

Regular Session, 2011

HOUSE BILL NO. 191

BY REPRESENTATIVES AUSTIN BADON, MORENO, AND THIBAUT

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

SCHOOLS/PROPRIETARY: Provides relative to the definition of a proprietary school

1 AN ACT

2 To amend and reenact R.S. 17:3141.2(5)(c), relative to the definition of a proprietary school;  
3 to provide exceptions; to provide an effective date; and to provide for related  
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:3141.2(5)(c) is hereby amended and reenacted to read as follows:

7 §3141.2. Definitions

8 The following words and phrases, when used in this Chapter, shall have the  
9 meaning herein ascribed to them unless the context clearly indicates a different  
10 meaning:

11 \* \* \*

12 (5) "Proprietary school", hereinafter referred to as "school", means any  
13 business enterprise operated for a profit or on a nonprofit basis which maintains a  
14 place of business within this state, or which sells or offers for sale any course of  
15 instruction in this state, either by correspondence using the mails or by any other  
16 means of communication, or by personal solicitation, and which offers or maintains  
17 a course or courses of instruction or study, or at which place of business such a  
18 course or courses of instruction or study is available through classroom or ~~internet~~  
19 Internet instruction, or both, to a person or persons for the purpose of training or  
20 preparing such person for a field of endeavor in a business, trade, technical, or  
21 industrial occupation, except as hereinafter excluded. The definition of a proprietary  
22 school shall not include:

23 \* \* \*

1 (c) A school or training program which offers instruction primarily in the  
 2 field of recreation, health, entertainment, or personal enrichment ~~and which does not~~  
 3 ~~purport to prepare or qualify persons for employment as determined by the~~  
 4 ~~commission, including any school or training program that prepares individuals to~~  
 5 teach such pursuits;

6 \* \* \*

7 Section 2. This Act shall become effective on July 1, 2011; if vetoed by the governor  
 8 and subsequently approved by the legislature, this Act shall become effective on July 1,  
 9 2011, or on the day following such approval by the legislature, whichever is later.

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#### 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)]

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Austin Badon

HB No. 191

**Abstract:** Changes the definition of a proprietary school for purposes of licensing by the Board of Regents to exclude a school or training program which prepares individuals to teach in the field of recreation, health, entertainment, or personal enrichment.

Present law (for purposes of licensing by the Board of Regents) defines the term "proprietary school" to mean any for profit or nonprofit business enterprise which maintains a place of business in La., or which sells or offers for sale any course of instruction in the state, either by correspondence using the mails or by any other means of communication, or by personal solicitation, and which offers or maintains a course or courses of instruction or study, or at which place of business such a course or courses of instruction or study is available through classroom or Internet instruction, or both, to one or more persons for the purpose of training or preparing a person for a field of endeavor in a business, trade, technical, or industrial occupation, except as excluded by present law.

Proposed law retains present law.

One exception in present law (R.S. 17:3141.2(5)(c)) excludes a school or training program which offers instruction primarily in the field of recreation, health, entertainment, or personal enrichment and which does not purport to prepare or qualify persons for employment as determined by the commission. Proposed law adds to this exception a school or training program that prepares individuals to teach such pursuits and removes requirement that such schools or programs not prepare or qualify persons for employment.

Effective July 1, 2011.

(Amends R.S. 17:3141.2(5)(c))