2011, or
18 previously renewed between January 1, 2011, and August 14, 2011, shall be prorated to
19 cover the period from the date of renewal until December 31, 2012.

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 No. 602

Abstract: Authorizes the La. Real Estate Appraisers Board to collect an application assessment when accepting applications for an initial or renewal license; Provides that licenses shall expire on Dec. 31; Requires assessments for initial licenses issued after Jan. 1 to be prorated.

Present law provides that it shall be unlawful for a person, corporation, partnership, sole proprietorship, subsidiary, unit, or any other business entity to directly or indirectly engage or attempt to engage in business as an appraisal management company, to directly or indirectly engage or attempt to perform appraisal management services, or to advertise or hold itself out as engaging in or conducting business as an appraisal management company without first obtaining a license issued by the La. Real Estate Appraisers Board.

Proposed law retains present law.

Present law provides that a license granted by the board pursuant to present law shall be valid for one year from the date on which it is issued.

Proposed law provides that all licenses granted by the board pursuant to proposed law shall expire Dec. 31 of each calendar year.

Proposed law provides that, when accepting an application for an initial or renewal license, the board is authorized to collect an assessment not in excess of \$1,500.

Proposed law further provides that, if the license renewal is delinquent, the board is authorized to collect a delinquent renewal assessment as follows:

- (1) If the renewal application is submitted during the period of Jan. 1 to Feb. 15, an amount not in excess of \$150.
- (2) If the renewal application is submitted during the period of Feb. 16 to June 30, an amount not in excess of \$300.

Proposed law provides that, if an initial license is issued after Jan. 1 of any year, the assessment shall be prorated to the remaining portion of the year ending Dec. 31.

Proposed law provides that, for licenses issued prior to Aug. 15, 2011, and renewed between Aug. 15, 2011, and Dec. 31, 2011, proposed law shall apply to those licenses as of the first renewal date on or after Aug. 15, 2011. Assessments for all licenses renewed between Aug. 15, 2011, and Dec. 31, 2011, shall be prorated to cover the period from the date of renewal until Dec. 31, 2011.

Proposed law provides that, for initial licenses issued between Jan. 1, 2011, and Aug. 14, 2011, or licenses renewed between Jan. 1, 2011, and Aug. 14, 2011, proposed law shall apply to those licenses as of the first renewal date on or after Aug. 15, 2011. Assessments for renewals of all initial licenses issued between Jan. 1, 2011, to Aug. 14, 2011, or previously renewed between Jan. 1, 2011, and Aug. 14, 2011, shall be prorated to cover the period from the date of renewal until Dec. 31, 2012.

(Amends R.S. 37.3415.6; Adds R.S. 37:3415.10)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Commerce to the original bill.

1. Changed the expiration date of licenses issued by the board from one year from the date of issue to Dec. 31 of each calendar year.
2. Added a provision that if an initial license is issued after Jan. 1 of any year, the assessment shall be prorated to the remaining portion of the year ending Dec. 31.
3. Added a provision that for licenses issued prior to Aug. 15, 2011, and renewed between Aug. 15, 2011, and Dec. 31, 2011, proposed law shall apply to those licenses as of the first renewal date on or after Aug. 15, 2011.
4. Added a provision that the assessments for all licenses renewed between Aug. 15, 2011, and Dec. 31, 2011, shall be prorated to cover the period from the date of renewal until Dec. 31, 2011.

5. Added a provision that for initial licenses issued between Jan. 1, 2011, and Aug. 14, 2011, or licenses renewed between Jan. 1, 2011, and Aug. 14, 2011, proposed law shall apply to those licenses as of the first renewal date on or after Aug.15, 2011.
6. Added a provision that assessments for renewals of all initial licenses issued between Jan. 1, 2011, and Aug. 14, 2011, or previously renewed between Jan. 1, 2011, and Aug. 14, 2011, shall be prorated to cover the period from the date of renewal until Dec. 31, 2012.