

Chapter 186

(Senate Bill 147)

AN ACT concerning

State Commission of Real Estate Appraisers and Home Inspectors – Home Inspectors – Continuing Professional Competency

FOR the purpose of requiring the State Commission of Real Estate Appraisers and Home Inspectors to adopt regulations to require a demonstration of continuing professional competency of a certain number of educational hours as a condition of renewal of a license to provide home inspection services; providing for the implementation of the continuing professional competency requirement on a phased-in basis; providing that certain educational hours from courses offered by certain entities satisfy the continuing professional competency requirement under certain circumstances; and generally relating to the State Commission of Real Estate Appraisers and Home Inspectors.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 16–3A–07
Annotated Code of Maryland
(2010 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Business Occupations and Professions

16–3A–07.

(a) Unless a license is renewed for a 2-year term as provided in this section, the license expires on a staggered basis as determined by the Secretary.

(b) At least 1 month before a license expires, the Commission shall mail to the licensee, at the last known address of the licensee:

- (1) a renewal application form; and
- (2) a notice that states:
 - (i) the date on which the current license expires; and
 - (ii) the amount of the renewal fee.

(c) Before a license expires, the licensee may renew it for an additional 2-year term, if the licensee:

- (1) otherwise is entitled to be licensed;
- (2) pays to the Commission a renewal fee not to exceed \$400;
- (3) submits a renewal application on the form that the Commission provides; and
- (4) submits proof of compliance with the insurance requirement of § 16-4A-04 of this title.

(d) The Commission shall renew the license of and issue a license to each licensee who meets the requirements of this section.

(E) (1) THE COMMISSION SHALL ADOPT REGULATIONS TO REQUIRE A DEMONSTRATION OF CONTINUING PROFESSIONAL COMPETENCY OF UP TO 30 EDUCATIONAL HOURS FOR A LICENSEE AS A CONDITION OF RENEWAL OF A LICENSE UNDER THIS SECTION IN ACCORDANCE WITH PARAGRAPHS (2) THROUGH ~~(5)~~ (6) OF THIS SUBSECTION.

(2) CONTINUING PROFESSIONAL COMPETENCY REQUIREMENTS DO NOT APPLY TO THE FIRST RENEWAL OF A LICENSE.

(3) IF A LICENSE EXPIRES ON OR BEFORE SEPTEMBER 30, 2013, A LICENSEE IS NOT REQUIRED TO FULFILL THE CONTINUING PROFESSIONAL COMPETENCY REQUIREMENTS.

(4) IF A LICENSE EXPIRES BETWEEN OCTOBER 1, 2013, AND SEPTEMBER 30, 2014, A LICENSEE IS REQUIRED TO FULFILL 50% OF THE CONTINUING PROFESSIONAL COMPETENCY REQUIREMENTS AS PROVIDED IN THE REGULATIONS ADOPTED BY THE COMMISSION UNDER THIS SUBSECTION.

(5) IF A LICENSE EXPIRES ON OR AFTER OCTOBER 1, 2014, A LICENSEE IS REQUIRED TO FULFILL THE FULL CONTINUING PROFESSIONAL COMPETENCY REQUIREMENTS AS PROVIDED IN THE REGULATIONS ADOPTED BY THE COMMISSION UNDER THIS SUBSECTION.

(6) EDUCATIONAL HOURS FROM A CONTINUING PROFESSIONAL COMPETENCY COURSE SATISFY THE REQUIREMENT OF PARAGRAPH (1) OF THIS SUBSECTION IF:

(I) THE COURSE IS OFFERED BY:

- ~~OR~~
- 1. THE AMERICAN SOCIETY OF HOME INSPECTORS;**
 - 2. THE NATIONAL ASSOCIATION OF HOME INSPECTORS; AND OR**
 - 3. ANY OTHER PROVIDER APPROVED BY THE COMMISSION; AND**

(II) THE COMMISSION DETERMINES THAT THE COURSE INCREASES THE LICENSEE'S KNOWLEDGE OF THE PROVISION OF HOME INSPECTION SERVICES, INCLUDING ONE OR MORE COMPONENTS OF AN EXISTING RESIDENTIAL BUILDING.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

Approved by the Governor, May 10, 2011.