

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 52

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Business Occupations and Professions - Real Estate Licenses - Requirements for Licensure and Renewal"; strike beginning with "requiring" in line 5 down through "brokers" in line 8 and substitute "altering the circumstances under which a real estate licensee qualifies for renewal of a license; authorizing certain licensees holding a license from another state to substitute certain clock hours of continuing education instruction; expanding the subject matter for continuing education instruction that is approved by the State Real Estate Commission; adding a requirement for a certain course in continuing education instruction to be offered during certain years, including a discussion of certain practices; adding a provision through which a certain licensee may otherwise satisfy the continuing education instruction requirement; and generally relating to the licensure and renewal requirements for real estate licenses"; and in line 11, strike "and (b)" and substitute ", (b), and (c)".

AMENDMENT NO. 2

On page 2, in line 2, after "that" insert ":

(I)";

in line 3, after "instruction;" insert "AND

(II) INCLUDES A 3 CLOCK HOUR COURSE IN REAL ESTATE ETHICS APPROVED BY THE COMMISSION;";

and in lines 5 and 6, strike "; AND (3)" and substitute ", INCLUDING".

AMENDMENT NO. 3

On pages 2 and 3, strike beginning with "complete" in line 34 down through the comma in

(Over)

line 4 on page 3 and substitute “COMPLETE”.

On page 3, strike beginning with “THAT” in line 5 down through “ETHICS” in line 6 and substitute “IN AND AFTER THE LICENSE TERM THAT BEGINS IN 1996”; and strike in their entirety lines 11 through 16, inclusive, and substitute:

“(II) A LICENSEE MAY SATISFY THE CONTINUING EDUCATION REQUIREMENTS AND RENEW A LICENSE FOR THE NEXT FULL TERM BY COMPLETING 7.5 CLOCK HOURS OF CONTINUING EDUCATION INSTRUCTION AS PROVIDED FOR IN SUBSECTION (B) OF THIS SECTION IF THE LICENSEE:

1. POSSESSES A GRADUATE DEGREE IN LAW FROM AN ACCREDITED LAW SCHOOL;

2. POSSESSES A GRADUATE DEGREE IN REAL ESTATE FROM AN ACCREDITED COLLEGE OR UNIVERSITY;

3. HAS BEEN LICENSED FOR 10 CONSECUTIVE YEARS AND HOLDS A REAL ESTATE DESIGNATION FROM:

A. A NATIONALLY RECOGNIZED REAL ESTATE TRADE ASSOCIATION, INCLUDING THE NATIONAL ASSOCIATION OF REALTORS AND THE NATIONAL ASSOCIATION OF REAL ESTATE BROKERS, INC.;

B. THE MARYLAND ASSOCIATION OF REALTORS; OR

C. THE REAL ESTATE BROKERS OF BALTIMORE, INC.;

OR

4. IS LICENSED AS A REAL ESTATE APPRAISER UNDER TITLE 16 OF THIS ARTICLE.

(3) A LICENSEE HOLDING A LICENSE FROM ANOTHER STATE MUST COMPLETE AT LEAST 15 CLOCK HOURS OF CONTINUING EDUCATION INSTRUCTION DURING EACH 2-YEAR LICENSE TERM AND MAY SUBSTITUTE CLOCK HOURS OF CONTINUING EDUCATION INSTRUCTION EARNED IN ANOTHER STATE, IF THOSE CLOCK HOURS:

- (I) ARE APPROVED AS REAL ESTATE CONTINUING EDUCATION IN THAT STATE; AND
- (II) MEET THE DISTRIBUTION REQUIREMENTS OF SUBSECTION (B)(2) OF THIS SECTION.

(4) THE COMMISSION SHALL GRANT THE SUBSTITUTION OF CLOCK HOURS IN PARAGRAPH (3) OF THIS SUBSECTION ONLY IF THE OTHER STATE PERMITS THE SUBSTITUTION OF CLOCK HOURS OF CONTINUING EDUCATION INSTRUCTION APPROVED BY THE COMMISSION FOR A LICENSEE OF THIS STATE.”.

AMENDMENT NO. 4

On page 3, in line 21, after “real estate” insert “OR TO A SUBJECT MATTER INTENDED TO ASSIST A LICENSEE IN PROVIDING REAL ESTATE BROKERAGE SERVICES TO THE PUBLIC IN A MORE EFFICIENT AND EFFECTIVE MANNER INCLUDING COURSES APPROVED BY THE COMMISSION INTENDED TO ASSIST A LICENSEE IN PROVIDING REAL ESTATE BROKERAGE SERVICES TO THE PUBLIC”.

AMENDMENT NO. 5

On page 3, in line 22, strike “3-hour” and substitute “3 CLOCK HOUR”; in line 29, strike “COURSE IN REAL ESTATE”; and in the same line, after “ETHICS” insert “COURSE THAT INCLUDES THE MARYLAND CODE OF ETHICS AND A DISCUSSION OF THE PRACTICES OF FLIPPING AND PREDATORY LENDING”.

AMENDMENT NO. 6

On page 3, in line 30, strike “The” and substitute “EXCEPT FOR THE”; strike beginning with “does” in line 30 down through “to” in line 31 and substitute a comma; and in line 32, after “estate” insert “MAY SATISFY CONTINUING EDUCATION REQUIREMENTS AND RENEW A LICENSE FOR THE NEXT FULL TERM BY COMPLETING 15 CLOCK HOURS OF INSTRUCTION, UNLESS THE LICENSEE MEETS THE REQUIREMENTS OF SUBSECTION (A)(2)(II) OF THIS SECTION”.

AMENDMENT NO. 7

On page 3, after line 34, insert:

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

(i) the Maryland Association of Realtors or its member boards;

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

(iii) any similar professional association; or

(iv) an educational institution approved by the Commission.

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

(3) On or before January 1, 2003, the Commission shall adopt regulations that provide for the conduct of continuing education instruction courses by:

(i) remote access satellite;

(ii) closed-circuit video;

(iii) computer, including transmission over the Internet and the World

Wide Web;

(iv) home study; and

(v) any other delivery system approved by the Commission.”.