

HOUSE BILL 17

C2

5lr0649

(PRE-FILED)

By: **Delegate McConkey**

Requested: November 20, 2014

Introduced and read first time: January 14, 2015

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **State Real Estate Commission – Continuing Education –**
3 **Comparative Law Course**

4 FOR the purpose of altering the number of clock hours of continuing education instruction
5 a licensee must complete to qualify for renewal of a license to provide real estate
6 brokerage services; requiring licensees to take a course as a condition of license
7 renewal on or after a certain date; requiring certain licensees to complete a course
8 that includes certain subject matter to receive credit for completion of a certain
9 continuing education course; and generally relating to continuing education for
10 licensees of the State Real Estate Commission.

11 BY repealing and reenacting, with amendments,
12 Article – Business Occupations and Professions
13 Section 17–315(a)(1) and (b)
14 Annotated Code of Maryland
15 (2010 Replacement Volume and 2014 Supplement)

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

18 **Article – Business Occupations and Professions**

19 17–315.

20 (a) (1) To qualify for renewal of a license under this subtitle, a licensee shall
21 complete at least [15] **16.5** clock hours of continuing education instruction, as provided in
22 subsection (b) of this section, during the preceding 2–year term.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

4 (i) relate to real estate or to a subject matter intended to assist a
5 licensee in providing real estate brokerage services to the public in a more efficient and
6 effective manner, provided that the subject matter is related to helping the public buy or
7 sell real estate;

8 (ii) every 2 years, include at least one 3 clock hour course that
9 outlines relevant changes that have occurred in federal, State, or local laws and
10 regulations, court cases and industry trends that have an impact on those laws and
11 regulations, or any combination of those laws, regulations, court cases, and industry trends;

12 (iii) every 2 years, include at least one 1.5 clock hour course that
13 outlines federal, State, and local fair housing laws and regulations, including fair housing
14 advertising;

15 (iv) every 2 years, include at least one 3 clock hour ethics course that
16 includes the Maryland Code of Ethics and a discussion of the practices of flipping and
17 predatory lending;

18 (v) every 4 years, include at least one 3 clock hour course that
19 includes the principles of agency and agency disclosure; [and]

20 (vi) every 4 years for the renewal of a real estate broker license and
21 the renewal of the license of an individual designated as a branch office manager or a team
22 leader, include at least one 3 clock hour course that includes the requirements of broker
23 supervision; AND

24 **(VII) EVERY 2 YEARS, INCLUDE AT LEAST ONE 1.5 CLOCK HOUR**
25 **COURSE THAT COVERS DIFFERENCES BETWEEN REAL ESTATE LAWS, REGULATIONS,**
26 **AND PRACTICES OF THE STATE, COUNTIES, MUNICIPALITIES, AND NEIGHBORING**
27 **STATES.**

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

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

33 **(5) TO RECEIVE CREDIT FOR COMPLETION OF A CONTINUING**
34 **EDUCATION COURSE THAT COVERS THE SUBJECT MATTER REQUIRED UNDER**
35 **PARAGRAPH (2)(VII) OF THIS SUBSECTION, A LICENSEE SHALL COMPLETE A COURSE**

1 **THAT COVERS DIFFERENCES BETWEEN THE REAL ESTATE LAWS, REGULATIONS, AND**
2 **PRACTICES OF COUNTIES, MUNICIPALITIES, AND NEIGHBORING STATES THAT ARE**
3 **ADJACENT TO THE COUNTY IN WHICH THE LICENSEE MOST FREQUENTLY PROVIDES**
4 **REAL ESTATE BROKERAGE SERVICES.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That, as a condition of the next
6 license renewal that occurs on or after January 1, 2017, each licensee of the State Real
7 Estate Commission shall take at least one 1.5 clock hour course that covers differences
8 between the real estate laws, regulations, and practices of the State, counties,
9 municipalities, and neighboring states.

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2015.