
By: **Delegates Minnick and DeCarlo**
Introduced and read first time: February 11, 2000
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Real Estate Brokers - Continuing Education Requirements**

3 FOR the purpose of requiring that certain continuing education courses relate to real
4 estate or the provision of real estate services; authorizing a member association
5 of the Maryland Association of Realtors or a qualified instructor to conduct
6 certain continuing education courses; prohibiting the State Real Estate
7 Commission from requiring that a qualified instructor or educational institution
8 have a certain certificate of approval as a postsecondary education institution;
9 requiring the State Real Estate Commission to accept as evidence of certain
10 licensees' completion of certain continuing education requirements evidence of
11 any course attended in another state, United States territory, or the District of
12 Columbia, regardless of whether there is a reciprocal agreement with that
13 location; requiring the State Real Estate Commission to provide for the conduct
14 of continuing education courses by certain methods of transmission by a certain
15 date; making a stylistic change; and generally relating to continuing education
16 requirements for real estate brokers, associate real estate brokers, and real
17 estate salespersons.

18 BY repealing and reenacting, with amendments,
19 Article - Business Occupations and Professions
20 Section 17-315
21 Annotated Code of Maryland
22 (1995 Replacement Volume and 1999 Supplement)

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

25 **Article - Business Occupations and Professions**

26 17-315.

27 (a) (1) To qualify for renewal of a license under this subtitle, a licensee shall
28 complete[:

1 (i) in the license term that begins in 1992, at least 12 clock hours of
2 continuing education instruction, as provided in this section, during each 2-year
3 license term; and

4 (ii) in and after the license term that begins in 1996,] at least 15
5 clock hours of continuing education instruction, as provided in this section, during the
6 preceding 2-year term.

7 (2) Notwithstanding paragraph (1) of this subsection:

8 (i) a licensee who is granted a license during the second year of a
9 license term may renew a license for the next full term without complying with the
10 continuing education requirements of this section; and

11 (ii) a licensee who has been licensed for 10 years or more may
12 satisfy the continuing education requirements and renew a license for the next full
13 term by completing 6 clock hours of continuing education instruction that outlines
14 relevant changes that have occurred in federal, State, or local laws, or any
15 combination of those laws.

16 (b) (1) The Commission shall approve the form, substance, and, as provided
17 under paragraph (2) of this subsection, subject matter of all continuing education
18 courses.

19 (2) The subject matter approved by the Commission shall:

20 (i) relate to real estate OR THE PROVISION OF REAL ESTATE
21 BROKERAGE SERVICES;

22 (ii) every 2 years, include, AS PART OF, AND NOT IN ADDITION TO
23 THE 15 CLOCK HOURS REQUIRED BY THIS SECTION, at least [one 3-hour course] 3
24 CLOCK HOURS that [outlines relevant changes that have occurred in] INCLUDE
25 federal, State, or local laws AND REGULATIONS, or any combination of those [laws,
26 during the preceding 5 years] LAWS AND REGULATIONS; and

27 (iii) every 2 years, include, AS PART OF, AND NOT IN ADDITION TO
28 THE 15 CLOCK HOURS REQUIRED BY THIS SECTION, at least one 1.5 clock hour course
29 that [outlines] INCLUDES federal, State, [and] OR local fair housing laws and
30 regulations, including fair housing advertising, OR ANY COMBINATION OF THOSE
31 LAWS AND REGULATIONS.

32 (3) The requirement of paragraph (2)(iii) of this subsection does not
33 apply to a licensee who provides real estate brokerage services solely in connection
34 with nonresidential real estate.

35 (4) To be acceptable for credit as a continuing education course under
36 this section, the course shall cover 1 or more topics approved by the Commission.

37 (c) (1) Continuing education courses may be conducted by:

- 1 (i) the Maryland Association of Realtors or its member boards AND
2 ASSOCIATIONS;
- 3 (ii) the Real Estate Brokers of Baltimore City, Inc.;
- 4 (iii) any similar professional association; or
- 5 (iv) [an] A QUALIFIED INSTRUCTOR OR educational institution
6 approved by the Commission.

7 (2) FOR THE PURPOSES OF PARAGRAPH (1) OF THIS SUBSECTION, THE
8 COMMISSION MAY NOT REQUIRE THAT THE QUALIFIED INSTRUCTOR OR
9 EDUCATIONAL INSTITUTION HAVE A CERTIFICATE OF APPROVAL, AS DESCRIBED
10 UNDER § 11-202 OF THE EDUCATION ARTICLE.

11 [(2)] (3) Continuing education courses shall be taught by a qualified
12 instructor who is experienced in the real estate industry.

13 (4) THE COMMISSION SHALL ACCEPT AS EVIDENCE OF A LICENSEE'S
14 COMPLETION OF THE CONTINUING EDUCATION REQUIREMENTS OF THIS SECTION
15 EVIDENCE OF ANY COURSE ATTENDED BY A LICENSEE IN ANOTHER STATE, UNITED
16 STATES TERRITORY, OR THE DISTRICT OF COLUMBIA REGARDLESS OF WHETHER OR
17 NOT THE COMMISSION HAS A WRITTEN RECIPROCAL AGREEMENT WITH THE REAL
18 ESTATE LICENSING AUTHORITY OF THAT OTHER STATE, UNITED STATES TERRITORY,
19 OR THE DISTRICT OF COLUMBIA, UNLESS THE COURSE DOES NOT SATISFY THE
20 REQUIREMENTS OF THIS SECTION.

21 (5) ON OR BEFORE JANUARY 1, 2002, THE COMMISSION SHALL ADOPT
22 REGULATIONS THAT PROVIDE FOR THE CONDUCT OF CONTINUING EDUCATION
23 INSTRUCTION COURSES BY:

- 24 (I) REMOTE ACCESS SATELLITE;
- 25 (II) CLOSED-CIRCUIT VIDEO;
- 26 (III) COMPUTER, INCLUDING TRANSMISSION OVER THE INTERNET
27 AND THE WORLD WIDE WEB;
- 28 (IV) HOME STUDY; AND
- 29 (V) ANY OTHER DELIVERY SYSTEM APPROVED BY THE
30 COMMISSION.

31 (d) If feasible, continuing education courses shall be offered at reasonable
32 intervals in each county and in each major geographic area of the larger counties.

33 (e) On completion of a continuing education course by a licensee, the entity
34 that conducted the course or the instructor shall issue to the licensee [a certificate]
35 EVIDENCE of completion that states the number of clock hours of [that] THE
36 COMPLETED course.

1 (f) The Commission may waive the requirements of this section for a licensee
2 if the licensee shows good cause for being unable to meet the requirements.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2000.