

HOUSE BILL 662

C3

3lr2268
CF SB 443

By: **Delegates Rogers, Adams, Amprey, Arentz, Boaf, Fennell, Harrison, Howard, Jackson, A. Johnson, S. Johnson, Pruski, Queen, Rose, Sample-Hughes, Schmidt, Turner, and Valderrama**

Introduced and read first time: February 6, 2023

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: February 26, 2023

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:

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.



Article – Business Occupations and Professions

17–315.

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

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

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

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

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

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

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

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

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

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

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

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

1. the Maryland Code of Ethics;

2. the practice of flipping;

3. fraudulent real estate practices; and

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

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

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

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

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

1. OUTLINING CONTRACT WRITING, STANDARD CONTRACT PROVISIONS, KEY REGIONAL CONTRACT REQUIREMENTS, AND STANDARD ADDENDA AND CONTINGENCIES;

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

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

A. ADVERTISING REQUIREMENTS FOR LICENSEES;

B. THE HANDLING AND DISCLOSURE OF ESCROW FUNDS;

AND

C. COMMON OWNERSHIP COMMUNITIES; AND

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

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

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

2. REAL ESTATE FINANCING.

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.