

Regular Session, 2014

SENATE BILL NO. 575 (Substitute of Senate Bill No. 263 by Senator Martiny)

BY SENATOR MARTINY

APPRAISERS. Provides relative to the Louisiana Real Estate Appraisers Board. (8/1/14)

AN ACT

To amend and reenact R.S. 37:3415.21, relative to the Louisiana Real Estate Appraisers Board; to provide relative to the rulemaking authority of the board; to provide relative to legislative review of administrative rules proposed by the board; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:3415.21 is hereby amended and reenacted to read as follows:

§3415.21. Rulemaking authority

A. The board may adopt any rules and regulations in accordance with the Administrative Procedure Act necessary for the enforcement of this Chapter.

B. Notwithstanding any law to the contrary, these rules shall require the affirmative approval by the House of Representatives Committee on Commerce and the Senate Committee on Commerce, Consumer Protection and International Affairs. ~~If the board submits its proposed rules for affirmative approval and the legislature is not in session, the proposed rules shall be deemed affirmatively approved if forty-five days have elapsed from the date the proposed rules are received by the oversight committees and no hearing is held by either committee.~~ **Notwithstanding the**

1 **provisions of R.S. 49:968(D)(2)(a) and R.S. 49:968(H)(2), any subcommittee**
2 **hearing on a proposed rule shall be held no earlier than five days and no later**
3 **than forty-five days following the day the report required by R.S.**
4 **49:968(D)(1)(b) is received by the subcommittee.**

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Michelle Ducharme.

DIGEST

Martiny (SB 575)

Present law authorizes the La. Real Estate Appraisers Board (board) to adopt any rules and regulations in accordance with the Administrative Procedure Act that are necessary to enforce the provisions of present law.

Present law requires affirmative approval of the proposed rules by the House of Representatives Committees on Commerce and Senate Committee on Commerce, Consumer Protection and International Affairs.

Proposed law retains present law.

Present law provides that if the legislature is not in session, the proposed rules shall be deemed affirmatively approved if 45 days have elapsed from the date the proposed rules are received by the oversight committees and no hearing is held by either committee.

Proposed law removes the provision providing for 45 days for legislative oversight and adds that notwithstanding certain provisions of the Administrative Procedure Act, any subcommittee hearing on a proposed rule shall be held no earlier than five days and no later than 45 days following the day the report required by the Administrative Procedure Act is received by the subcommittee.

Effective August 1, 2014.

(Amends R.S. 37:3415.21)