

HOUSE BILL No. 5200

July 14, 2009, Introduced by Reps. Haugh, Roberts, Kandrevas, Slezak and Dean and referred to the Committee on Regulatory Reform.

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending section 2511 (MCL 339.2511), as amended by 1990 PA 164.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2511. ~~(1)~~A plan or scheme involving a lottery, contest,
2 game, prize, or drawing shall not be used by a real estate broker
3 or real estate salesperson for the sale or promotion of a sale of
4 real estate. However, a game promotion as defined in and in
5 compliance with section 372a of the Michigan penal code, ~~Act No.~~
6 ~~328 of the Public Acts of 1931, being section 750.372a of the~~
7 ~~Michigan Compiled Laws 1931 PA 328, MCL 750.372A,~~ may be used by a
8 real estate broker or real estate salesperson for any purpose other
9 than the direct promotion of a specific piece of real estate.

1 ~~—— (2) A real estate broker who proposes to engage in sales of a~~
2 ~~promotional nature in this state of property located outside of~~
3 ~~this state, shall submit to the department a full description of~~
4 ~~the property and the proposed terms of sale, and the real estate~~
5 ~~broker and the real estate broker's real estate salespersons shall~~
6 ~~comply with rules, restrictions, and conditions pertaining to the~~
7 ~~sale as imposed by the department. An expense incurred by the~~
8 ~~department investigating the property and the proposed sale of the~~
9 ~~property in this state, shall be borne by the real estate broker. A~~
10 ~~real estate broker or real estate salesperson shall not refer to~~
11 ~~the corporation and securities commission of this state, or to an~~
12 ~~officer or employee of the commission, in selling, offering for~~
13 ~~sale, advertising, or otherwise promoting the sale, mortgage, or~~
14 ~~lease of property, or shall not make a representation that the~~
15 ~~property has been inspected or approved or otherwise passed upon by~~
16 ~~the department, or by a state official, department, or employee.~~