

House Bill 5106
Sponsor: Rep. Randy Richardville
Committee: Regulatory Reform

Complete to 10-2-03

A SUMMARY OF HOUSE BILL 5106 AS INTRODUCED 10-1-03

Public Act 611 of 2002, which amended the Occupational Code, requires the Department of Consumer and Industry Services (DCIS), beginning November 1, 2003, to issue a license for a real estate broker or salesperson for a three-year term. The act also revised continuing education requirements for licensees.

In general, House Bill 5106 would amend some of the same provisions of the Occupational Code as Public Act 611 to make several technical corrections and clarifications. The bill would also allow a limited liability company to be an applicant for a real estate broker's license.

Currently, any education approved by DCIS and received by a licensee for further professional designation must be counted toward the total continuing education credits required for the three-year license cycle. The bill would clarify that the education must also be successfully completed; if approved by the department as continuing education, it could be counted toward the continuing education credits required for the three-year licensing cycle.

The bill would specify that if a license had lapsed for less than three years, the department could relicense the licensee without examination upon proof that the licensee had completed not less than six clock hours of continuing education for each year that the license was lapsed. The continuing education courses would have to be on topics described in the code.

A broker whose license had lapsed for three or more continuous years could be relicensed upon proof of successful completion of one of the following: six clock hours of continuing education for each year the license was lapsed on topics described in the code, 90 (increased from 40) clock hours of instruction described in the code, or passing the broker licensure examination. (Changes proposed by the bill denoted by underlining.)

Currently, the course credits used to meet the code's continuing education requirements cannot be applied towards the real estate broker's license education requirements, and vice versa. The bill would specify that the department would have to apportion the approved course credits eligible for education requirements for licensure and continuing education requirements to meet either requirement upon the licensee's request.

MCL 339.2504 and 339.2505

Analyst: S. Stutzky

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.