

# SENATE BILL 443

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CF HB 662

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By: **Senator Brooks**

Introduced and read first time: February 2, 2023

Assigned to: Education, Energy, and the Environment

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 25, 2023

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Real Estate Brokers, Salespersons, and Associate Brokers – Continuing**  
3 **Education Courses – Alterations**

4 FOR the purpose of altering the requirements for the subject matter of continuing  
5 education courses for licensees issued an initial license by the State Real Estate  
6 Commission; and generally relating to continuing education courses for real estate  
7 brokers, salespersons, and associate brokers.

8 BY repealing and reenacting, without amendments,  
9 Article – Business Occupations and Professions  
10 Section 17–315(a)  
11 Annotated Code of Maryland  
12 (2018 Replacement Volume and 2022 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – Business Occupations and Professions  
15 Section 17–315(b)  
16 Annotated Code of Maryland  
17 (2018 Replacement Volume and 2022 Supplement)

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

20 **Article – Business Occupations and Professions**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 17-315.

2 (a) (1) To qualify for renewal of a license under this subtitle, a licensee shall  
3 complete at least 15 clock hours of continuing education instruction, as provided in  
4 subsection (b) of this section, during the preceding 2-year term.

5 (2) For a licensee who provides real estate brokerage services solely in  
6 connection with nonresidential real estate, of the clock hours required under paragraph (1)  
7 of this subsection, 1.5 clock hours may be satisfied by a course regarding fair housing laws  
8 and regulations or the federal Americans with Disabilities Act.

9 (3) A licensee holding a license from another state must complete at least  
10 the number of clock hours of continuing education instruction required under paragraph  
11 (1) of this subsection during each 2-year license term and may substitute clock hours of  
12 continuing education instruction earned in another state, if those clock hours:

13 (i) are approved as real estate continuing education in that state;  
14 and

15 (ii) meet the distribution requirements of subsection (b)(2) of this  
16 section.

17 (4) The Commission shall grant the substitution of clock hours in  
18 paragraph (3) of this subsection only if the other state permits the substitution of clock  
19 hours of continuing education instruction approved by the Commission for a licensee of this  
20 State.

21 (b) (1) The Commission shall approve the form, substance, and, as provided  
22 under [paragraph] **PARAGRAPHS (2) AND (3)** of this subsection, subject matter of all  
23 continuing education courses.

24 (2) **[The] FOR A LICENSEE WHO HAS BEEN ISSUED A RENEWAL**  
25 **CERTIFICATE UNDER § 17-314 OF THIS SUBTITLE, THE** subject matter approved by the  
26 Commission shall:

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

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

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

4 (iv) every 2 years, include at least one 3 clock hour ethics course that  
5 includes a discussion of:

6 1. the Maryland Code of Ethics;

7 2. the practice of flipping;

8 3. fraudulent real estate practices; and

9 4. professionalism as it relates to the Maryland Code of  
10 Ethics, including a discussion relating to conflict resolution and a licensee's duty to respect  
11 the public, peers, and property;

12 (v) every 2 years, include at least one 3 clock hour course that  
13 includes the principles of real estate brokerage relationships and disclosures; and

14 (vi) every 2 years for the renewal of a real estate broker license and  
15 the renewal of the license of an individual designated as a branch office manager or a team  
16 leader, include at least one 3 clock hour course that includes the requirements of broker  
17 supervision.

18 **(3) FOR A LICENSEE WHO WAS ISSUED AN INITIAL LICENSE UNDER §**  
19 **17-309 OF THIS SUBTITLE, THE SUBJECT MATTER APPROVED BY THE COMMISSION**  
20 **SHALL INCLUDE:**

21 **(I) AT LEAST ONE 3 CLOCK HOUR COURSE FOR EACH OF THE**  
22 **FOLLOWING TOPICS:**

23 **1. OUTLINING CONTRACT WRITING, STANDARD**  
24 **CONTRACT PROVISIONS, KEY REGIONAL CONTRACT REQUIREMENTS, AND**  
25 **STANDARD ADDENDA AND CONTINGENCIES;**

26 **2. THE PRINCIPLES OF REAL ESTATE BROKERAGE**  
27 **RELATIONSHIPS AND DISCLOSURES AND DISCLOSURE REQUIREMENTS FOR**  
28 **SELLERS;**

29 **3. THE PRINCIPLES OF REAL ESTATE PRACTICE IN**  
30 **RELATION TO:**

31 **A. ADVERTISING REQUIREMENTS FOR LICENSEES;**

1                                   **B.    THE HANDLING AND DISCLOSURE OF ESCROW FUNDS;**  
2 **AND**

3                                   **C.    COMMON OWNERSHIP COMMUNITIES; AND**

4                                   **4.    PROPERTY MANAGEMENT AND LANDLORD AND**  
5 **TENANT LAWS; AND**

6                                   **(II)  AT LEAST ONE 1.5 CLOCK HOUR COURSE FOR EACH OF THE**  
7 **FOLLOWING TOPICS:**

8                                   **1.    PROFESSIONALISM AS IT RELATES TO THE**  
9 **MARYLAND CODE OF ETHICS, INCLUDING A DISCUSSION RELATING TO CONFLICT**  
10 **RESOLUTION AND A LICENSEE’S DUTY OF RESPECT FOR THE PUBLIC, PEERS, AND**  
11 **PROPERTY; AND**

12                                   **2.    REAL ESTATE FINANCING.**

13                                   **[(3)] (4)**    The requirement of paragraph (2)(iii) of this subsection does not  
14 apply to a licensee who provides real estate brokerage services solely in connection with  
15 nonresidential real estate.

16                                   **[(4)] (5)**    To be acceptable for credit as a continuing education course  
17 under this section, the course shall cover 1 or more topics approved by the Commission.

18                                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2023.

Approved:

\_\_\_\_\_ Governor.

\_\_\_\_\_ President of the Senate.

\_\_\_\_\_ Speaker of the House of Delegates.