

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL NO. 1249

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 4 in its entirety and substitute "Business Occupations and Professions - Real Estate Licenses - Requirements for Licensure and Renewal"; in line 7, after "ethics;" insert "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;"; in line 13, after "practices;" insert "adding a provision through which a certain licensee may otherwise satisfy the continuing education instruction requirement; requiring the Commission to create a certain list; requiring the Commission to post the list on a certain website, to provide the list to certain licensees, and to include certain information in the list;"; and in line 19, strike "(b) and (c)" and substitute "(a), (b), and (c)".

AMENDMENT NO. 2

On page 3, after line 11, insert:

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

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

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

(2) Notwithstanding paragraph (1) of this subsection, TO QUALIFY FOR RENEWAL OF A LICENSE UNDER THIS SUBTITLE:

(Over)

(I) A LICENSEE WHO HAS BEEN LICENSED 10 YEARS OR MORE ON THE DATE OF RENEWAL SHALL COMPLETE:

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

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

1. AT LEAST 6 CLOCK HOURS OF CONTINUING EDUCATION INSTRUCTION, AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, IF THE LICENSEE RENEWS THE LICENSE ON OR BEFORE OCTOBER 1, 2006;

2. AT LEAST 9 CLOCK HOURS OF CONTINUING EDUCATION INSTRUCTION, AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, IF THE LICENSEE RENEWS THE LICENSE ON OR BEFORE OCTOBER 1, 2008; OR

3. AT LEAST 15 CLOCK HOURS OF CONTINUING EDUCATION INSTRUCTION, AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, IF THE LICENSEE RENEWS THE LICENSE ON OR AFTER OCTOBER 2, 2008; OR

(II) A LICENSEE SHALL COMPLETE AT LEAST 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; OR

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

(3) FOR A LICENSEE WHO PROVIDES REAL ESTATE BROKERAGE

SERVICES SOLELY IN CONNECTION WITH NONRESIDENTIAL REAL ESTATE, OF THE CLOCK HOURS REQUIRED UNDER PARAGRAPH (2)(I) OF THIS SUBSECTION, 1.5 CLOCK HOURS MAY BE SATISFIED BY A COURSE REGARDING FAIR HOUSING LAWS AND REGULATIONS OR THE FEDERAL AMERICANS WITH DISABILITIES ACT.

(4) 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.

(5) THE COMMISSION SHALL GRANT THE SUBSTITUTION OF CLOCK HOURS IN PARAGRAPH (4) 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.”.

On page 4, in line 18, after “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, PROVIDED THAT THE SUBJECT MATTER IS RELATED TO HELPING THE PUBLIC BUY OR SELL REAL ESTATE”; and strike beginning with “AT” in line 29 down through “YEARS” in line 30 and substitute “EVERY 2 YEARS”.

On page 5, after line 18, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(Over)

(a) The State Real Estate Commission shall create and provide a list of available continuing education learning opportunities, including classes offered on the Internet.

(b) The list created under subsection (a) of this section:

(1) shall be posted on the website for the State Real Estate Commission;

(2) shall be provided, free-of-charge, to any licensee who requests information regarding continuing education learning opportunities; and

(3) shall include the name of the class, a contact person for the class, and a contact phone number for the class.”;

and in line 19, strike “2.” and substitute “3.”.