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House Bill 4113 (Substitute H-1 as reported with amendments)

Sponsor: Representative Nancy Jenkins

House Committee: Regulatory Reform

Senate Committee: Regulatory Reform

CONTENT

The bill would amend Article 25 (Real Estate Brokers and Salespersons) of the Occupational Code to do all of the following:

- Require the real estate broker that employed a real estate salesperson to retain custody and control of the salesperson's certificate of license and deliver the pocket card for that license to the salesperson.
- Delete a requirement that a real estate broker display its license and the license of each real estate salesperson employed by the broker in the broker's place of business.
- Require a real estate salesperson to provide proof of his or her licensure to a broker that employed him or her.
- Delete a requirement that the Department of Energy, Labor, and Economic Growth (DELEG) issue a temporary real estate salesperson's license to an applicant under certain circumstances.

Article 25 requires DELEG to deliver or mail the license of a real estate salesperson to the broker that employs the salesperson, and requires the broker to retain the license. Under the bill, the broker instead would have to retain the salesperson's certificate of license and deliver the pocket card for that license to the salesperson. ("Pocket card" would mean the pocket card containing information about a license that DELEG provides when it issues a license under Article 25.)

The bill also would require a real estate salesperson to provide proof to the broker that employed him or her that the salesperson had been issued and currently held a real estate salesperson's license.

Currently, if DELEG determines that it will be unable to issue a real estate salesperson's license to a broker within two weeks after determining that the applicant has met all requirements for licensure, or if DELEG is in fact unable to issue the salesperson's license within two weeks, then DELEG must issue a temporary license to the applicant without payment of an additional fee. The bill would delete that provision.

MCL 339.2506

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Josh Sefton

Date Completed: 4-15-11