

2019 Regular Session

HOUSE BILL NO. 299

BY REPRESENTATIVE CARMODY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

REAL ESTATE/REALTORS: Provides relative to approval of certain continuing legal education courses by the Louisiana Real Estate Commission

1 AN ACT

2 To enact R.S. 37:1461.1, relative to continuing education approved by the Louisiana Real
3 Estate Commission; to provide for a continuing education approval process for
4 certain courses; to require vendors to seek approval to provide such courses; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 37:1461.1 is hereby enacted to read as follows:

8 §1461.1. Continuing education; meetings and conferences; approved vendors;
9 approval process; exceptions

10 A. A vendor which has been licensed by the Louisiana Real Estate
11 Commission to provide continuing education courses to licensees of the commission
12 shall be exempt from the continuing education approval processes as set forth in the
13 Louisiana Administrative Code or prescribed by the commission when seeking
14 approval of the following:

15 (1) Courses offered to obtain certifications or designations awarded by the
16 National Association of REALTORS or its affiliated institutes, societies, and
17 councils.

18 (2) Live courses offered once a year in any one location and in conjunction
19 with a conference, meeting, forum, or similar event.

1 B. In order for licensees to earn continuing education credit for courses
2 delineated in Subsection A of this Section, the vendor of the course shall submit the
3 course for approval for continuing education credit pursuant to the process set forth
4 in this Section.

5 C.(1) To obtain approval for continuing education credit for the courses
6 delineated in Subsection A of this Section, a vendor shall submit the following
7 information to the executive director of the commission by electronic mail at least
8 forty-five days prior to the planned date of the course:

9 (a)(i) The date, location, and time the course will be provided.

10 (ii) If the date, location, or time of the course has not been finalized, the
11 vendor shall state reasons for the uncertainty and ultimately submit the omitted
12 information at least ten days before the course is taught.

13 (b) The course content or a brief summary of the course content, or, in
14 applications for renewal, a brief summary of any changes to the content since
15 approval.

16 (c) The name and qualifications of every instructor involved in conducting
17 the course.

18 (d) The number of credit hours.

19 (2) The executive director shall notify the vendor of whether the course has
20 been approved or denied approval within seven calendar days of submission for
21 approval.

22 (3) If approval is denied by the executive director, the question of approval
23 shall be placed on the agenda of the next regularly scheduled meeting of the
24 commission. At the meeting, the commissioners shall vote to either uphold the
25 decision of the executive director or to approve the course for continuing education
26 credit.

27 D.(1) Any course described in Paragraph (A)(1) of this Section and approved
28 pursuant to the provisions of this Section shall be valid for continuing education
29 credit for three years from the date of approval or renewal.

1 (2) If a course described in Paragraph (A)(1) of this Section has not been
2 approved for renewal before the expiration of the three-year time period, it shall not
3 be acceptable for use as continuing education credit.

4 E. The following shall apply to any course submitted for approval or
5 approved for continuing education pursuant to the provisions of this Section:

6 (1) The commission shall not require a separate process to approve the
7 instructor of the course.

8 (2) If there is a change in the instructor, the vendor shall provide the
9 executive director with the name of the new instructor and a brief statement as to
10 why the instructor is qualified to conduct the course, at least seven days prior to the
11 course.

12 (3) Neither the commission nor any third-party contractor shall require or
13 request that the vendor or instructor provide an instructor guide, a narrative of the
14 information to be presented in the course, a detailed course outline, time allotment
15 for topics, detailed learning objectives, or instructional methods or aids, when the
16 vendor is seeking approval or renewal of approval of a course.

17 (4) Neither the commission nor any third party shall require the vendor or
18 instructor to submit additional information about the course content, delivery
19 method, or instructor unless for use in addressing a formal written complaint that
20 may be received by the commission about the course or instructor.

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 299 Original

2019 Regular Session

Carmody

Abstract: Provides for an approval process for continuing education programs by the Louisiana Real Estate Commission.

Proposed law provides that vendors who have been licensed to provide continuing education courses shall be exempt from the approval process when seeking to conduct a course offered to obtain any certificate or designation awarded by the National Association of REALTORS or any live courses offered once a year in any one location in conjunction with a conference, meeting, or forum.

Proposed law requires that courses specified by proposed law be approved by the La. Real Estate Commission (commission) in order to be utilized for continuing education credit for licensees.

Proposed law requires a vendor of a continuing education program to submit the date, location and time the course will be offered when applying for approval to conduct the program or approval for renewal of the ability to conduct the program, at least 45 days before the program is held. If the date, location, or time is not known at the time of submission for approval, the vendor is required to submit the missing information at least 10 days before the program is conducted.

Proposed law requires the vendor to submit the course content or a brief summary of the course content, or in the case of renewal, any changes to the content since it was approved.

Proposed law requires the vendor to submit the name and credentials of the instructor.

Proposed law requires the executive director of the commission to notify the vendor whether the course has been approved or not approved within seven days of the vendor's submission for approval.

Proposed law provides that if the course was denied approval by the executive director, the issue shall be placed on the agenda of the next meeting to be voted upon by the commission.

Proposed law provides that when a course is approved by the commission, it is valid for a period of three years. After three years, the course is no longer valid if the vendor fails to obtain renewed approval.

Proposed law provides that once a course is approved, the instructor shall not be subject to additional an approval process. Proposed law further provides that if the instructor changes for a course, the vendor shall submit the name and credentials of the new instructor at least seven days before the course.

Proposed law provides that when a vendor is seeking approval or approval for renewal, the commission or any outside contractor is prohibited from asking the vendor or instructor to provide more specific course information such as an instructor guide, a narrative, outline, time allotment, detailed learning objectives, or any instructional methods or aids.

(Adds R.S. 37:1461.1)