

SENATE BILL 824

C2

6lr2477
CF HB 1453

By: **Senator Conway**

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 15, 2016

CHAPTER _____

1 AN ACT concerning

2 **Real Estate Licensees – Verification of Service Provider Licensing Status**

3 FOR the purpose of providing that a licensee of the State Real Estate Commission need not
4 verify that a certain service provider is licensed by the State under certain
5 circumstances, notwithstanding any other provision of law and with a certain
6 exception; requiring a licensee of the Commission to verify annually that a home
7 improvement contractor is licensed by the Maryland Home Improvement
8 Commission ~~at a certain time~~ under certain circumstances; requiring the licensee to
9 give a client certain information for a certain purpose under certain circumstances;
10 defining a certain term; and generally relating to verification of licensing status of
11 service providers by licensees of the State Real Estate Commission.

12 BY adding to

13 Article – Business Occupations and Professions

14 Section 17–527.4

15 Annotated Code of Maryland

16 (2010 Replacement Volume and 2015 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Business Occupations and Professions**

20 **17–527.4.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (A) (1) IN THIS SECTION, "SERVICE PROVIDER" INCLUDES A MORTGAGE
2 LENDER, A MORTGAGE BROKER, A REAL ESTATE APPRAISER, A HOME INSPECTOR, A
3 PLUMBER, AN ELECTRICIAN, AND A HEATING, VENTILATION, AIR-CONDITIONING,
4 AND REFRIGERATION CONTRACTOR.

5 (2) "SERVICE PROVIDER" DOES NOT INCLUDE A HOME
6 IMPROVEMENT CONTRACTOR.

7 (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND EXCEPT AS
8 OTHERWISE PROVIDED IN SUBSECTION (C) OF THIS SECTION, IF A LICENSEE OFFERS
9 THE NAME OF A SERVICE PROVIDER TO A CLIENT IN THE PROVISION OF REAL ESTATE
10 BROKERAGE SERVICES, THE LICENSEE NEED NOT VERIFY THAT THE SERVICE
11 PROVIDER IS CURRENTLY LICENSED BY THE STATE TO PERFORM THE SERVICES.

12 (C) IF A LICENSEE OFFERS THE NAME OF A HOME IMPROVEMENT
13 CONTRACTOR TO A CLIENT, THE LICENSEE SHALL:

14 (I) ~~FIRST~~ ANNUALLY VERIFY THAT THE HOME IMPROVEMENT
15 CONTRACTOR IS ~~CURRENTLY~~ LICENSED BY THE HOME IMPROVEMENT COMMISSION
16 UNDER TITLE 8 OF THE BUSINESS REGULATION ARTICLE TO ACT AS A HOME
17 IMPROVEMENT CONTRACTOR BEFORE OFFERING THE NAME TO THE CLIENT; AND

18 (II) INFORM THE CLIENT OF THE WEB SITE ON WHICH THE LICENSING
19 INFORMATION MAY BE FOUND, AND THE DATE ON WHICH THE LICENSEE VERIFIED
20 THE INFORMATION.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2016.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.