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

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 1, 2000

CHAPTER _____

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:

1 **Article - Business Occupations and Professions**

2 17-315.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (i) the Maryland Association of Realtors or its member boards AND
 8 ASSOCIATIONS;

9 (ii) the Real Estate Brokers of Baltimore City, Inc.;

10 (iii) any similar professional association; or

11 (iv) ~~{an} A QUALIFIED INSTRUCTOR OR~~ educational institution
 12 approved by the Commission.

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

17 ~~{(2)}~~ ~~(3)~~ Continuing education courses shall be taught by a qualified
 18 instructor who is experienced in the real estate industry.

19 ~~(4)~~ (3) THE COMMISSION SHALL ACCEPT AS EVIDENCE OF A
 20 LICENSEE'S COMPLETION OF THE CONTINUING EDUCATION REQUIREMENTS OF THIS
 21 SECTION EVIDENCE OF THE LICENSEE'S ATTENDANCE AT ANY COURSE ATTENDED
 22 BY A LICENSEE APPROVED BY THE REAL ESTATE LICENSING AUTHORITY IN
 23 ANOTHER STATE, UNITED STATES TERRITORY, OR THE DISTRICT OF COLUMBIA
 24 REGARDLESS OF WHETHER OR NOT THE COMMISSION HAS A WRITTEN RECIPROCAL
 25 AGREEMENT WITH THE REAL ESTATE LICENSING AUTHORITY OF THAT OTHER
 26 STATE, UNITED STATES TERRITORY, OR THE DISTRICT OF COLUMBIA, UNLESS THE
 27 COURSE DOES NOT SATISFY THE REQUIREMENTS OF THIS SECTION.

28 ~~(5)~~ (4) ON OR BEFORE JANUARY 1, 2002, THE COMMISSION SHALL
 29 ADOPT REGULATIONS THAT PROVIDE FOR THE CONDUCT OF CONTINUING
 30 EDUCATION INSTRUCTION COURSES BY:

31 (I) REMOTE ACCESS SATELLITE;

32 (II) CLOSED-CIRCUIT VIDEO;

33 (III) COMPUTER, INCLUDING TRANSMISSION OVER THE INTERNET
 34 AND THE WORLD WIDE WEB;

35 (IV) HOME STUDY; AND

1 (V) ANY OTHER DELIVERY SYSTEM APPROVED BY THE
2 COMMISSION.

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

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

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

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