HLS 20RS-649 ORIGINAL

2020 Regular Session

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HOUSE BILL NO. 233

BY REPRESENTATIVE THOMAS

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

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.

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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

Section Act.

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1 §1443. Fees 2 The commission may charge: 3 4 (4) Delinquent fees, in addition to the renewal fee, if not renewed by December thirty-first September thirtieth of the applicable license, or registration, 5 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, 2021.

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 233 Original

2020 Regular Session

Thomas

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

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

Proposed law removes certificates.

<u>Present law</u> 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, <u>present law</u> requires a license or registration to be renewed by January 1st or it expires.

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

<u>Present law</u> 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.

<u>Present law</u> 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))