
By: **Delegates McConkey, Fulton, Haddaway, Krebs, Love, Miller, Minnick,
Trueschler, and Vaughn**

Introduced and read first time: February 12, 2004

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Associate Real Estate Brokers and Salespersons - Advertisements - Waiver**
3 **of Requirement**

4 FOR the purpose of authorizing a licensed real estate broker or branch office manager
5 of a business with whom a certain real estate salesperson or associate real
6 estate broker is affiliated to waive a requirement that the name of the business
7 be a certain size in a certain advertisement; and generally relating to the waiver
8 of an advertising requirement for associate real estate brokers and salespersons.

9 BY repealing and reenacting, with amendments,
10 Article - Business Occupations and Professions
11 Section 17-527.2
12 Annotated Code of Maryland
13 (2000 Replacement Volume and 2003 Supplement)

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

16 **Article - Business Occupations and Professions**

17 17-527.2.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) "Advertise" means the use of any oral, written, or visual
20 advertisement by a licensed real estate salesperson, licensed associate real estate
21 broker, or other person on behalf of a licensed real estate salesperson or licensed
22 associate real estate broker.

23 (3) (i) "Advertisement" means, unless the context requires otherwise,
24 any oral, written, or printed media advertisement.

25 (ii) "Advertisement" includes any correspondence, mailing,
26 newsletter, brochure, business card, for sale or for lease sign and sign rider,
27 promotional item, automobile signage, telephone directory listing, television

1 announcement, radio announcement, telephone solicitation, and World Wide Web and
2 Internet voice-overs.

3 (4) (i) "Trade name" means the individual name of a licensed real
4 estate salesperson or licensed associate real estate broker other than the licensed real
5 estate salesperson's or licensed associate real estate broker's full legal name.

6 (ii) "Trade name" includes a first name, nickname, or last name.

7 (b) A licensed real estate salesperson or licensed associate real estate broker
8 may not advertise unless:

9 (1) the name or trade name of the licensed real estate salesperson or
10 licensed associate real estate broker, as the name or trade name appears on the
11 license certificate and pocket card issued by the Commission, is meaningfully and
12 conspicuously included in the advertisement; and

13 (2) the name of the business with which the licensed real estate
14 salesperson or licensed associate real estate broker is affiliated:

15 (i) is meaningfully and conspicuously included in the
16 advertisement;

17 (ii) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, on
18 or before October 1, 2004, is displayed in a size that is at least as large as the size of
19 the name or trade name of the licensed real estate salesperson or licensed associate
20 real estate broker; and

21 (iii) is the full name of the business and not a logo used by the
22 business.

23 (C) A LICENSED REAL ESTATE BROKER OR A BRANCH OFFICE MANAGER MAY
24 WAIVE, VERBALLY OR IN WRITING, THE REQUIREMENT THAT THE NAME OF THE
25 BUSINESS WITH WHICH THE LICENSED REAL ESTATE SALESPERSON OR LICENSED
26 ASSOCIATE REAL ESTATE BROKER IS AFFILIATED BE DISPLAYED IN THE SIZE
27 REQUIRED UNDER SUBSECTION (B)(2) OF THIS SECTION.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
29 effect October 1, 2004.